



## 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, June 20<sup>th</sup>, 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 May 23, 2017, County Board Meeting
  - b. Resolution 40-17: Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Alden
  - c. Resolution 41-17: Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Alden
8. Public Comments –3 minutes per person –not to exceed 30 minutes total
9. County Board Chair Report
  - a. Confirmation of Appointment of Joe Demulling to Ad Hoc Committee on Fairgrounds Infrastructure
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. Discussion and Deliberation on Recommendations Relating to Review of Proposals for Architectural & Engineering Services for construction of Highway Facility.

## Polk County Board of Supervisors

- b. Discussion on Ordinance 39-17: Manure and Water Quality Management Ordinance
- 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 #12, above.
15. Proposed Resolutions and Ordinances Received for First Reading and Referral to Committee (to be considered at the July 18, 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 marked with an asterisk (\*)).
  - a. Resolution No. 42-17: Resolution to Revise Private Rates of Nursing Home Care at Golden Age Manor Nursing Home – To be referred to Health & Human Services Board
  - b. Resolution No. 43-17: Resolution Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan for Stower Seven Lakes Trail. -To be referred to Environmental Services
  - c. \*Resolution No. 44-17: Resolution to Authorize Procurement of Architectural & Engineering Services for Highway Facility
  - d. 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 –To be referred to General Government
16. Proposed Resolution and Ordinances Offered for Adoption or Enactment at June 20<sup>th</sup>, 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. 33-17: Resolution to Authorize Offer of Donation of Polk County Museum to the Polk County Historical Society Resolution
- c. Resolution No. 34-17: Resolution Concerning Additional Dog License Tax
- d. Resolution No. 35-17: Resolution to Amend 2017 Budget to Incorporate Carry-forward Funds
- e. Resolution No. 36-17: Resolution to Establish and Fund Highway Facility Capital Account

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On Recommendation by General Government Committee and Public Safety and Highway Committee:

f. Resolution No. 38-17: Resolution to Amend the 2017 Polk County Budget to Provide Funding for the Public Work Bridge Replacement on County Road J

On Recommendation by Environmental Services Committee:

g. Ordinance No. 39-17: Manure and Water Quality Management Ordinance

17. Supervisors Announcements

18. Adjourn

***This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.***



**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, May 23<sup>rd</sup>, 2017**

Chairman Dean Johansen called the regular May 23<sup>rd</sup>, 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 May 15, 2017. In addition, the Office of the County Clerk distributed on May 11, 2017 copies of such notice of meeting and proposed resolutions to supervisors via e-mail and mail.

The Amended Agenda was posted in the Government Center building, published on the County website, and copies of such notice of meeting distributed to the Supervisors via email on May 15, 2017. The Board also received from Corporation Counsel the verbal legal opinion that the amended meeting notice was posted in accordance with the substantive and timeline provisions of Wisconsin Open Meetings Law and that it would be necessary for the Board to act to Suspend the Rules of Order, pursuant to Article 3, Paragraph 4, to approve the amended agenda, conforming to the amended meeting notice issued and posted on May 15<sup>th</sup>, 2017.

Chairman Johansen recognized the County Clerk for purposes of taking roll call. Fourteen County Board Supervisors were present. Kate Isakson was excused.

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

Chairman Johansen called for a Time of Reflection. Chairman Johansen presented a Time of Reflection, recognizing Supervisor Masters and reflecting on the difficulties and challenges that all cancer patients face, yet despite those obstacles, cancer patients remain "Brian Strong".

Chairman Johansen called to the floor, approval of Agenda as amended. **Motion** (Bonneprise/Masters) to approve amended agenda with correction of scrivener's error of date on Agenda item #15 to 6-20-17 instead of 5-23-17. Chairman Johansen called for a voice vote on the motion to approve agenda as amended. **Motion** to approve Agenda as amended carried unanimously by voice vote.

Chairman Johansen called to the floor, approval of the Consent Agenda. **Motion (O'Connell/Luke)** 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 32-17: Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Alden adopted in consent agenda. Minutes from April 18, 2017 approved as published.

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

Chairman Johansen called to the floor, Resolution No. 17-17: Resolution to Authorize Lease of Old County Jail to Salvation Army for Continuation of Serenity House/Transition Housing Program. Chairman Johansen called for a motion to adopt Resolution 17-17.

**Motion (Jepsen/Luke)** to adopt. Chairman Johansen called upon Administrator Frey to address Resolution 17-17. Board received copy of proposed amendment to Resolution 17-17 and Administrator Frey addressed the resolution regarding the amendment and forming an Ad Hoc committee of 2 members of the Polk County Board of Supervisors and 5 citizen members to address the need for emergency housing and provide adequate supply of emergency housing.

Chairman Johansen called for a motion to approve proposed amendment for Resolution 17-17. **Motion (Jepsen/Demulling)** to approve amendment as submitted for Resolution 17-17.

**Motion (Olson/Route)** to amend amendment to leave lines 40 and 41 as written on original Resolution 17-17. Discussion followed regarding intent of Olson amendment.

Chairman Johansen called for a roll call vote on the motion to approve the amendment to the amendment (to leave lines 40 and 41 on Resolution 17-17). Supervisor Masters to abstain from voting. Motion to amend amendment **failed** by roll call vote of 4 yes, 9 no, 1 abstaining, and 1 absent. Voting yes: Supervisors Olson, Route, LaBlanc, and Edgell. Voting No: Supervisors Nelson, Prichard, O'Connell, Jepsen, Luke, Arcand, Bonneprise, Demulling, Johansen. Abstaining: Supervisor Masters. Absent: Supervisor Isakson.

Chairman Johansen called for a roll call vote on the motion to adopt Resolution 17-17 with proposed amendment. Motion to adopt Resolution 17-17 as amended carried by a roll call vote of 12 yes, 1 no, 1 abstaining, and 1 absent. Voting no: Supervisor Edgell. Abstaining: Supervisor Masters. Absent: Kate Isakson.

Chairman Johansen called for a 10 minute recess at 7:12 p.m. Chairman Johansen called the meeting back into session at 7:25 p.m.

Chairman Johansen recognized Supervisor O'Connell. Supervisor O'Connell addressed Resolution 17-17. **Motion (O'Connell/Edgell)** to bring Resolution 17-17: Resolution to Authorize Lease of Old County Jail to Salvation Army for Continuation of Serenity House/Transition Housing Program back to the floor to complete number of ad hoc committee members on the

amendment. Chairman Johansen called for a voice vote on the motion to bring Resolution 17-17 back to the floor and add numbers for the ad hoc committee to the Resolution. **Motion** to bring Resolution 17-17 back to the floor and enter **2** for the number of County Board supervisors and **5** for the number of citizen members for the ad hoc committee on Resolution 17-17 carried by unanimous voice vote.

**Amendment to Resolution 17-17:**

Page 2, line 38 immediately after the word RESOLVED, insert: “, Notwithstanding subchapter 5.6., of the County Finance Policy”,

Page 2, line 40, strike “a rental amount and term of lease as provided by policy and upon other terms” and strike line 41 and insert “for a period beginning immediately and ending June 30, 2020, on the same financial conditions and terms as the lease which expired on March 1, 2017.”

Page 2, after line 44, insert two new paragraphs to read:

“BE IT FURTHER RESOLVED that the County Administrator serve as a liaison between the government of the Village of Balsam Lake and the Salvation Army to mediate any issues related to the operation of Serenity House/Home.

BE IT FURTHER RESOLVED that an ad hoc committee be formed comprised of 2 members of the Polk County Board of Supervisors appointed by the Chair and 5 citizen members appointed by the County Administrator and that committee be assigned the responsibility of addressing the need for emergency housing in Polk County, both to reduce the need for this housing and to provide for adequate supply of this housing, including a permanent location or locations for clients now served by Serenity House, with a report to the Board of Supervisors on or before March 1, 2018, incorporating a recommendation for extension of this committee beyond April 2018.”

Renumber the lines accordingly.

