



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, September 19th, 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 August 15, 2017, County Board Meeting
8. Public Comments –3 minutes per person –not to exceed 30 minutes total
9. County Board Chair Report
10. Receipt of Reports from County Board Standing Committees
11. 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.

12. Committee of the Whole:
 - a. Status Report and Discussion of Renovation to the Former Bishop Building
 - b. Receipt of information and Discussion Concerning Highway Facility Project & Bids
 - c. 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:

13. Reconvene as County Board
14. Motion to Act on Matters Considered and Recommended by the Committee of the Whole, as noticed in number 12, above.

Polk County Board of Supervisors

15. Proposed Resolutions and Ordinances Received for First Reading and Referral to Committee (to be considered at the October 17, 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. 57-17: Resolution Delegating to Highway Commissioner Approval Authority for Functional Classification Changes (Referred to Public and Safety Highway Committee)
 - b. Ordinance No. 58-17: Amending Ordinance to Declare the County of Polk Self-Organized (County Board Compensation for Term 2018-2020) (Referred to General Government Committee)
 - c. Resolution No. 59-17: Resolution Affirming Polk County as Sponsor and Managing Coordinator of the Stower Seven Lakes State Trail (Referred to General Government Committee and Environmental Services Committee)
 - d. Resolution No. 60-17: Resolution to Authorize Demolition of Polk County Fairground Grandstand (Referred to General Government Committee)
 - e. *Resolution No. 61-17: Resolution Affirming Support of Proposed Judgeship Legislation to Establish Third Branch of Polk County Circuit Court (Referred to Public Safety and Highway Committee and General Government Committee)
 - f. *Resolution No. 62-17: Resolution to Authorize Polk County Highway Garage Public Improvement Project and Award Construction Contracts for Highway Garage – Bid Package #1
 - g. *Resolution No. 63-17: Resolution to Award Construction Contracts for Highway Garage – Bishop Building Remodeling
 - h. Resolution No. 64-17: Resolution to Authorize Transfer of Tax Delinquent Property to Town of McKinley (Referred to Environmental Services Committee)

16. Supervisors Announcements

17. 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, August 15th, 2017

Chairman Dean Johansen called the regular August 15th, 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 August 7, 2017. In addition, the Office of the County Clerk distributed on August 4, 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 written and 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. Fourteen County Board Supervisors were present, Supervisor Brian Masters was absent/excused.

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

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

Chairman Johansen called to the floor consideration and approval of the agenda as noticed. **Motion** (Bonneprise/Luke) 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 to the floor for approval of the Consent Agenda. **Motion** (Jepsen/LaBlanc) 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. Minutes from July 18th, 2017 and July 20th, 2017 approved as published.

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

Board received 2016 review from Regional Planning Commission and presentation from Lynn Nelson representing West Central Wisconsin Regional Planning Commission. Board received information from Jordan Pospishil from West Central WI Regional Planning Commission regarding the Regional Business Fund.

Board received presentation from District Attorney Jeff Kemp/Judge Jeffery Anderson regarding proposed ordinance Ordinance 53-17, seeking to adopt into ordinance specific criminal statutes.

Chairman Johansen presented the County Board Chair report giving highlights of Aging Disability Resource Center's recent volunteer recognition picnic. Volunteer involvement includes 72 volunteers for Polk County. Chair Johansen provided information on the membership fees for Northwest International Trade, Business & Economic Council and a summary of projects.

Chairman Johansen called upon Administrator Frey to present monthly administrator's report. County Board received the written Report of Standing Committees from Administrator Frey and Chair acknowledged receipt of reports from standing committees. Administrator Frey reported on meetings regarding homelessness.

Chairman Johansen called the Board in recess at 6:53 p.m. Chairman Johansen called the Board back in session at 7:01 p.m.

Chairman Johansen called for a motion to convene as Committee of the Whole at 7:01 p.m. **Motion** (Demulling/Luke) 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.

County Board received Condition of the County 2016 Annual Report from Administrator Frey.

County Board received information from Administrator Frey regarding Highway Facility Project financing and bonding resolutions. Information received included bonding procedures and recommendations, fund balance, and options for debt management strategy. Current Fund balance is 39.22% of general expenditures. Decision on actual bonding amount and use of fund balance will be made in October.

Board received presentation from Andrea Jerrick, Deputy Administrator and Emil Norby, Highway Commissioner regarding status report of Highway Facility Project and discussion of renovation to the former Bishop building and an overview presentation of construction bidding phase of the project from Architect from Barrientos & Ayres and Construction Manager, Market & Johnson.

Chairman Johansen called for a motion to adjourn Committee of the Whole session. **Motion** (Jepsen/Demulling) 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 (8:15 p.m.) carried by unanimous voice vote.

Chairman Johansen called the Board in recess at 8:15 p.m. Chairman called the meeting back in session at 8:22 p.m.

Chairman Johansen called to the floor for a motion to reconvene as County Board in legislative session. **Motion** (Bonneprise/Jepsen) to reconvene as County Board in legislative session. (8:22 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 declared Board would dispense with first reading of resolutions and ordinances on Agenda items 17a through e and move toward final consideration of resolutions and ordinances. All resolutions and ordinances under consideration have been through committee.

Chairman Johansen called to the floor, Resolution No. 51-17: Resolution to Adopt Draft Master Fee Schedule for 2018 Budget Proposal. Chairman Johansen called for a motion to adopt Resolution 51-17. **Motion** (Jepsen/Edgell) to adopt Resolution No. 51-17. **Motion** (O'Connell/Olson) to amend fee schedule, eliminating the Grading/Filling After the Fact Fee (\$1100.00). Chairman Johansen called for a voice vote to approve amendment eliminating the Grading/Filling After the Fact Fee. **Motion** to amend Resolution No. 51-17 carried by unanimous voice vote. Chairman Johansen called for a voice vote to approve the motion to adopt Resolution No. 51-17 with fee schedule as amended. **Motion** to adopt Resolution 51-17 as amended carried by unanimous voice vote. Resolution 51-17 adopted.

Chairman Johansen called to the floor, 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. Chairman Johansen called for a motion to adopt Resolution 52-17. **Motion** (Jepsen/Demulling) to adopt Resolution No. 52-17. Chairman Johansen called for a roll call vote to approve the motion to adopt Resolution No. 52-17. **Motion** to adopt Resolution 52-17 carried by roll call vote of 13 yes, 2 no (Supervisor Prichard voting no, Brian Masters absent/no vote). Resolution 52-17 adopted.

Chairman Johansen called to the floor, Resolution No. 55-17: Initial Resolution Authorizing the Issuance of Not to Exceed \$7,055,000 General Obligation Refunding Bonds. Chairman Johansen called for a motion to adopt Resolution 55-17. **Motion** (Nelson/Jepsen) to adopt Resolution No. 55-17. Chairman Johansen called for a roll call vote to approve the motion to adopt Resolution No. 55-17. **Motion** to adopt Resolution 55-17 carried by roll call vote with 14 voting yes and one no vote (due to absence of Supervisor Masters). Resolution 55-17 adopted.