Chairman Johansen presented the County Board Chair report. Chairman Johansen presented updates on meeting attended. Chairman Johansen announced Wisconsin Counties Association Annual Conference in September. Board of Supervisors wishing to attend should forward information to County Clerk for reservations.

Chairman Johansen called upon Supervisor Nelson to present award of recognition and appreciation to Steve Healy, Director of Economic Development Corporation for his work over the years with Economic Development. Vince Netherland was introduced as new director of Economic Development Corporation.

County Board received written report from County Board Standing Committees from Administrator Frey.

Chairman Johansen called upon Administrator Frey to present monthly administrator’s report.

Administrator Frey read a report from the General Government Committee regarding a transfer of funds from the Polk County Contingency Fund to Information Technology Department:

On 5/16/2017 the General Government Committee approved the transfer of funds from the Polk County Contingency Fund to: Information Technologies Department for the emergency purchase of Circuit Court Branch II videoconferencing portable equipment to replace the existing videoconferencing equipment which failed in April 2017. This portable equipment is expected to cost \$19,000. This asset will be purchased in account (101-32-51451-833-017-00) IT computer repair and replace Branch II videoconferencing. The Contingency Fund transfer will take place if, at year end 2017, the Department's annual expenditures exceed the 2017 budgeted expenditures and are not covered by revenues. This transfer will not exceed the amount as stated above.

County Board received report from Administrator Frey showing Quarterly Purchases over \$25,000 from January 1 to March 31, 2017.

Administrator provided hiring updates of Behavioral Director, Lisa Lavasseur and status of hiring for the Jail Captain position. Other updates included upcoming spring clean-up project.

Administrator Frey announced the following appointments:

- a. Re-Appointment of Tim Laux to Polk County Board of Adjustment – 3 year term
- b. Appointment of Brian Johnson, as Second Alternate to Polk County Board of Adjustment – 3 year term
- c. Appointments by Environmental Services Committee to Lake District Board of Commissioners Affiliated With Polk County
  - i. Amery Area Lake Protection & Rehabilitation District Board of Commissioners – Kate Isakson
  - ii. Horseshoe Lake Protection & Rehabilitation District Board of Commissioners–Tracy LaBlanc

Chairman Johansen called for a motion to confirm said appointments. **Motion (O'Connell/Demulling)** to confirm all appointments as stated. Chairman Johansen called for a voice vote on the motion to confirm appointments. **Motion** to confirm appointments carried by unanimous voice vote.

Chairman Johansen called the Board in recess at 7:50 p.m. Chairman Johansen called the Board back in session at 7:58 p.m.

Chairman Johansen called for a motion to convene as Committee of the Whole at 7:58 p.m.

**Motion (Jepsen/Masters)** 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.

Chairman Johansen called upon Lisa Thanig to present information on the Kinship Program. Committee of the Whole received Kinship presentation by Lisa Thanig and Kinship representatives. Kinship currently has 20 children awaiting mentors. Kinship annual Luau Fund Raiser is scheduled for August 3<sup>rd</sup>, 2017.

Chairman Johansen called upon Administrator Dana Frey and Deputy Administrator Andrea Jerrick to present information regarding the Highway Facility and Construction Manager Request for Proposals. Committee of the Whole received PowerPoint presentation updates on the Highway Facility process and timetable from Deputy Administrator Andrea Jerrick.

Committee of the Whole received update from Administrator Frey regarding status of Highway Facility Project and construction manager. Committee of the Whole received information regarding the scoring and selection process for Construction Manager request for proposals for the Highway Facility from Administrator Frey. Market and Johnson is recommended as Construction Manager by the Executive Committee as per consensus at the May 22, 2017 meeting.

Committee of the Whole received PowerPoint presentation from Administrator Frey regarding the process of policy making by the County Board. Committee of the Whole received PowerPoint presentation from Deputy Administrator Andrea Jerrick regarding updated management and organizational goals established.

Committee of the whole received PowerPoint presentation from County Planner, Tim Anderson regarding key issues for Polk County as identified by each committee. The prioritization of policy issues identified by committees is used to guide departments in the annual budget process. Supervisors were to determine their top five priorities of the issues identified.

Chairman Johansen called for a 15 minute recess at 8:45 p.m. while Supervisors mark their top five priorities. Chairman called Committee of the Whole back in session at 8:55 p.m. 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 and reconvene into regular County Board session. **Motion** to adjourn Committee of the Whole session and reconvene to regular session (8:56 p.m.) carried by unanimous voice vote.

Chairman Johansen called to the floor first reading of resolutions. Supervisor Arcand addressed the Chair regarding the Rules of Order. **Motion (Arcand/O'Connell)** to suspend Rules of Order for notice of Amended Agenda (per Article 3, Section 4) to consider first reading of resolutions. Chairman Johansen called for a voice vote on the motion to suspend Rules of Order. **Motion** to suspend Rules of Order to consider first reading of resolutions carried by unanimous voice vote.

Resolution No. 33-17: Resolution to Authorize Offer of Donation of Polk County Museum to the Polk County Historical Society – To be referred to General Government Committee.

Resolution No. 34-17: Resolution Concerning Additional Dog License Tax -To be referred to General Government Committee.

Resolution No. 35-17: Resolution to Amend 2017 Budget to Incorporate Carry-forward Funds - To be referred to General Government Committee

Ordinance No. 39-17: Manure and Water Quality Management Ordinance –To be referred to Environmental Services Committee – Ordinance cover sheet and signature sheet to be drafted

Resolution No. 38-17: Resolution to Amend the 2017 Polk County Budget to Provide Funding for the Public Work Bridge Replacement on County Road J. – To be referred to Public Safety and Highway Committee and General Government Committee.

Resolution No. 36-17: Resolution to Establish and Fund Highway Facility Capital Account – To be referred to General Government Committee.

Chairman Johansen called for a motion to declare Resolutions 33-17, 34-17, 35-17, 39-17, 38-17, 36-17 passing first reading and referred to appropriate committees for consideration and recommendation. **Motion (Masters/LaBlanc)** to consider Resolutions No 33-17, 34-17, 35-17, 39-17, 38-17, and 36-17 as passing first reading and refer resolutions to appropriate committees for consideration and recommendation. Chairman Johansen called for a voice vote on the motion to consider resolutions passing first reading. **Motion** carried by unanimous voice vote. Second reading of the above referenced resolutions are scheduled for the June 20<sup>th</sup>, 2017 County Board meeting.

Chairman Johansen called to the floor Resolution No. 37-17: Resolution to Authorize Procurement of Construction Management Services for Highway Facility. **Motion (Bonneprise/Jepsen)** to adopt.

Administrator Frey addressed Resolution 37-17, advising an amendment is needed on Resolution 37-17 as follows: Strike lines 20 through 26, and insert “Market & Johnson” to line 19 as selection of construction manager for the Highway Facility.

Chairman Johansen called to the floor for a motion to approve amendment for Resolution 37-17. **Motion (Masters/Route)** to amend Resolution 37-17: Resolution to Authorize Procurement of Construction Management Services for Highway Facility: Striking lines 20 through 26, and inserting “Market & Johnson” on line 19 as selection of construction manager for the Highway Facility. Chairman Johansen called for a voice vote on the motion to adopt amendment to Resolution 37-17. **Motion** to adopt amendment to Resolution 37-17 carried by unanimous voice vote.

Chairman Johansen called for a motion to adopt Resolution 37-17 as amended. **Motion (Bonneprise/Demulling)** to adopt Resolution 37-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution 37-17. **Motion** to adopt Resolution 37-17 as amended carried by unanimous voice vote.

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. Supervisor Jepsen addressed Resolution No. 16-17. **Motion (Jepsen/Nelson)** to postpone action on Resolution 16-17 to June 20<sup>th</sup>, 2017 County Board Meeting to ensure due diligence in determining appropriate course of action to take regarding Fairground Grandstand. Chairman Johansen called for a voice vote on the motion to postpone Resolution No. 16-17. **Motion** to postpone Resolution No. 16-17 to June 20, 2017 County Board Meeting carried by unanimous voice vote.