Chairman Johansen called to the floor, Resolution No. 56-17: Resolution Providing for the Sale of General Obligation Bonds or Promissory Notes for Highway Facility Project and Refunding. Chairman Johansen called for a motion to adopt Resolution 56-17. **Motion** (Luke/Isakson) to adopt Resolution No. 56-17. Chairman Johansen called for a roll call vote to approve the motion to adopt Resolution No. 56-17. **Motion** to adopt Resolution 56-17 carried by roll call vote with 13 voting yes and 2 voting no (Supervisor Prichard voting no and Supervisor Masters –absent). Resolution 56-17 adopted.

Chairman Johansen called to the floor, Ordinance No. 53-17: Polk County Public Protection and Safety Ordinance. Chairman Johansen called for a motion to adopt Ordinance 53-17. **Motion** (Demulling/Bonneprise) to adopt Ordinance No. 53-17. Chairman Johansen called for a voice vote to approve the motion to adopt Ordinance No. 53-17. **Motion** to adopt Ordinance 53-17 carried by majority voice vote with 2 voting no (Supervisor Olson and Supervisor Prichard). Ordinance 53-17 adopted.

Chairman Johansen called to the floor, Ordinance No. 54-17: Amending Tree Stand Regulations of County Forestry Ordinance and County Forestry Comprehensive Plan. Chairman Johansen called for a motion to adopt Ordinance 54-17. **Motion** (O’Connell/Edgell) to adopt Ordinance No. 54-17. Chair noted correction of scrivener’s error on Ordinance 54-17. Title on line 33 and line 37 corrected from County Forester to County Forest Administrator. Chairman Johansen called for a voice vote to approve the motion to adopt Ordinance No. 54-17. **Motion** to adopt Ordinance 54-17 carried by unanimous voice vote. Ordinance 54-17 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 adopt Resolution 16-17. **Motion** (Jepsen/Demulling) to adopt Resolution 16-17. Chairman Johansen called for a ballot vote on the motion to adopt Resolution No. 16-17. **Motion** to adopt Resolution No. 16-17 defeated by ballot vote of 5 yes, 10 no. Voting yes were Supervisors Johansen, Luke, Jepsen, Edgell, and Prichard. Voting no were Supervisors Olson, Route, Nelson, LaBlanc, O’Connell, Isakson, Arcand, Bonneprise, Demulling, and Masters (Masters due to absence). Resolution No. 16-17 failed/defeated.

Chairman Johansen called to the floor, Resolution No. 48-17: Resolution to Amend County Finance Policy to Require Additional Budget Documentation from External Agencies. Chairman Johansen called for a motion to adopt Resolution 48-17. **Motion** (Nelson/Olson) to adopt Resolution No. 48-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 48-17.

Motion Jepsen/Olson to amend Resolution 48-17 as follows:

Page 2, strike lines 38 through 40.

Chairman Johansen called for a voice vote to approve the motion to adopt Resolution No. 48-17 as amended. **Motion** to adopt Resolution No. 48-17 as amended carried by unanimous voice vote. Resolution No. 48-17 adopted as amended.

Chairman Johansen called to the floor, Ordinance No. 49-17: Illegal Transport of Aquatic Plants and Invasive Animals Ordinance. Chairman Johansen called for a motion to adopt Ordinance 49-17. **Motion** (Demulling/O'Connell) to adopt Ordinance No. 49-17. Chairman Johansen called for a voice vote to approve the motion to adopt Ordinance No. 49-17. **Motion** to adopt Ordinance 49-17 carried by unanimous voice vote. Ordinance 49-17 adopted.

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

Chairman Johansen called for a motion to adjourn. **Motion** (Nelson/Luke) 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 9:20 p.m.

Respectfully submitted,

Sharon E. Jorgenson, Polk County Clerk

Polk County Board of Supervisors
Resolution No. 57-17
Resolution Delegating to Highway Commissioner Approval Authority for Functional
Classification Changes

WHEREAS, Functional Classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) uses functional classification for general transportation planning, to reference highway and street construction standards, and to determine eligibility for the rural or urban surface transportation program;

WHEREAS, the Wisconsin Department of Transportation (WisDOT), Bureau of Planning and Economic Development (BPED) and Division of Transportation Systems Development (DTSD) conducts the functional classification review with the cooperation of county and municipal governments; and

WHEREAS, the review of functional classifications by local governments is conducted by a qualified individual(s); and

WHEREAS, in accordance with federal regulations, proposed changes to the functional classification system are required to be approved by a county board; and

WHEREAS, in June 2016, WisDOT had issued a policy that clarifies that the approval authority for functional classification of county board may by resolution be delegated to a committee or a local expert consistent with the county's organizational structure; and

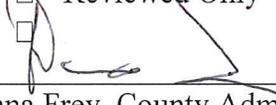
WHEREAS, pursuant to Wisconsin Statute Sections 83.01(7)(b) and 83.015(2)(b), in counties with a county highway commissioner appointed and supervised by a county administrator, the highway commissioner performs all duties required under law of the county board and highway committee and the highway committee performs policy making functions.

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors delegates to the Polk County Highway Commissioner its authority to approve proposed functional classification changes.

BE IT FURTHER RESOLVED, the Polk County Board of Supervisors directs that the Polk County Highway Commissioner shall:

1. Conduct review and approval of the functional classification proposal consistent with the Timeframes for Review of Functional Classification and Boundary Changes policy.
2. Submit to the Polk County Board of Supervisors written notification of the approved changes at its regular meeting held following the approved change.

BE IT FURTHER RESOLVED that upon presentation of the written notification of the approved functional classification changes the same shall be acknowledged and received by formal resolution of the Polk County Board of Supervisors and be reflected in the meeting minutes.

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	First Reading: September 19, 2017 Second Reading: October 17, 2017
Submitted By: 	
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only <input type="checkbox"/>  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	
<p>At its regular business meeting on the ____ of _____ 2017, the Polk County Board of Supervisors adopted the above resolution, Resolution No. 57-17: Resolution Delegating to Highway Commissioner Approval Authority for Functional Classification Changes.</p> <p>SIGNED BY:</p> <p>_____</p> <p>Dean Johansen, County Board Chairperson</p> <p>Attest: _____</p> <p>Sharon E. Jorgenson, County Clerk</p>	

Ordinance No. 58-17
Amending Ordinance to Declare the County of Polk Self-Organized

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

Ladies and Gentlemen:

WHEREAS, pursuant to Ordinance No. 48-13, the Polk County Board of Supervisors declared Polk County a self-organized county; and

WHEREAS, pursuant to Wisconsin Section 59.10(1)(c), a county board of supervisors of a self-organized county has broad discretion to determine the compensation of supervisors; and

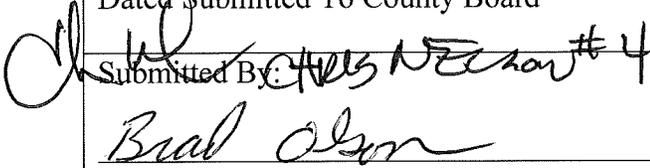
WHEREAS, it is in the interest of the County to establish a maximum amount of annual compensation for supervisors when setting the compensation for supervisors elected for the 2018-2020 term at the annual meeting to be held on or before November 14, 2017.