Chairman Johansen called to the floor, Resolution No. 27-17: Resolution to Grant Emergency Access Easement to Village of Clayton. Chairman Johansen called for a motion to adopt Resolution 27-17. **Motion (Route/Nelson)** to adopt Resolution No. 27-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 27-17. **Motion** to adopt Resolution No. 27-17 carried by unanimous voice vote.

Chairman Johansen called to the floor, Resolution No. 28-17: Resolution to Grant Lakeland Communications Right of Way Easement. Chairman Johansen called for a motion to adopt Resolution 28-17. **Motion (Olson/Route)** to adopt Resolution No. 28-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 28-17. **Motion** to adopt Resolution 28-17 carried by unanimous voice vote.

Chairman Johansen called to the floor, Resolution No. 29-17: Resolution To Authorize Memorandum of Understanding with Polk County Historical Society. Chairman Johansen called for a motion to adopt Resolution 29-17. **Motion (Masters/Luke)** to adopt Resolution No. 29-17. Supervisor Prichard addressed Resolution 29-17. **Motion (Prichard)** to postpone Resolution 29-17 until June 20, 2017 County Board meeting died for lack of a second. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 29-17. **Motion** to adopt Resolution 29-17 carried by majority voice vote with one opposed.

Chairman Johansen called to the floor, Resolution No. 30-17: Resolution To Authorize Memorandum of Understanding with Polk County Criminal Justice Collaborating Council. Chairman Johansen called for a motion to adopt Resolution 30-17. **Motion (Luke/Jepsen)** to adopt Resolution No. 30-17. Chairman Johansen called for a voice vote on the motion to adopt Resolution No. 30-17. **Motion** to adopt Resolution No. 30-17 carried by unanimous voice vote.

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

Chairman Johansen called for a motion to adjourn. **Motion (Demulling/Jepsen)** 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 9:43 p.m.

Respectfully submitted,

Sharon E. Jorgenson, Polk County Clerk

RESOLUTION 40 - 2017

Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Alden

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

1. WHEREAS, Donald & Sharon Mork have petitioned the Polk County Board of Supervisors
2. requesting that a parcel of real estate be rezoned Mining (M-1) District, thereby removing said parcel
3. from the Residential-Agricultural (RA-5) district; and
4. WHEREAS, the Town Board of Alden has not objected to said District Change; and
5. WHEREAS, a public hearing was held on Wednesday, June 7, 2017, at 9:15am, at the Polk
6. County Government Center by the Environmental Services Committee of the Polk County Board of
7. Supervisors as required by the provisions of Wisconsin Statute Section 59.69(5)(e) regarding said
8. District Change; and
9. WHEREAS, at said public hearing no objections were filed with regard to said proposed Zoning
10. District Change; and
11. WHEREAS, the Environmental Services Committee of the Polk County Board of Supervisors has
12. reviewed said proposed Zoning District Change, and has recommended that the Polk County Board of
13. Supervisors grant said proposed change.
14. NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors grant the
15. proposed zoning change.
16. BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 59.69(5)(e), the Polk
17. County Board of Supervisors does hereby amend the Polk County Comprehensive Land Use
18. Ordinance to provide that the following described parcel of real estate be removed from the
19. RA-5 District and be rezoned to the M-1 District:
20. The fractional NE ¼ of the NE ¼ of Section 3/T32N/R18W, Town of
21. Alden, Polk County, WI, parcel #002-01055-0000, 26.66 acres.
22. BE IT FURTHER RESOLVED that said district change to be recorded on the Zoning District map
23. of the Town Alden, which is on file in the office of the Polk County Zoning Administrator
24. pursuant to Section 10.4.1 of the Polk County Comprehensive Land Use Ordinance.

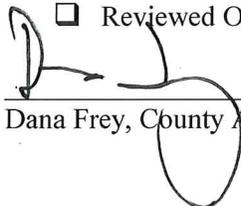
Funding Amount & Source: Not applicable  
Finance Committee Recommendation: Not applicable  
Effective Date: Upon Passage & Publication

Submitted & sponsored by the Environmental Services Committee:

<u>Kate Isakson</u>	<u>James S. Edgelee</u>
<u>Dave Wood</u>	<u>J. J. Olson</u>
<u>Bruce Olson</u>	<u>Nancy Chabiane</u>

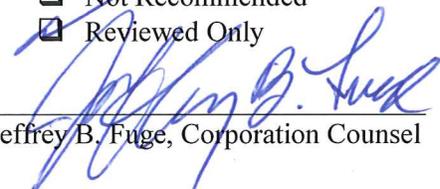
Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

  
Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved As to Form
- Recommended
- Not Recommended
- Reviewed Only

  
Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on Tuesday, June 20, 2017, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution 40-17: Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Alden, by a simple majority vote of \_\_\_ in favor and \_\_\_ against.

Dated this 20<sup>th</sup> day of June, 2017 at Polk County Wisconsin.

\_\_\_\_\_  
Dean Johansen, County Board Chairperson

Attest: \_\_\_\_\_  
Sharon Jorgenson, Polk County Clerk

# Polk County Land Information Department



Zoning | Planning | Mapping | Surveyor

100 Polk County Plaza, Suite 130  
Balsam Lake, WI 54810

Phone (715) 485-9279  
Fax (715) 485-9246

Sara McCurdy, Director

TO: County Board Supervisors  
FROM: Zoning Administration  
DATE: June 7, 2017  
RE: District Change from Residential-Agricultural (RA-5) to Mining (M-1)  
The fractional NE ¼ of the NE ¼ of Section 3/T32N/R18W  
Town of Alden, parcel #002-01055-0000, 26.66 acres.

On Wednesday, June 7, 2017, Donald & Sharon Mork petitioned the Polk County Environmental Services Committee to rezone 26.66 acres from RA-5 to M-1 located on the above captioned property. At the public hearing, no objections were filed and the committee recommends the proposed change. If the County Board approves the district change, the following uses will be allowed:

- Agricultural Uses, including any of the following:

- Crop or forage production
- Keeping livestock
- Beekeeping
- Nursery, sod, or Christmas tree production
- Floriculture
- Aquaculture
- Fur farming
- Forest management
- Enrolling land in a federal agricultural commodity payment program or a federal or state
- agricultural land conservation payment program
- Accessory structure that is an integral part of, or is incidental to, an agricultural use
- Roadside Stand
- Personal Stable
- A single-family and two-family dwelling, when in compliance with the density standards of this district
- Accessory buildings incidental to the residential use of the property
- Home Business
- Conservation Design Development when done in accordance with density standards, Section 10.3.8 of this ordinance, and the Polk County Subdivision Ordinance
- Schools
- Churches
- Cemeteries
- Undeveloped natural resource and open space areas.
- One additional farm residence, which shall be sited so that it may be separated from the original farm parcel on which it is located in compliance with the Polk County Subdivision Ordinance.
- Contractor Storage Yard

## CHANGES IN USE THAT REQUIRE A LAND USE PERMIT

- Tourist Rooming Houses with conditions in R-1
- Bed & Breakfasts with conditions in R-1
- A Bunkhouse with the conditions in Section 10.5.7 at a minimum

## CONDITIONAL USES

- Agriculturally-related businesses, such as, but not limited to:
  - Feed Mills
  - Commercial Stables
  - Implement Dealers
  - Agricultural Cooperatives
  - Veterinarians
  - Wineries
  - Composting Sites
  - Other similar and compatible agriculturally-related businesses
- Kennels when at least 300 ft from property lines
- Animal Shelters when at least 300ft from property lines
- Junkyards/salvage yards
- Airports/Airstrips
- Large, Outdoor Commercial Events

RESOLUTION 41 - 2017

Resolution to Grant a Zoning District Change & to Amend Zoning District Map for Town of Alden

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

1. WHEREAS, Dennis Gille has petitioned the Polk County Board of Supervisors
2. requesting that a parcel of real estate be rezoned Mining (M-1) District, thereby removing said parcel
3. from the Residential-Agricultural (RA-5) district; and
4. WHEREAS, the Town Board of Alden has not objected to said District Change; and
5. WHEREAS, a public hearing was held on Wednesday, June 7, 2017, at 9:15am, at the Polk
6. County Government Center by the Environmental Services Committee of the Polk County Board of
7. Supervisors as required by the provisions of Wisconsin Statute Section 59.69(5)(e) regarding said
8. District Change; and
9. WHEREAS, at said public hearing no objections were filed with regard to said proposed Zoning
10. District Change; and
11. WHEREAS, the Environmental Services Committee of the Polk County Board of Supervisors has
12. reviewed said proposed Zoning District Change, and has recommended that the Polk County Board of
13. Supervisors grant said proposed change.
14. NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors grant the
15. proposed zoning change.
16. BE IT FURTHER RESOLVED that, pursuant to Wisconsin Statute Section 59.69(5)(e), the Polk
17. County Board of Supervisors does hereby amend the Polk County Comprehensive Land Use
18. Ordinance to provide that the following described parcel of real estate be removed from the
19. RA-5 District and be rezoned to the M-1 District:
20. The S ½ of the SE ¼ of the NW ¼ of Section 14/T32N/R17W, Town of
21. Alden, Polk County, WI, parcel #002-00370-0000, 20 acres.
22. BE IT FURTHER RESOLVED that said district change to be recorded on the Zoning District map
23. of the Town Alden, which is on file in the office of the Polk County Zoning Administrator
24. pursuant to Section 10.4.1 of the Polk County Comprehensive Land Use Ordinance.

Funding Amount & Source: Not applicable  
Finance Committee Recommendation: Not applicable  
Effective Date: Upon Passage & Publication

Submitted & sponsored by the Environmental Services Committee:

Kate Isakson  
Dge. wood  
Bruce Olson

James J. Edgell  
L. J. O'Connell  
Mary Fabiane

Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

Dana Frey  
Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved As to Form
- Recommended
- Not Recommended
- Reviewed Only

Jeffrey B. Fuge  
Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on Tuesday, June 20, 2017, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution 41-17: Resolution to Grant a Zoning District Change and to Amend Zoning District Map for the Town of Alden, by a simple majority vote of \_\_\_ in favor and \_\_\_ against.

Dated this 20<sup>th</sup> day of June, 2017 at Polk County Wisconsin.

Dean Johansen, County Board Chairperson

Attest: Sharon Jorgenson  
Sharon Jorgenson, Polk County Clerk

# Polk County Land Information Department



Zoning | Planning | Mapping | Surveyor

100 Polk County Plaza, Suite 130  
Balsam Lake, WI 54810

Phone (715) 485-9279  
Fax (715) 485-9246

Sara McCurdy, Director

TO: County Board Supervisors  
FROM: Zoning Administration  
DATE: June 7, 2017  
RE: District Change from Residential-Agricultural (RA-5) to Mining (M-1)  
The S ½ of the SE ¼ of the NW ¼ of Section 14/T32N/R17W  
Town of Alden, parcel #002-00370-0000, 20 acres.

On Wednesday, June 7, 2017, Dennis Gille petitioned the Polk County Environmental Services Committee to rezone 20 acres from RA-5 to M-1 located on the above captioned property. At the public hearing, no objections were filed and the committee recommends the proposed change. If the County Board approves the district change, the following uses will be allowed:

- Agricultural Uses, including any of the following:
  - Crop or forage production
  - Keeping livestock
  - Beekeeping
  - Nursery, sod, or Christmas tree production
  - Floriculture
  - Aquaculture
  - Fur farming
  - Forest management
  - Enrolling land in a federal agricultural commodity payment program or a federal or state
  - agricultural land conservation payment program
  - Accessory structure that is an integral part of, or is incidental to, an agricultural use
  - Roadside Stand
  - Personal Stable
- A single-family and two-family dwelling, when in compliance with the density standards of this district
- Accessory buildings incidental to the residential use of the property
- Home Business
- Conservation Design Development when done in accordance with density standards, Section 10.3.8 of this ordinance, and the Polk County Subdivision Ordinance
- Schools
- Churches
- Cemeteries
- Undeveloped natural resource and open space areas.
- One additional farm residence, which shall be sited so that it may be separated from the original farm parcel on which it is located in compliance with the Polk County Subdivision Ordinance.
- Contractor Storage Yard

## CHANGES IN USE THAT REQUIRE A LAND USE PERMIT

- Tourist Rooming Houses with conditions in R-1
- Bed & Breakfasts with conditions in R-1
- A Bunkhouse with the conditions in Section 10.5.7 at a minimum

## CONDITIONAL USES

- Agriculturally-related businesses, such as, but not limited to:
  - Feed Mills
  - Commercial Stables
  - Implement Dealers
  - Agricultural Cooperatives
  - Veterinarians
  - Wineries
  - Composting Sites
  - Other similar and compatible agriculturally-related businesses
- Kennels when at least 300 ft from property lines
- Animal Shelters when at least 300ft from property lines
- Junkyards/salvage yards
- Airports/Airstrips
- Large, Outdoor Commercial Events

Polk County Board of Supervisors  
Resolution No. 42-17

Resolution to Revise Private Rates of Nursing Home Care at Golden Age Manor Nursing Home.

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

Ladies and Gentlemen:

WHEREAS, the current rates for private pay nursing services provided by the Golden Age Manor  
Nursing Home were last set in 2011; and

WHEREAS pursuant to the County Finance policy, rates for services must be equal to the actual cost  
incurred by the County to provide such service; and

WHEREAS, a fee rate study conducted and reported by the Nursing Home Social Workers  
demonstrated that the rates for private pay nursing home services at the Golden Age Manor Nursing  
Home are below the actual cost incurred by the County and less than the prevailing market costs to  
provide nursing home services; and

WHEREAS, because the cost to the County to provide nursing home services has increased since  
2011, it is in the interest of the County to set the rates for nursing home services at an amount which  
reflects current actual costs.

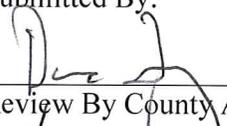
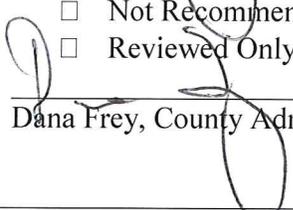
NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a),  
the Polk County Board of Supervisors revises the private pay rates of Golden Age Manor Nursing  
Home, as adopted in the fee schedule of the 2017 Polk County Operating and Capital Budget, as  
follows:

<u>Private Pay Residence Rate</u>	<u>Current Rate</u>	<u>Revised Rate</u>
Semi Private Room for Skilled Care/day	\$211	\$225
Private Room for Skilled Care/day	\$226	\$242
Alzheimer's Unit (Judy's Cottage) for Semi-Private Rooms/day	\$220	\$235
Alzheimer's Unit (Judy's Cottage) for Private Rooms/day	\$237	\$252

BE IT FURTHER RESOLVED that the revised rates authorized herein shall be effective September  
1, 2017.