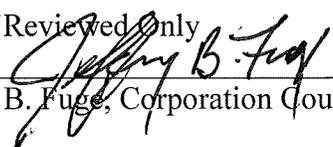
NOW, THEREFORE BE IT ORDAINED that, pursuant to Wisconsin Statute Section 59.10(1), the Polk County Board of Supervisors amends the Ordinance to Declare the County of Polk Self-Organized and creates Paragraph 3.d., to read as follows:

3. d. The maximum total amount of compensation of salary and/or per diems and reimbursements of travel and mileage expense that a supervisor, other than the chairperson, receive in any year may not exceed six thousand (\$6, 000.00) dollars.

BE IT FURTHER ORDAINED that the above amendment shall be effective with the first day of the 2018-2020 term of the Polk County Board of Supervisors.

(History: Ord. No. 48-13, December 17, 2013; Amended, Ordinance No. 58-17, October 17, 2017).

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	April 17, 2018
Dated Submitted To County Board	First Reading: September 19, 2017 Second Reading: October 17, 2017
Submitted By:  Brad Olson, Supervisor District#1	
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended

<input checked="" type="checkbox"/> Reviewed Only <input type="checkbox"/> _____ Dana Frey, County Administrator	<input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel
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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 voted on Ordinance No. 58-17: Amending Ordinance to Declare the County of Polk Self-Organized, , 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. 58-17: Amending Ordinance to Declare the County of Polk Self-Organized was published, pursuant to Wisconsin Statutes § 59.14(1), in the Inter-County Leader on the _____ day of _____, 2017.

Sharon Jorgenson, County Clerk

Dated: _____

1 Resolution No. 59-17
2 Resolution Affirming Polk County as Sponsor and Managing Coordinator of
3 The Stower Seven Lakes State Trail

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

6 Gentlemen:

7 WHEREAS, the Wisconsin Department of Natural Resources (WDNR) administers the State Trail
8 System, through which Polk County has entered into agreements for the cooperative development,
9 administration and management of Stower Seven Lakes State Trails (Trail); and

10 WHEREAS, in receiving State Trail grants, Polk County has served as sponsor and managing
11 coordinator for the Trail and has the responsibility to prepare all necessary cooperative plans,
12 specifications and environmental reports, including citizen participation, for the Trail, and submit them
13 to WDNR for written approval prior to the commencement of any development or improvement of the
14 Trail and before implementing any change in use of the Trail; and

15 WHEREAS, in adopting Polk County Resolution No. 43-17, the Polk County Board of Supervisors
16 expressed its intent for the Polk County to continue as sponsor and managing coordinator of the Trail
17 and to undertake the initiative of developing a cooperative trail plan for Trail as a multi-use, multi-
18 season trail;

19 WHEREAS, the initial agreements entered into by WDNR and Polk County for the coordinated
20 management of the Trail have lapsed; and

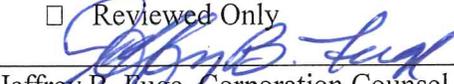
21 WHEREAS, it is in the interest of Polk County to continue as sponsor and managing coordinator of
22 the Trail.

23 NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors affirms the
24 commitment of Polk County to serve as sponsor and managing coordinator of the Stower Seven Lakes
25 State Trail and to perform or carry-out all responsibilities of sponsor and managing coordinator of the
26 Trail consistent with applicable federal and state law, regulatory provisions and grant conditions.

27 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors agrees to the terms of the
28 Memorandum of Understanding and Cooperative Easement, attached hereto.

29 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the Parks and
30 Recreations Director to execute and administer on behalf of Polk County the Memorandum of
31 Understanding and Cooperative Easement.

Resolution No. 59-17
 Resolution Affirming Polk County as Sponsor and Managing Coordinator of
 The Stower Seven Lakes State Trail

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	Passage
Effective Date:	Upon Passage
Dated Submitted To County Board	First Reading – September 19, 2017
Submitted and Sponsored By:	<hr/> <hr/>
 Review By County Administrator: <input checked="" 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 checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input 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. <u>59</u> -17: Resolution Affirming Polk County as Sponsor and Managing Coordinator of The Stower Seven Lakes State Trail, as follows: <input type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against. <input type="checkbox"/> Adopted by unanimous vote. <input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against. <input type="checkbox"/> Defeated by voice vote. <input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____ <hr/>	
SIGNED BY: <hr/> Dean Johansen, County Board Chairperson Attest: _____ <hr/> Sharon Jorgensen, County Clerk	

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

I. Introduction

The purpose of this Memorandum of Understanding (MOU) is to set forth the agreements and understandings which have been reached between Polk County (County) and the State of Wisconsin Department of Natural Resources (Department) regarding the development, and operation of approximately 13.48 miles of former rail corridor located in Polk County formerly known as the Amery to Dresser State Trail and now known as the Stower-Seven Lakes State Trail (Trail). The property on which the Trail is located (Property) is presently owned by the Department, and has been operated by the County and/or the Friends of the Amery-Dresser State Trail since 2010.

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

II. Description of the Property

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

III. Consideration

The Department has acquired the grade from Amery to Dresser from the corridor owner. The DNR will execute a trail easement with the County for the purposes contained in this document. The County will operate, repair, and maintain the Trail. The Department will not acquire additional land for the Trail through the eminent domain process.

IV. Obligations of the Department

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

improve the property as contemplated by this MOU. If, however, such prohibitive conditions are discovered, either the Department shall take all steps reasonably necessary to remove such conditions or the intent of this MOU being frustrated, the MOU shall terminate.

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

V. Obligations of the County

1. The County, with the assistance of the Department, will coordinate and prepare a plan for the Trail that describes trail management and development within two years of the conveyance of the easement. Specific recreational uses will be determined through the planning process. Per section NR 44.04 (13), Wis. Adm. Code this cooperatively prepared plan is not required to comply with Chapter NR 44, Wis. Adm. Code; however, the plan shall be consistent with Chapter NR 44, Wis. Adm. Code to the extent practicable.
2. The plan must include, at a minimum:
 - a. A public notification and participation process allowing for public comments on the draft plan.
 - b. A list of allowed trail uses, including where and when they are allowed (e.g. snowmobiles allowed from Hwy Y to the Main Street trailhead, only when snow cover is 6" or greater). Year-round bicycling is encouraged and may be allowed in conjunction with snowmobiling. Walking must be allowed on the Property at all times (section NR 1.61, Wis. Adm. Code).
 - c. A list of hunting, fishing, and trapping activities and areas as determined by the Department and Natural Resources Board pursuant to section 29.089, Wis. Stats. (shown on a map).
 - d. A list of existing and anticipated support facilities (e.g. restrooms, parking lots).
 - e. A map showing locations of existing and anticipated support facilities and use zones.
 - f. Projected development costs.