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

Funding Source/ Funding Amount:	
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation:	
Effective Date:	Upon Passage and Publication

Dated Submitted To County Board	First Reading: June 20, 2017 Second Reading: July 18, 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

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. 42-17: Resolution to Revise Private Rates of Nursing Home Care at Golden Age Manor Nursing Home, 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 E. Jorgenson, County Clerk

1 Polk County Board of Supervisors  
2 Resolution No. 43-17  
3 Resolution Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan  
4 for  
5 Stower Seven Lakes Trail

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

8  
9 Ladies and Gentlemen:

10 WHEREAS, the Stower Seven Lakes Trail (Trail) is a Wisconsin Department of Natural Resources  
11 (Department) trail managed by Polk County as a non-motorized trail; and

12 WHEREAS, in 2004, Polk County developed under the then existing law a master plan for the  
13 designation and management of the Trail as a multi-use, multi-season trail, and providing for,  
14 amongst recognized uses, all-terrain vehicle and snowmobile travel; and

15 WHEREAS, despite the master plan, the use of the trail has been limited to non- motorized use as a  
16 result of a 2008 Polk County Circuit Court decision, in Polk County Court Case No. 2007CV177,  
17 that ordered the Department to prohibit motorized uses on the Trail unless they meet the limited  
18 exceptions found in Wisconsin Statute Section 23.175(1) or Wisconsin Administrative Code, section  
19 NR 51.70 to 51.75, under its then existing language; and

20 WHEREAS, since the decision, the Wisconsin Legislature has amended Wisconsin Statute Section  
21 23.175 and the Department has repealed Wisconsin Administrative Code, section NR 51.70 to 51.75,  
22 removing the statutory and administrative limitations that existed at the time that the Polk County  
23 Circuit Court issued said decision; and

24 WHEREAS, in 2015, the Department notified and informed Polk County that the 2004 master plan  
25 could not receive approval in light of the court decision and that the County would have to develop a  
26 new trail plan under Section 23.175, as amended, in order for motorized uses of the Trail to receive  
27 consideration and approval; and

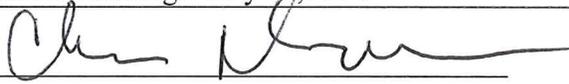
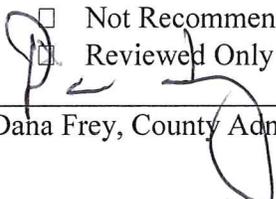
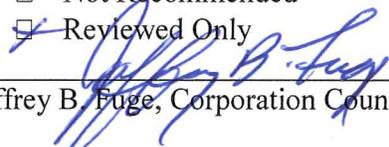
28 WHEREAS, developing a new master land use and trail management plan for the Trail as a multi-  
29 use, multi-season trail would address the County priority to increase recreational and tourism  
30 opportunities.

31 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 23.175, the  
32 Polk County Board of Supervisors authorizes there be developed a master land use and trail  
33 management plan that proposes the Trail be a multi-use, multi-season trail that provides recreational  
34 trail opportunities to as many different interests as possible, including, but not limited to, various  
35 non-motorized and motorized uses.

36 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs  
37 county staff as delegated by the County Administrator to implement a planning process that develops  
38 the proposed master land use and trail management plan and includes public participation; Wisconsin

39 Department coordination, consultation, environmental assessment review and approval;  
 40 recommendation of the Environmental Services Committee; and approval of the County Board.

41 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the  
 42 Corporation Counsel to, as necessary and appropriate, intervene in Polk County Court Case No. 2007  
 43 CV177 or bring an independent legal action on behalf of Polk County to seek a court order that  
 44 allows the Trail to be managed and operated as a multi-use and multi-season trail.

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: June 20, 2017 Second Reading: July 18, 2017
Submitted By:	
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:

At its regular business meeting on the \_\_\_\_\_ of \_\_\_\_\_ 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No.43-17: Resolution Authorizing the Development of a Multi-Use, Multi-Season Trail Management Plan for Stower Seven Lakes Trail, as follows:

- Enacted by 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 E. Jorgenson, County Clerk

Polk County Board of Supervisors

Resolution No. 44-17

Resolution to Authorize Procurement of Architectural and Engineering Services for Highway Facility

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

Ladies and Gentlemen:

WHEREAS, on March 19, 2017, the Polk County Board of Supervisors authorized the Polk County Administrator to negotiate, execute and close on behalf of Polk County final real estate agreements with the Village of Balsam Lake and Bishop Fixtures and Millwork, Inc., for purposes of construction of a Highway Shop; and

WHEREAS, amongst the next steps in the construction of said facility would be to engage an architectural and engineering services firm to provide for the design of the Highway Facility; and

WHEREAS, on June 19, 2017, the Polk County Executive Committee met as the Highway Facility Steering Committee pursuant to Resolution No. 30-16 and recommended the selection of an architectural and engineering services firm, including recommending the expenditure amount.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors ratifies the selection of \_\_\_\_\_ as the architectural and engineering services firm for the Highway Facility.

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	May 23, 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 checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only _____ Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

At its regular business meeting on the \_\_\_\_\_ of June 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 44-17: Resolution to Authorize Procurement of Architectural and Engineering Services for Highway Facility, as follows:

- Enacted by two-thirds 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

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

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

Ladies and Gentlemen:

WHEREAS, the County of Polk maintains its liability insurance policies through Wisconsin County Mutual Insurance Corporation (WCMIC); and

WHEREAS, said policies contain an endorsement, Legal Loss Prevention Services Endorsement (WCMIC-End 3024 (10/10)) that allows the County of Polk to utilize WCMIC financial resources for certain legal expenses that are unrelated to claims against the County thereby reducing the cost to the County on the outlay toward legal expenses; and

WHEREAS, it is appropriate to annually review and revise, as necessary, the designation of persons authorized to request coverage on behalf the County of Polk as provided under the Legal Loss Prevention Services Endorsement ; and

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors designates Dean Johansen, County Board Chair; Dana Frey, County Administrator; Andrea Jerrick, Deputy County Administrator/Employee Relations Director; and Jeffrey B. Fuge, Corporation Counsel as authorized designees for the purposes of requesting utilization of the Legal Loss Prevention Services Endorsement (WCMIC-End 3024 (10/10)) on behalf of the County of Polk.

BE IT FURTHER RESOLVED that, consistent with procedures established by WCMIC for requesting coverage under the legal loss prevention services endorsement, said county officers shall provide his signature on the face of this resolution.

Signatures of Authorized Designees As Required By the Endorsement:

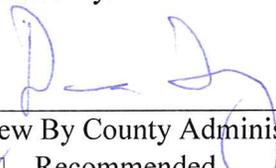
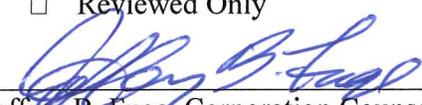
\_\_\_\_\_  
Dean Johansen, County Board Chair

\_\_\_\_\_  
Dana Frey, County Administrator

\_\_\_\_\_  
Andrea Jerrick, Deputy County Administrator/  
Employee Relations Director

  
\_\_\_\_\_  
Jeffrey B. Fuge, Corporation Counsel

BE IT FURTHER RESOLVED that the County Clerk is directed to file a certified copy of this resolution with requisite signatures of designated county officers to Wisconsin County Mutual Insurance Corporation, c/o: Aegis Corporation, General Administrator, 18550 West Capitol Drive, Brookfield, WI 53045.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
General Government Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage
Dated Submitted To County Board	First Reading: June 20, 2017 Second Reading: July 18, 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 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 \_\_\_\_\_ of \_\_\_\_\_ 2017, the Polk County Board of Supervisors considered and acted on the above resolution, 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, as follows:

- Adopted by simple majority vote 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

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 \$21,000 for a structural evaluation of the grandstand to  
15 accurately determine the repair or restoration costs.

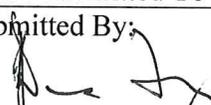
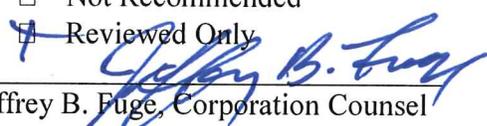
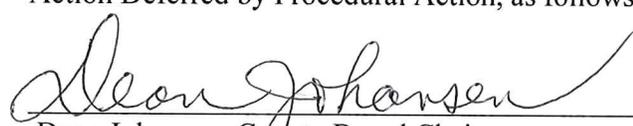
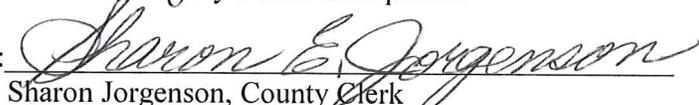
16 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 65.90(5)(a),  
17 the Polk County Board of Supervisors authorizes an amendment to the 2017 County Budget to  
18 transfer the sum of \$21,000 from County Fund Balance to the Fair Operating Budget – Other  
19 Professional Services 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.