- g. Plans to address any identified environmentally sensitive or culturally or historically significant areas.
 - h. A set of management alternatives for the Trail, with a preferred alternative (the alternative that will be used) identified.
 - i. An estimated number of users per year.
 - j. The name and address of the office that will be managing the Trail.
 - k. An emergency action plan to include protocols and procedures for responding to reports of potentially hazardous conditions on the Trail.
 - l. The identification of desired vegetation types along the Trail.
3. The County will participate in or conduct public meetings, which are necessary for the establishment and development, management, and improvements of the Trail project, including for any major changes to the trail plan, such as eliminating or adding allowed trail uses or authorizing special events not addressed by the trail plan. Attempts should be made to comply with the intent of Chapter NR 44 Wis. Adm. Code as it relates to public participation.
 4. The Department, via its Division Administrator, shall have final review of and approval authority over the plan.
 5. The County shall, maintain, repair, and operate the Trail located within the County for recreational purposes, as funding becomes available.
 6. The County agrees that the development, construction, maintenance, and repair of the Trail will meet or exceed Department trail standards and any applicable standards mandated by state or federal law. The County further agrees that in operating the Trail, the County will comply with all applicable state and federal laws.
 7. The County shall comply with statutory inspection requirements pursuant to section 23.115(2), Wis. Stats., further described in Department Manual Code 2527.20, and shall provide the Department with a copies of all inspection reports.
 8. Vegetative management.
 - a. Trees
 1. Forest cover. Trees on the Property remain the property of the Department. Any proposed commercial timber sale must be reviewed by the Department. Although cooperative state trails are specifically excluded from forest certification, sustainable forestry practices are encouraged to maintain desired forest cover types. Depending on the desired cover type, different commercial or non-commercial practices may be used. When active management is proposed, the County shall coordinate review of the proposed management activity with appropriate Department staff.
 2. Hazard tree management. Hazard trees should be identified during the biannual property inspections (further described in Section V. 8. herein). If the volume of hazard trees is too large for County staff to handle, it agrees to consider contracting a commercial sale or other approach.

- b. Non-tree vegetation including saplings, shrubs, and herbaceous vegetation
 - 1. Management for routine trail maintenance. A minimum maintained (clear) shoulder of at least 2 feet on either side of the trail tread (the traveled portion of the trail) is recommended. Acceptable maintenance techniques can include mowing, brushing, chainsaw work, and or pesticide application.
 - 2. Habitat conversion or establishment. If there is an opportunity to develop or enhance native habitat types, as established in the trail plan, the County will consult with the Department in the development of habitat projects. Such projects may include developing a prairie on a larger block of land within the trail right-of-way or along the trail corridor. Projects will be considered for approval by the Department if they are not adverse to existing laws or Department policy, and if they do not negatively impact an existing use.
 - c. Pesticide application. Any pesticide application should be in accordance with Department Manual Code 4230.1 concerning DATCP (Department of Agriculture, Trade and Consumer Protection) certification and Department policy. The Department shall be notified of any proposed pesticide application in early fall of the year preceding the proposed application, to ensure that the required process can be followed for pesticide use on Department lands (Department Manual Code 4230.1).
9. The County shall secure and comply with all federal, state and local permits and licenses required for the construction, installation, operation, maintenance, repair, and/or reinstallation of the Trail including, without limitation, zoning, building, health, environmental permits or licenses. The County shall indemnify the Department against payment of the costs therefore and against any fines or penalties that may be levied for the County's failure to procure or to comply with such permits or licenses, and the County shall pay any remedial costs to cure violations of federal, state or local laws. The Department agrees to cooperate with the County in securing any such permits or licenses by providing information and data upon request.
10. The County agrees that any signage or display material relating to the Trail shall clearly identify the property is a State Trail owned by the Department and under the management and control of the County. No commercial advertising shall be allowed on the Property, unless the signage is placed in accordance with Department policy. The County may allow signs providing directional information about Trail-related services. No specific business names, commercial logos or fonts, trademarks, or other advertising shall appear in signage within the Trail corridor. The Department reserves the right to remove non-compliant signage located on the Property. In the event that the Department's signage policy is modified, the above section on signage shall automatically reflect the modification.
11. The County, in connection with this MOU, shall open Trail-related facilities to the general public subject to reasonable rules and regulations, fees, and charges, as outlined below, for the management and operation of the Trail.

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

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

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

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

12. In the exercise of its rights herein, including but not limited to the operation of the Property as a Trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation, or membership in the National Guard, state defense force or any other reserve successors or designees.
13. The County may enter into an agreement with a Friends Group which meets the criteria in section NR 1.71, Wis. Adm. Code, and Department policy to carry out the County's duties under this MOU. In recognition of the status of this Trail as a State Trail, the County agrees that the Department shall also be a co-signer of any Friends agreement.
14. The County may enroll volunteers in the Department's Adopt-A-Trail program, in accordance with Department policies and procedures.
15. The County will indemnify and hold harmless the Department and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOU by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is

brought against the Department or its employees by reason of any such claim, the County, upon notice from the Department, will defend such action or proceeding.

VI. General

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

VII. Termination

1. County. The County may terminate this MOU by providing to Department ninety (90) days written notice of said termination. In the event the County terminates this MOU or the easement from the Department, the County will assume compliance responsibility for any state or federal grant obtained for Trail development and support purposes.

Document Number	Document Title
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State of Wisconsin
 Department of Natural Resources
 P.O. Box 7921
 Madison, WI 53707

**COOPERATIVE STATE TRAIL
 EASEMENT**

Section 23.09(10), Wis. Stats.
 Form 2200-161

THIS EASEMENT made by and between the State of Wisconsin, Department of Natural Resources (hereinafter referred to as the "Department") and Polk County (hereinafter referred to as the "County").

RECITALS

WHEREAS, the Department has acquired the former Amery to Dresser railroad corridor for the purpose of developing, constructing, operating, maintaining and repairing a recreational trail on said lands (hereinafter referred to as the "Trail");

WHEREAS, the Trail is identified in the legal description marked as Exhibit "A" attached hereto and made a part hereof and the maps marked as Exhibit "B" attached hereto and made a part hereof;

WHEREAS, prior to the acquisition of the Trail, the Department and the County entered into a Memorandum of Understanding for the purpose of allowing the County to develop, construct, operate, maintain and repair said Trail;

NOW, THEREFORE, the Department, for mutual benefits and consideration, the sufficiency of which are hereby acknowledged, does hereby convey to the County, a nonexclusive easement for the purpose of developing, constructing, operating, maintaining and repairing the Trail.

It is understood by the Department and the County that this grant of non-exclusive easement is subject to the following conditions:

1. The County shall have the right to develop, construct, maintain, operate and repair, a recreational trail on the above-described lands located within the corridors of the former railroad grade, now known as the "Stower-Seven Lakes State Trail" for the purpose of bicycling, walking, snowmobiling or other mutually agreed upon compatible uses, as determined through the trail planning process as referenced in the Memorandum of Understanding signed _____, 2017, marked as Exhibit "C", attached hereto and made a part hereof.
2. The County agrees the Trail will be remain open for public use. If the Trail ever ceases to be used for recreational trail purposes for a period of 2 years, then all easement rights, title and interest to the eased premises shall automatically revert to and revest in the Department without necessity of reentry.
3. The County shall open the Trail and its associated facilities to the general public subject to reasonable rules and regulations, fees, and charges, as the County deems necessary for the management and operation of the recreational trail. Admission fees, if any, charged by the County shall not exceed those established in s. 27.01(7), Wis. Stats. Other fees shall remain similar to those contained in Chapter NR 45, Wisconsin

Recording Area
 Return: Department of Natural Resources
 Bureau of Facilities & Land – LF/6
 P.O. Box 7921
 Madison, WI 53707-7921
 Attn: Closing Officer (E-)

Parcel Identification Number (PIN):

Administrative Code. The fees collected shall be split between the Department and the County and spent in accordance with s. 27.01(8m), Stats. If admission fees are charged, the conservation patron license and senior citizen card issued by the Department shall be honored without additional admission charges.

4. Development of the Trail shall conform to Department state recreational trail standards.
5. All fencing, surveying, signing, and similar activities which are related to the development, maintenance and operation of the Trail shall be the responsibility of the County.
6. This easement shall be nonexclusive, and the Department retains the right to sell, lease or convey other easements, including utility easements in and to the eased property, to one or more person(s), company(s) or entity(s), provided that any such subsequent use, lease or conveyance does not interfere with the rights granted hereunder. The Department must approve, and has sole discretion over, all land transactions, trail crossings, and easements for the trail corridor, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to easements for the driveways and road crossings will be provided to the County. If requests conform to the guidelines, they will be referred to the Department for executing an easement, lease, or agreement. If the requests do not conform to Department guidelines, the County will deny the request. All proceeds from these transactions shall be payable to the Department. If the Department conveys any additional easements within the above-described property, the Department will require the respective grantees to restore the recreational trail to the satisfaction of the County.
7. The County shall secure and comply with all federal, state and local permits and licenses required for the construction, installation, operation, maintenance and repair of the recreational trail including, without limitation, zoning, building, health, environmental permits or licenses, and shall indemnify the Department against payment of the costs therefor and against any fines or penalties that may be levied for failure to procure or to comply with such permits or licenses as well as any remedial costs to cure violations thereof. The Department agrees to cooperate with the County in securing any such permits or licenses by providing information and data upon request.
8. The County will not permit any mortgage, pledge, security interest, lien or encumbrance, including without limitation tax liens or encumbrances and liens or encumbrances with respect to work performed or equipment furnished in connection with the construction, installation, repair, maintenance or operation of the recreational trail or any portion of the eased premises.
9. The County agrees to record this easement and to pay all transfer taxes, recording costs or fees, or any similar expense in connection with the recording or filing of this easement.
10. In the exercise of its rights herein, including but not limited to the operation of the eased property as a recreational trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation, or membership in the National Guard, state defense force or any other reserve component of the military forces of the United States.
11. The Department reserves no control over the employment, discharge, compensation of or services rendered by the County employees or contractors, and the County shall be and remain an independent party, and nothing herein shall be construed as inconsistent with the status or as creating or implying any partnership or joint venture between the County and Department and employees of the County or employees of any contractor shall not be considered Department employees.

12. In connection with the performance of any work under the easement, the County agrees not to discriminate against any employee or applicant for employment because of age, handicap, physical condition, developmental disability as defined in s. 51.01(5), Stats., race, religion, sex, color, sexual orientation or national origin regarding employment, upgrading, demotion or transfer, recruitment or recruitment advertising, lay off or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The County agrees to take affirmative action to ensure employment opportunities for persons with physical disabilities.
13. The Department and the County agree that the provisions of Chapter NR 45, Wisconsin Administrative Code, remain applicable to the subject property. Pursuant to s. NR 45.01(1), Wisconsin Administrative Code, the Department retains management, supervision, and control over the property for the purpose of enforcing Chapter NR 45, Wisconsin Administrative Code, when needed to protect the property. Daily routine enforcement remains the responsibility of the County.
14. Initial work to address boundary disputes, encroachment, trespass and other claims shall be the responsibility of the County. Since the County is more familiar with the trail, the County shall act as the first point of contact to identify boundary disputes, encroachments, trespass and other claims and inform the respective landowners of the same. The Department upon mutual agreement of both parties may enter into agreements for remnants of the property not needed for recreational trail purposes. Any such agreements may be subject to approval of the Natural Resources Board and the Governor and also subject to item 17 below. Should any of the adjacent landowners challenge County's and/or the State of Wisconsin's right to develop this trail by way of court action in either State or Federal court, or by other judicial or administrative challenge, the State will fully defend its rights to develop, in conjunction with the County, the trail which is the subject of this easement agreement.
15. The County agrees to save, hold harmless, defend, and indemnify the Department, and all of its officers, employees agents against any and all liability, claims, and costs of whatever kind and nature, for injury to or death of any person or persons, and for loss or damage to any property (state or other) occurring in connection with or in any way incident to or arising out of the County's occupancy, use, service, operation, or performance of work in connection with this easement, except for any liability, claim or cost resulting from the negligent or intentional acts or omissions of the Department, its officers, employees or agents.
16. This easement shall be in effect as of the date it is signed by both the Department and the County (whichever signs second).
17. Conveyance of this easement may be encumbered by federal or state railroad interest and subject to future restoration and reconstruction of the right-of-way for rail purposes consistent with Section 208 of the National Trails System Act Amendment of 1983, Publ. L. No. 98-11 (16 U.S.C. 1247(d)) or Wis. Stat. s. 85.09, including possible termination of this easement, and subject to reservations, exceptions and leases, agreements and permits authorized by the former railroad company or owners, or the Department prior to the execution of this easement. The Department shall provide written notice of the necessity for the reestablishment of railroad or future highway project, which may result in the termination of this easement upon the discretion of the railroad or WisDOT. The County shall: (1) not materially change the grade or topography of the Trail; (2) not construct and install or remove any permanent improvement which violates American Railway Engineering and Maintenance-of-Way Association ("AREMA"), or its successors, published practices and procedures or would make such reestablishment of railroad impracticable; and (3) not allow the installation of any facility, above or below grade that does not conform to AREMA's standards or clearances for railroad.