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  _____ 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:	
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>16</u> 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:	
<input type="checkbox"/> Enacted by two-thirds majority of the board of supervisors by a vote of _____ in favor and _____ against. <input type="checkbox"/> Enacted 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 Jorgenson, County Clerk	

1 Polk County Board of Supervisors  
2 Resolution No. 33-17  
3 Resolution to Authorize Offer of Donation of Polk County Museum to the  
4 Polk County Historical Society

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

7 Ladies and Gentlemen:

8 WHEREAS, since at least 1975, the County and the Polk County Historical Society have  
9 collaborated in the operation of the Polk County Museum by the Society in the County owned Polk  
10 County Museum building; and

11  
12 WHEREAS, pursuant to Wisconsin Statute Section 59.56, the Polk County Board of Supervisors is  
13 authorized to appropriate moneys to the Polk County Historical Society for the purpose of collecting  
14 and preserving the records of early pioneers, the life of Indians, the experience of persons in the  
15 military and the salient historical features in the County; and

16 WHEREAS, it is in the interest of Polk County to donate the Polk County Museum building and  
17 grounds to the Polk County Historical Society in a manner that is beneficial to the citizens of Polk  
18 County.

19 NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes and  
20 directs the County Administrator to extend an offer of donation of the Polk County Museum building  
21 and grounds to the Polk County Historical Society subject to the following conditions:

- 22 1. The Polk County Historical Society continues to operate the Museum for six (6) years. In the  
23 event that the Polk County Historical Society fails to operate the museum on the premises,  
24 title will revert back to the County.
- 25 2. Polk County will pay to the Polk County Historical Society the sum of \$20,000 in 2018 and  
26 the sum of \$10,000, said sums appropriated for the purpose of maintaining and operating the  
27 Polk County Museum, and that the obligation to appropriate further sums will lapse upon  
28 payment of the 2019 appropriation.

29 BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors directs the Clerk to  
30 execute a proper conveyance to transfer title to the Polk County Historical Society upon acceptance  
31 of said authorized offer.

32 BE IT FURTHER RESOLVED that, in the event that the offer is not accepted, the Polk County  
33 Board of Supervisors will require that any future building or property repairs to the Museum building  
34 and grounds will be funded from allocation of monies to the Museum so as to not become a further  
35 budget issue.

36 BE IT FURTHER RESOLVED that Polk County may sell the Museum building and the grounds in  
37 the event that the County receives an offer to purchase that is deemed adequate in the sole discretion  
38 of the Polk County Board of Supervisors, as would bring in tax dollars to the County and the Village  
39 of Balsam Lake.

Funding Source/ Funding Amount:	2018 - \$20,000; 2019 - \$10,000
Date Reviewed as to Appropriations:	
Committee Recommendation as To Appropriation: <i>Not Recommended</i>	<i>Bob Mest</i>
Effective Date:	Upon Passage
Dated Submitted To County Board	First Reading: May 23, 2017 Second Reading: _____ Passage: _____
Submitted By: <i>Brad Olson</i>	_____
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only <i>Dana Frey</i>	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input checked="" 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**

At its regular business meeting on the \_\_\_\_ day of \_\_\_\_\_ 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 33-17: Resolution to Authorize Offer of Donation of Polk County Museum to the Polk County Historical Society, as follows:

- Enacted by simple majority 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. 34 -17  
Resolution Concerning Additional Dog License Tax

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

Ladies and Gentlemen:

2 WHEREAS, pursuant to Wisconsin Statute Section 174.05(2), the minimum dog license tax is  
3 \$3 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is  
4 neutered or spayed, and \$8 for an unneutered male dog or unspayed female dog, or one-half of  
5 these amounts if the dog became 5 months of age after July 1 of the license year.

6 WHEREAS, Wisconsin law allows county boards, on majority vote, to increase the dog license  
7 tax on dogs within its jurisdiction; and

8 WHEREAS, Wisconsin law allows the governing bodies of towns, villages and cities, by  
9 resolution, to raise the minimum dog license tax on dogs within the respective jurisdiction; and

10 WHEREAS, it is in the interest of the County that the County Board allow local municipalities  
11 to raise the minimum dog license tax to avoid confusion that would otherwise exist if the  
12 County would act to raise dog license taxes.

13 NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors will  
14 exercise restraint in considering an additional dog license tax and allow towns, villages and  
15 cities to consider and to act, as appropriate, on a local level to raise the minimum dog license  
16 tax.

Funding Source/ Funding Amount:	Fund Balance: 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: May 23, 2017 Second Reading: June 20, 2017
Submitted By: <i>Brad Olson</i>	<i>[Signature]</i>
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only <i>[Signature]</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>[Signature]</i> Jeffrey B. Frege, 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.34-17: Resolution Concerning Additional Dog License Tax, as follows:

- Enacted by simply majority upon 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

## Resolution No. 35-17

Resolution to Amend 2017 Budget to Incorporate  
Carry-forward Funds

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

Ladies and Gentlemen:

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

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

5 WHEREAS, some of the programs, projects, and activities that were planned for the 2016 budget year  
6 did not take place, were not completed, or are on-going and it is appropriate and necessary to carry-over  
7 the appropriation for 2016 into the next budget year, and

8 WHEREAS, the financial impact of these delays could not be determined at the time the adopted 2017  
9 budget resolution was adopted and therefore money could not be re-allocated at that time, and

10 WHEREAS, the Finance Director has compiled a list designating those programs, projects, activities,  
11 and corresponding such 2016 funds that should be carried forward and re-appropriated in the 2017  
12 budget, and

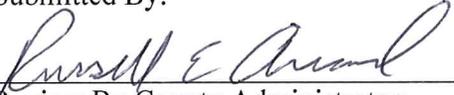
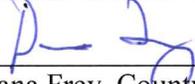
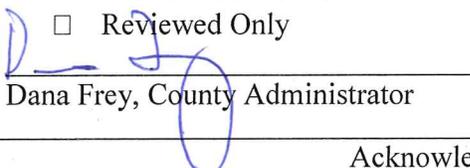
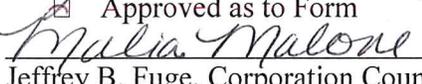
13 WHEREAS, Wisconsin Statutes and county policies authorizes and requires that the county board take  
14 official action to approve the designation, carry-over, and the re-appropriation of funds in the interest of  
15 full financial disclosure.

16 NOW, THEREFORE, BE IT RESOLVED that the following appropriations from the General  
17 Fund/ADRC that were unexpended on December 31, 2016 due to delays or other considerations be  
18 assigned and reappropriated for the year ending December 31, 2017 and that the 2017 budget be  
19 amended accordingly:

- 20 • Buildings, Parks, and Recycling Department:
  - 21 ○ \$6,000 in the recycling equipment replacement account for recycling garage door; and
  - 22 ○ \$42,000 in the building improvement account to update Identipass; and
  - 23 ○ \$ 4,900 in the building conservation project account; and
  - 24 ○ \$12,564 in forest maintain roads account; and
  - 25 ○ \$ 1,197 in forest wildlife habitat account.
- 26 • Administration: \$ 2,433 in the employee recognition account (vending machine fund).
- 27 • Law Enforcement: \$22,449 in the law enforcement federal forfeiture account.
- 28 • Veteran's Service Office:
  - 29 ○ \$11,987 in the veteran service grant account; and
  - 30 ○ \$13,816 in the veteran relief account.

- 31 • ADRC
- 32 ○ \$35,429 in ADRC for State of Wisconsin designation transportation account.

33 BE IT FURTHER RESOLVED that the Finance Director is directed to record such information in the  
 34 official books of the County for the year ended December 31, 2016 and for the year ending December  
 35 31, 2017 as may be required.