END OF CONDITIONS

Resolution No. 60-17

Resolution to Authorize Demolition of Polk County Fairground Grandstand

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

Gentlemen:

WHEREAS, in September 2016, the Parks and Recreation Department conducted a structural evaluation of the existing Polk County Grandstand utilizing the services of Short Elliot Hendrickson, Inc. (SEH); and

WHEREAS, in its structural condition report dated October 19, 2016, SEH identified a number of structural elements in the Grandstand that are not adequate for minimum design loads and recommended a list of extensive repairs and offered the option of complete demolition and replacement with a code compliant and accessible structure as the more economically viable alternative; and

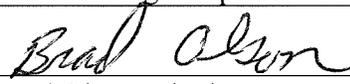
WHEREAS, the Polk County Fair Society has considered the report and recommendations of SEH and has requested the County to demolish and replace the existing Grandstand; and

WHEREAS, the Environmental Services Committee and the General Government Committee had recommended the demolition of the existing grandstand when proposing Resolution No. 2-17; and

WHEREAS, it is in the interest of the County to demolition the grandstand in a timely manner to allow for the planning of Polk County Fairs in 2018 and subsequent years.

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors authorizes a public improvements project for the demolition of the grandstand at the Polk County Fairgrounds.

BE IT FURTHER RESOLVED that the County Administrator is authorized to let, negotiate and administer the demolition contract authorized herein in accordance with Wisconsin Statute Section 59.52(29).

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	Passage
Effective Date:	Upon Passage
Dated Submitted To County Board	First Reading – September 19, 2017
Submitted and Sponsored By:	 Brad Olson, District
Review By County Administrator:	Review By Corporation Counsel:

<input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only <hr/> Dana Frey, County Administrator	<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
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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. 60-17: Resolution to Authorize Demolition of Polk County Fairground Grandstand; 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 Jorgensen, County Clerk

1 Resolution No. 61-17
Resolution Affirming Support of Proposed Judgeship Legislation to Establish
Third Branch of Polk County Circuit Court

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

4 Gentlemen:

5 WHEREAS, on September 16, 2014, the Polk County Board of Supervisors adopted Resolution No.
6 30-14 in support of proposed legislation to create additional judgeships, including the establishment
7 of a third circuit court in Polk County; and

8 WHEREAS, the Director of State Courts of the Wisconsin Supreme Court has reported in the 2016
9 Weighted Case Load Study that there is a continuing need for three judges in Polk County; and

10 WHEREAS, Polk County is currently authorized for two (2) circuit court judges, while the growth
11 rate of case filings in Polk County has warranted three judges since at least 2014.

12
13 WHEREAS Polk County's judge need has been identified as one of the highest in the state; and

14
15 WHEREAS, the State of Wisconsin will pay the salary and benefits for the judge and the court
16 reporter in addition to providing the needed computers and printers, while additional support may be
17 requested of the county; and

18
19 WHEREAS, in 2016, Polk County received \$111,141 in State of Wisconsin Circuit Court Support
20 Program payments, said sum is based upon an apportionment for each branch in a county and an
21 additional apportionment to counties with more than one circuit court based on population; and

22
23 WHEREAS, the Polk County Justice Center has the prerequisite third courtroom available for a third
24 court judge, together with sufficient room for necessary accompanying support personnel; and

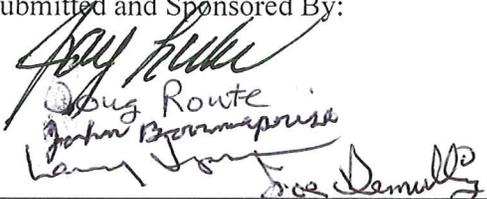
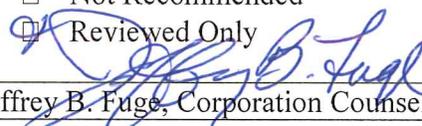
25
26 WHEREAS, the support of the Polk County Board of Supervisors is required for the Director of
27 Court's Office to include Polk County in a judgeship bill to create a third circuit court branch;

28
29 WHEREAS, on recommendation of the Public Safety and Highway Committee, it is in the interest of
30 Polk County and its citizens that the Polk County Board of Supervisors approve a resolution that
31 affirms Polk County's support of legislation creating additional judgeships.

32 NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors affirms Polk
33 County's support of legislation creating additional judgeships and hereby requests the director of
34 State Courts to request of the Wisconsin Legislature and Governor Scott Walker to create a third
35 branch of the circuit Court of Polk County to better serve the citizens of Polk County.

36
37 BE IT FURTHER RESOLVED that Polk County will support both space and personnel requirements
38 as deemed necessary for support of a third circuit judge.

Resolution No. 61-17
 Resolution Affirming Support of Proposed Judgeship Legislation to Establish
 Third Branch of Polk County Circuit Court

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	Upon Passage
Dated Submitted To County Board	September 19, 2017
Submitted and Sponsored By:	
	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 10px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
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. Fuge, Corporation Counsel
Acknowledgement of County Board Action	
Mark As Appropriate: <p style="text-align: center;">At its regular business meeting on the 19th of September, 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 61-17: Resolution Affirming Support of Proposed Judgeship Legislation to Establish Third Branch of Polk County Circuit Court, as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against. <input type="checkbox"/> Adopted by unanimous vote. <input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against. <input type="checkbox"/> Defeated by voice vote. <input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____ 	
SIGNED BY: _____ Dean Johansen, County Board Chairperson Attest: _____ Sharon Jorgensen, County Clerk	



POLK COUNTY, WISCONSIN

WWW.CO.POLK.WI.US

Sharon Jorgenson, County Clerk
100 Polk Plaza, Suite 110, Balsam Lake, WI 54810
Phone (715) 485-9226 Email Sharon.Jorgenson@co.polk.wi.us

MEMORANDUM

Date: September 6, 2017

To: County Board of Supervisors

From: Sharon E. Jorgenson – County Clerk

Re: Resolution No. 62-17: Resolution to Authorize Polk County Highway Garage
Public Improvement Project and Award Construction Contracts for Highway
Garage – Bid Package #1 AND
Resolution No. 63-17: Resolution to Award Construction Contracts for Highway
Garage – Bishop Building Remodeling

Please note that the tables incorporated in Resolution No. 62-17 and Resolution No. 63-17 will be developed prior to the Executive Committee meeting scheduled on September 19, 2017 at 10:00 a.m. and circulated on the floor of the County Board meeting when receiving the committee report that contains the recommendations of the committee on the two resolutions.