Funding Source/ Funding Amount:	Carry over in the amount of \$117,346 and 35,429 specified from the 2016 budget to the 2017 budget and amends the 2017 annual budget as stated.
Effective Date:	Upon Two-Thirds Majority Passage and Publication pursuant to Wisconsin Statute Section 65.90(5)(a).
Dated Submitted To County Board	June 20,2017
Submitted By:   _____ Dana Frey, County Administrator	 _____ Dana Frey, County Administrator
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 type="checkbox"/> Reviewed Only <input checked="" type="checkbox"/> Approved as to Form  _____ Jeffrey B. Fuge, Corporation Counsel
<b>Acknowledgement of County Board Action</b>	
<p>Mark As Appropriate:</p> <p>At its regular business meeting on June 20, 2017 the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 35-17: Resolution to Amend 2017 Budget – Authorization of Designation, Carry-over, Transfer, and Re-appropriation of Specified Funds from 2016 to 2017, as follows:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopted by a vote of _____ in favor and _____ against.</li> <li><input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against.</li> <li><input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____</li> </ul> <p>_____</p> <p>_____</p> <p>_____</p> <p>SIGNED BY:</p> <p>_____ Dean Johansen, County Board Chairperson</p> <p>Attest: _____ Sharon E. Jorgenson, County Clerk</p>	

Certification of Publication

Notice of the changes to the 2017 Budget as caused by Resolution No. 35-17: Resolution to Amend 2017 Budget – Authorization of Designation, Carry-over, Transfer, and Re-appropriation of Specified Funds from 2016 to 2017, was published in the Inter-County Leader on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

SIGNED BY: \_\_\_\_\_  
Sharon E. Jorgenson, County Clerk

Resolution No. 36-17  
Resolution to Establish and Fund Highway Facility Capital Account

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

Ladies and Gentlemen:

1 WHEREAS, pursuant to Resolution No. 14-17, the County Board of supervisors authorized the  
2 acquisition of lands for the purpose of construction, operation and maintenance of a new highway  
3 facility; and

4 WHEREAS, it is in the interest of the County to establish a capital project fund to track the  
5 allocations and expenditures concerning the highway facility.

6 NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors authorizes the  
7 creation of a Highway Facility Capital Project Account for purposes of tracking all allocations and  
8 expenses related to a highway facility project.

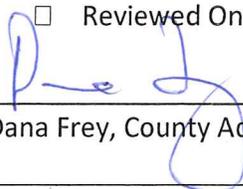
9 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the Highway Facility  
10 Capital Project Account in an amount equivalent to the costs associated with the real estate  
11 transactions, including, but not limited to, consultation expenses incurred on feasibility studies,  
12 costs related to the transactions authorized pursuant to Resolution No. 14-17 for the acquisition  
13 and exchange of lands, and construction management services for the construction of the Highway  
14 Facility.

15  
16 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs that  
17 general fund balance will cover the expenditures in the Highway Facility Capital Project Fund until  
18 further financing is acquired.

Funding Source/ Funding Amount:	General Fund Transfer \$ _____
Date Reviewed as to Appropriations:	
General Government Committee Recommendation as To Appropriation:	<i>Approv</i> 
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	First Reading: May 23, 2017 Second Reading: June 20, 2017
Submitted By: 	_____ _____ _____

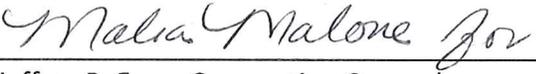
Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

  
 Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only

  
 Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on \_\_\_\_ day of \_\_\_\_\_, 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 36-17: Resolution to Establish and Fund Highway Facility Capital Account, as follows:

- Adopted by two-thirds of the entire 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 E. Jorgenson, County Clerk

Certification of Publication

On the \_\_\_\_ day of \_\_\_\_\_, 2017, notice of the transfers authorized in the above resolution were published by Class 1 Notice pursuant to Chapter 985, Wisconsin Statutes, in the Inter-County Leader,.

\_\_\_\_\_  
 Sharon E. Jorgenson, County Clerk

Dated: \_\_\_\_\_

Resolution No. 38-17

1 Resolution to Amend the 2017 Polk County Budget to Provide Funding for the Public Work  
2 Bridge Replacement on County Road J

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

Ladies and Gentlemen:

3 WHEREAS, the Capital Improvement Plan identifies for 2018 the replacement of a bridge on  
4 County Trunk Highway J; and

5 WHEREAS, the bridge identified for replacement in 2018 has failed earlier than anticipated  
6 warranting replacement in 2017.

7 WHEREAS, pursuant to Wisconsin Statute Section 59.52(29), the Polk County Highway  
8 Commissioner is authorized to enter into contracts for bridge replacement, provided adequate  
9 funding is available

10 NOW, THEREFORE BE IT RESOLVED that , pursuant to Wisconsin Statute Section  
11 65.90(5)(a), the Polk County Board of Supervisors amends the 2017 Operating and Capital  
12 Budget and appropriates a sum of up to \$350,000 in the Highway Construction account for the  
13 purpose of conducting public work for the replacement of the bridge on County Trunk J.  
14 Funding for this project will come from the 2017 Highway Fund Balance.

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

Funding Source/ Funding Amount:	Fund Balance: \$ _____
Date Reviewed as to Appropriations:	General Government Committee <Insert Date>
Committee Recommendation as To Appropriation: <i>APPROVE</i>	<i>[Signature]</i>
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	May 23, 2017
Submitted By:	<i>[Signature]</i>
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only <i>[Signature]</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 type="checkbox"/> Reviewed Only <i>[Signature]</i> 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.38-17: Resolution To Amend 2017 County Budget To Provide For Funding for the Public Work Bridge Replacement on County Road J; as follows:	
<input type="checkbox"/> Enacted by two-thirds majority of the board of supervisors by a vote of _____ in favor and _____ against.	
<input type="checkbox"/> Enacted 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	

Polk County Board of Supervisors  
Ordinance No. 39-17  
Manure and Water Quality Management Ordinance

NOW THEREFORE, BE IT ORDAINED that the Polk County Board of Supervisors enacts Ordinance No. 39-17, Manure and Water Quality Management Ordinance, attached hereto and incorporated herein.

## SUBCHAPTER 12.1: MANURE AND WATER QUALITY MANAGEMENT ORDINANCE

Ordinance 39-17

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

- 1.01. Title. This ordinance shall be known as the Polk County Manure and Water Quality Management Ordinance, and is hereinafter referred to as the Ordinance.
- 1.02. Statutory Authorization. This ordinance is adopted pursuant to the authorization in Sections 59.02, 59.03, 59.70(20), 92.10, 92.15, 92.16, and Wisconsin Statutes and Administrative Rule ATCP 50.56.
- 1.03. Declaration of Policy
  - a. *Findings*. The Polk County Board of Supervisors recognizes the importance of protecting ground and surface water resources and finds that proper storage and management of animal waste contributes to the protection of ground and surface waters, public health, other animal and aquatic life health, and consequently to the property tax base of Polk County.
  - b. *Purpose*. The purpose of this Ordinance is to enhance public health, prosperity, and welfare by protecting ground and surface water quality.
- 1.04. Applicability. This ordinance applies to the unincorporated areas of Polk County for animal waste storage facilities and to Water Quality Management Areas within the unincorporated areas of Polk County for feedlots, degraded pastures and unconfined manure piles.
  - a. *Interpretation*. In its interpretation and application, the provisions of this Ordinance shall be minimum requirements, and shall be liberally construed in favor of Polk County, and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statute.
  - b. *Severability Clause*. If any section, provision, or portion of the ordinance is ruled invalid by a court, the remainder of the ordinance shall not be rendered ineffective.
- 1.05. Definitions. The following definitions apply to the provisions of this ordinance:
  - a. *Abandoned Animal Waste Storage Facility* means an animal waste storage facility where animal waste has not been added or removed for twenty four consecutive months.
  - b. *Animal Waste* means livestock manure or other materials such as bedding, (when added to storage facility) milk house waste, water, soil, hair, feathers, egg shells or debris normally included in animal waste handling operations.
  - c. *Animal Unit* means a unit of measure used to determine the total number of single animal types or combination of animal types which are fed, confined, maintained, or stabled in an animal feeding operation. For the purpose of this Ordinance, one animal unit is equivalent to 1000 pounds of livestock live weight.
  - d. *Animal Waste Storage Facility* means an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural wastes. Animal waste storage does not include a manure pack layer as dropped by animals on a feedlot or in a barn.
  - e. *Applicant* means any person who applies for a permit or certificate of compliance under this Ordinance.
  - f. *Certificate of Compliance* is a certificate issued by the Polk County Land and Water Resources Department stating the landowner is in compliance with the requirements of this ordinance.
  - g. *Certification of Noncompliance* means an order under which an activity subject to regulation may continue to operate subject to a time frame for compliance.
  - h. *Degraded Pastures* means those pastures providing livestock access to waters of the state, where livestock activity prevents the maintenance of adequate sod or self-sustaining vegetative cover.