1 Polk County Board of Supervisors
2 Resolution No. 62-17

3 Resolution to Authorize Polk County Highway Garage Public Improvement Project and Award Construction
4 Contracts for Highway Garage – Bid Package #1

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

6 Ladies and Gentlemen:

7 WHEREAS, in adopting Resolution No. 50-17, the Polk County Board of Supervisors approved and adopted
8 plans for the construction of the Polk County Highway Garage (Project); and

9 WHEREAS, it is in the interest of the County for the Project to move forward in a timely and integrated manner
10 on multiple divisions of work with the County Board awarding construction contracts to the lowest responsible
11 bidder for each division of work; and

12 WHEREAS, Bid Package #1 for the construction work of concrete foundations, precast concrete, structural steel
13 framing, site preparation and earthwork, and site utilities has been competitively bid, and, on September 12,
14 2017, the County and Markert & Johnson, construction manager, opened and reviewed bids received and those
15 accepted as conforming bids were evaluated; and

16 WHEREAS, on September 13, 2017, the Executive Committee considered the bid submissions accepted as
17 conforming for Bid Package #1 and recommended to the County Board to award those certain construction
18 contracts for Bid Package #1 to the corresponding lowest responsible bidder identified on the document
19 entitled Bid Package #1 Awarded Contracts, attached hereto and incorporated herein.

20 NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes that the public
21 improvement project of the construction of the Polk County Highway Garage, including the remodeling of the
22 Bishop Building, proceed with all expenditures to be approved by the Polk County Board of Supervisors.

23 BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Sections 59.52(29) and 66.0901, the Polk County
24 Board of Supervisors awards the various construction contracts to the respective lowest responsible contractor
25 identified on Bid Package #1 Awarded Contracts, attached hereto and incorporated herein.

26 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the County Administrator, in
27 coordination with Market & Johnson, to let, negotiate and execute on behalf Polk County those construction
28 contracts awarded in this resolution.

(Continued on P. 2)

Resolution No. 62-17

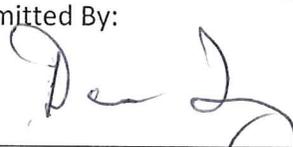
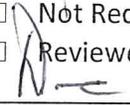
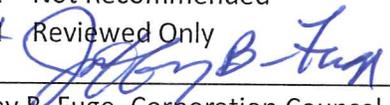
Resolution to Authorize Polk County Highway Garage Public Improvement Project and Award Construction Contracts for Highway Garage – Bid Package #1

Bid Package #1 Awarded Contracts

WORK CATEGORY AND NUMBER	SPECIFICATION SECTION(S) PORTION OF WORK	BID AWARD - CONTRACTOR	BID AMOUNT
03A - Concrete Foundations	03 12 00 – Concrete Forming and Accessories Furnish and Install		
	03 21 00 – Concrete Reinforcing Furnish and Install		
	03 31 00 – Cast-in-Place Concrete Furnish and Install		
03B - Precast	03 40 00 – Structural Precast Concrete Furnish and Install ** Includes wall panels and plank **		
05A - Steel Material	05 12 00 – Structural Steel Framing Furnish Only		
	05 21 00 – Steel Joist Framing Furnish Only		
	05 31 00 – Steel Decking Furnish Only		
	05 50 00 – Metal Fabrications Furnish Only		
	05 51 00 – Metal Stairs Furnish Only		
	05 52 13 – Pipe and Tube Railings Furnish Only		
	05 53 13 – Bar Gratings Furnish Only		
05B - Steel Erection	05 12 00 – Structural Steel Framing Install Only		
	05 21 00 – Steel Joist Framing Install Only		
	05 31 00 – Steel Decking Install Only		
	05 50 00 – Metal Fabrications Install Only		
	05 51 00 – Metal Stairs Install Only		
	05 52 13 – Pipe and Tube Railings Install Only		
	05 53 13 – Bar Gratings Install Only		
31A - Earthwork	31 05 10 – Site Preparation Furnish and Install		
	31 05 12 – Temporary Environmental Controls Furnish and Install		
	31 20 00 – Earth Moving Furnish and Install		
	31 37 00 – Rip Rap Furnish and Install		
	32 11 32 – Aggregate Base Course Furnish and Install		
33A - Site Utilities	33 11 30 – Water Service Furnish and Install		
	33 31 30 – Sanitary Service Furnish and Install		
	33 41 20 – Site Storm Sewer System Furnish and Install		

Resolution No. 62-17

Resolution to Authorize Polk County Highway Garage Public Improvement Project and Award Construction Contracts for Highway Garage – Bid Package #1

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	September 19, 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 special business meeting on the 19th of September 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 62-17: Resolution to Authorize Polk County Highway Garage Public Improvement Project and Award Construction Contracts for Highway Garage – Bid Package #1, as follows:

- Enacted by simple 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

1 Polk County Board of Supervisors
2 Resolution No. 63-17
3 Resolution to Award Construction Contracts for Highway Garage – Bishop Building Remodeling

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

5 Ladies and Gentlemen:

6 WHEREAS, the Polk County Board of Supervisors has authorized the public improvement project of the Polk
7 County Highway Garage (Project) to proceed; and

8 WHEREAS, bids for the remodeling of the existing Bishop Building to provide for a new sign shop, welding shop,
9 vehicle storage and associated mechanical & electrical changes (Bishop Building Bid Package) has been
10 competitively bid and the County and Market & Johnson, construction manager, opened and reviewed bids
11 received and those accepted as conforming bids were evaluated; and

12 WHEREAS, on September 18, 2017, the Executive Committee considered the bid submissions accepted as
13 conforming for the Bishop Building Bid Package and recommended to the County Board to award those certain
14 construction contracts for the Bishop Building Bid Package to the corresponding lowest responsible bidder
15 identified on the document entitled “Bishop Building Bid Package Awarded Contracts”, attached hereto and
16 incorporated herein.

17 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Sections 59.52(29) and 66.0901, the
18 Polk County Board of Supervisors awards the various construction contracts to the respective lowest
19 responsible contractor identified on “Bishop Building Bid Package Awarded Contracts”, attached hereto and
20 incorporated herein.

21 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the County Administrator, in
22 coordination with Market & Johnson, to let, negotiate and execute on behalf Polk County those construction
23 contracts awarded in this resolution.

(Continued on P. 2)

Resolution No. 63-17

Resolution to Award Construction Contracts for Highway Garage – Bishop Building Remodeling

Bishop Building Bid Package Awarded Contracts

Insert Table of Awarded Bishop Building Contracts

WORK CATEGORY AND NUMBER	SPECIFICATION SECTION(S) PORTION OF WORK	BID AWARD - CONTRACTOR	BID AMOUNT

Polk County Board of Supervisors
Resolution No. 63-17

Resolution to Award Construction Contracts for Highway Garage – Bishop Building Remodeling

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	September 19, 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 special business meeting on the 19th of September 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 63-17: Resolution to Award Construction Contracts for Highway Garage – Bishop Building Remodeling, as follows:

- Enacted by simple 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

1 RESOLUTION 64-17

2 Resolution to Authorize Transfer of Tax Delinquent Property to Town of McKinley
3 (Outlot 1, Sunrise Roost, Town of McKinley)

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

5 Ladies and Gentlemen:

6 WHEREAS, pursuant to Wisconsin Statutes Sections 59.52(6) and 75.365 (3), counties may transfer
7 to local municipalities title to tax delinquent lands in a sum that the county board may determine to
8 be in the interest of the county; and

9 WHEREAS, on August 31, 2017, Polk County acquired tax delinquent property consisting of 4.72
10 acres located in the Township of McKinley, identified as having a parcel identification number of
11 #038-00876-0001 and legally described as Outlot 1, Sunrise Roost, SW ¼ NE ¼ and SE ¼ NW ¼ of
12 Section 10, Town 36N, Range 35W, Town of McKinley, Polk County, Wisconsin.

13 WHEREAS, the Township of McKinley has authorized the acquisition of said tax delinquent property
14 from Polk County for a sum of \$285.26, said sum being the amount of delinquent taxes and costs
15 incurred in the course of tax foreclosure.

16 WHEREAS, on recommendation of the Environmental Services Committee, it is in the interest that
17 the Polk County Board of Supervisors authorize an agreement for the sale and transfer of the
18 subject tax delinquent property.

19 NOW THEREFORE, BE IT RESOLVED, that pursuant to Wisconsin Statute Sections 59.52(6) and
20 75.365(3), the Polk County Board of Supervisors authorizes an agreement for the sale and transfer
21 of the property identified as having a parcel identification number of # 038-00876-0001 and legally
22 described as Outlot 1, Sunrise Roost, SW ¼ NE ¼ and SE ¼ NW ¼ of Section 10, Town 36N, Range
23 35W, Town of McKinley, Polk County, Wisconsin, to the Town of McKinley for the sum of \$285.26,
24 plus costs of transfer.

25 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the Polk
26 County Parks & Recreation Director to enter into an intergovernmental agreement on behalf of Polk
27 County for the sale and transfer of said property to the Town of McKinley consistent with this
28 resolution and to perform on behalf of Polk County all performance obligations of said agreement.

29 BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors authorizes and directs the
30 County Clerk to cause to be issued a quit claim deed conveying title of said lands to the Township of
31 McKinley upon satisfaction of all terms and conditions of said intergovernmental agreement.

Resolution No. 64-17
 Resolution to Authorize Transfer of Tax Delinquent Property to Town of McKinley
 (Outlot 1, Sunrise Roost, Town of McKinley)

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	Upon Passage
Dated Submitted To County Board	First Reading - September 19, 2017
Submitted and Sponsored 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 type="checkbox"/> Reviewed Only _____ 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. 64-17: Resolution to Authorize Transfer of Tax Delinquent Property to Town of McKinley (Outlot 1, Sunrise Roost, Town of McKinley), as follows: <input type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against. <input type="checkbox"/> Adopted by unanimous vote. <input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against. <input type="checkbox"/> Defeated by voice vote. <input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____ _____	
SIGNED BY: _____ Dean Johansen, County Board Chairperson Attest: _____ Sharon E. Jorgenson, County Clerk	

Town of McKinley

2527 15th Street
Cumberland, WI 54829

Mark Renstrom
Chairman

Anna Weaver
Clerk

Mandy Rouzer
Treasurer

Robert Wurm
Supervisor

Kevin Wickstrom
Supervisor

August 8, 2016

Ms. Amanda Nissen, Treasurer
Polk County Government Center
100 Polk County Plaza
Suite 150
Balsam Lake, WI 54810

Dear Ms. Nissen:

On behalf of the McKinley Town Board, this letter is to inform you that the Town of McKinley intends to incorporate 25th Street, commonly referred to as Outlot One (Sunrise Roost) in McKinley Township as a town road.

The Township will assume all maintenance of the road and back taxes, without penalties. We would take legal possession as soon as possible. This would expedite county mapping changes and State road aids that we receive.

If you have further questions, please feel free to contact our Town Chairman, Mark Renstrom, at 715-419-1944.

Sincerely,



Anna M. Weaver, Clerk



Mark Renstrom, Chairman

8-8-16



Robert Wurm, Supervisor

8-8-16



Kevin Wickstrom, Supervisor

8/8/16

**Town Board Meeting
Tuesday, August 8, 2016, 6:00 p.m. at McKinley Town Hall**

Present: Kevin Wickstrom, Mandy Rouzer, Anna Weaver, Mark Renstrom, and Bob Wurm
Also Present: John Holst, Marvin Marshall, and Bobbie Knudson

REPORTS:

Anna Weaver read the minutes of the July 19, 2016, monthly board meeting.
Wurm/Wickstrom motion to approve the minutes as read. Carried.

Mandy Rouzer gave the Treasurer's report. The checkbook balance as of 7/31/2016 is \$225,999.30. Wickstrom/Wurm motion to approve the Treasurer's report as read. Carried.

Bob Wurm reported on the Frederic Fire Department. They did not get a DNR cost sharing grant. Lift assist has become an issue with a certain individual. Calls are up approximately ten calls over the last year. The Department ordered three new sets of turnout gear for \$5,051.00.

Bob Wurm reported that the Cumberland Fire Department raised \$30,000 in two recent fundraisers.

PUBLIC COMMENT:

None.

OLD BUSINESS:

1. Ed Dittbrenner's hired man went in the ditch and rutted up the road. John Holst hauled 1½" gravel on Footes Lake Lane and graded it out.
2. A local resident called police to say a drug deal was taking place in their neighborhood. Police were busy with another 911 call so the resident called Mark Renstrom.
3. There is a beaver plugging the culvert by Jack Sterner's home. Mark Renstrom talked to the individual that owns the land to get the okay to kill the beavers.

NEW BUSINESS:

1. 25th Street - Township Taking Possession: Bob Wurm made a motion to send a letter to Polk County with intent to incorporate 25th Street, commonly referred to as Outlot One

(Sunrise Roost) with details outlined in the attached letter. Motion was seconded by Kevin Wickstrom. Carried.

2. Scott McLeod – Review and Approval of Land Subdivision & Town Board Checklist: The Board reviewed, completed, and signed the checklist.
3. Consider Bid Proposal – 30th Street Crackfilling: Bob Wurm made a motion to accept the estimated proposal from Scott Construction, Inc. to poly fill cracks on 30th Street from Hwy 48 North to 260th Avenue to prepare for future chip seal in an amount not to exceed \$7,560.00. Motion was seconded by Kevin Wickstrom. Carried.
4. Approval of Use of Town Hall for 4-H Corn Boil: Mark Renstrom will tell Ed Dittbrenner it is okay to have the corn boil at the Town Hall. Date to be determined.
5. Patrolman's Prescription Glasses: Bob Wurm made a motion to pay \$225.00 towards the purchase of new glasses that were lost in a job-related incident. Seconded by Kevin Wickstrom. Carried.
6. Wickstrom/Wurm motion to pay August bills and that the Clerk can pay any other bills that need to be paid before the next Board meeting. Carried.
7. Set September 13, 2016, at 6:00 p.m. as the date for the next Board meeting.
8. Wickstrom/Wurm motion to adjourn meeting. Carried.

Agenda for next meeting reports, Town Hall, roads, parks, lakes, cemetery, bill, closed session if needed, and anything else that can legally come before the Board at this time.

Anna M. Weaver, Clerk