- i. *Direct conduits to groundwater* means wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater, quarries, or depressional groundwater recharge areas over shallow fractured bedrock.
- j. *Direct Runoff* means a visible feedlot runoff or storage overflow or evidence of regular flow or discharge that reaches waters of the state.
- k. *Director* means the Director for the Land & Water Resources Department.
- l. *Feedlot* means a lot or building, or combination of contiguous lots and buildings, intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which animal waste may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these parts, open lots used for feeding and rearing of poultry (poultry ranges) and barns, dairy facilities, swine facilities, beef lots and barns, horse stalls and pens, mink ranches and domesticated animal zoos, shall be considered to be animal feedlots. Pasture that maintains permanent vegetative cover shall not be considered animal feedlots under these parts.
- m. *Field Season* means either the usual and customary spring field planting season for Polk County, and the usual and customary fall harvest field season for Polk County.
- n. *Impoundment* means see “Animal Waste Storage.”
- o. *Land Conservation Committee* (referred to as the “LCC”) means the Environmental Services committee of the Polk County Board which performs county-level functions outlined in Chapter 92 Wis. Stats.
- p. *Land & Water Resources Department* (LWRD) means the staff for enforcing and providing technical and administrative support for this ordinance (referred to as the “department”).
- q. *Livestock* means domestic animals kept for use on a farm, or raised for sale and profit.
- r. *Manure* means a material that consists primarily of excreta from livestock, poultry or other animals.
- s. *Nutrient Management Plan* means a written plan and map, approved by the department detailing the amount, form, placement and timing of applied animal waste and other fertilizers.
- t. *Navigable Waters* means all natural inland lakes, streams, ponds, flowages, and the Wisconsin portion of the St. Croix River and other waters within the corporate limits of Polk County which are navigable under the laws of the State of Wisconsin. NOTE: The Department of Natural Resources defines a navigable waterway as having a bed and sides or banks, and that a water craft which is the smallest common to the region may be paddled through the water. Navigability may be established if a stream or lake can be navigated on some regularly occurring basis. (Based on United States Geographical Survey quadrangle maps)
- u. *Navigable* means all lakes, ponds, flowages, rivers, streams in Polk County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources’ publication *Surface Waters Resources of Polk County*, or are shown on the United States Geological Survey Quadrangle Maps. Lakes, ponds, flowages, rivers and streams not included in these documents may also be determined to be navigable. Also, Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages, and other waters within the territorial limits of this State, including the Wisconsin portion of boundary waters, which are navigable under the laws of this State. Under Section 281.31(2)(d), Wisconsin Statutes, notwithstanding any other provision of law or administrative rule promulgated there under, shoreland

ordinates required under Section 59.692, Wisconsin Statutes, and Chapter NR 115, Wisconsin Administrative Code do not apply to lands adjacent to farm drainage ditches if:

1. Such lands are not adjacent to a natural navigable stream or river;
  2. The drainage ditch was not a navigable stream before ditching; and
  3. Such lands are maintained in agricultural use.
- v. *NRCS* means Natural Resources Conservation Service of the U. S. Department of Agriculture.
- w. *Ordinary High-Water Mark (OHWM)* means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.
- x. *Permit* means a permit issued for all other requirements of this ordinance other than those requirements covered by the Certificate of Compliance and the Certificate of Noncompliance.
- y. *Permittee* means a person to whom a permit is issued under this Ordinance.
- z. *Person* means any individual, corporation, firm, partnership, joint venture, agency, unincorporated association, or unit of government.
- aa. *Qualified Nutrient Management Planner* means a nutrient management planner meeting the qualifications outlined in ATCP 50.48 (1) (2) Wis. Admin. Code.
- bb. *Site that is susceptible to groundwater contamination* under s. 281.16 (1) (g), Stats., means any one of the following:
- (a) An area within 250 feet of a private well.
  - (b) An area within 1000 feet of a municipal well.
  - (c) An area within 300 feet upslope or 100 feet downslope of a direct conduit to groundwater.
  - (d) A channel that flows to a direct conduit to groundwater.
  - (e) An area where the soil depth to groundwater or bedrock is less than 2 feet.
  - (f) An area where the soil does not exhibit one of the following soil characteristics:
    1. At least a 2-foot soil layer with 40% fines or greater above groundwater and bedrock.
    2. At least a 3-foot soil layer with 20% fines or greater above groundwater and bedrock.
    3. At least a 5-foot soil layer with 10% fines, or greater above groundwater and bedrock.
- Note: See s. NR 151.002 (32) for definition of percent fines.
- cc. *Stop Work Order* means an order to cease any activity in the operation of, or construction of an activity subject to regulation.
- dd. *Stormwater* means rainfall and runoff from rainfall.
- ee. *Substantial Alteration* means any modification to an animal waste storage facility that alters the integrity of the structure or its liner; or the integrity, capacity and design requirements of the transfer system.
- ff. *Unconfined Manure Pile* reference NR151.015(22), Wis. Admin. Code means a quantity of manure that is at least 175 cubic feet in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility,

livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents stormwater access and direct runoff to surface water or leaching of pollutants to groundwater.

- gg. *Waste Transfer System* means components such as pipes, conduits, valves, and other structures installed to convey manure and milking center wastes from buildings and animal feeding operations to a storage structure, loading area or treatment area.
- hh. *Water Pollution* means contaminating or rendering unclean or impure ground or surface waters, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.
- ii. "*Water quality management area*" or "*WQMA*" means the area within 1,000 feet from the ordinary high water mark of navigable waters that consist of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake, the term means the area within 1,000 feet from the high water mark of the lake; the area within 300 feet from the ordinary high water mark of navigable waters that consist of a river or stream; and a site that is susceptible to groundwater contamination, or that has the potential to be a direct conduit for contamination to reach groundwater.

## **Section 2: Activities Subject to Regulation**

### **2.01. Animal Waste Storage.**

- a. Construction, substantial alteration, or closure of any animal waste storage structure or waste transfer system. Such construction, alteration, or closure will require a permit from Polk County LWRD. Permit requirements include design, construction and as-built plans approved by a professional engineer or engineer practitioner and meeting requirements of NRCS standards and specifications. Permit requirements also include an approved nutrient management plan and an updated checklist submitted annually, with the updated plan available to the Polk County LWRD upon request.
- b. There shall be no overflow of an animal waste storage facility.
- c. There shall be no leaking or failing manure storage facility.

### **2.02. Unconfined manure pile**

- a. A livestock operation shall have no unconfined manure pile in a water quality management area.
- b. In areas where unconfined manure piles are allowed, the piles shall be field spread and incorporated during the next field season following placement and under no circumstances shall an unconfined manure pile remain longer than 18 months.

### **2.03. Feedlots. There shall be no direct runoff from feedlots to waters of the state.**

### **2.04. Degraded Pastures. Degraded pastures are prohibited where livestock access waters of the state.**

## **Section 3: Standards, Specifications and Policies**

- 3.01. Standards, Specifications and Policies. Compliance with this ordinance shall be administered by the Polk County Land and Water Resources Department and shall follow standards, specifications and policies as adopted by the USDA-NRCS including standards 313, 590, 634, 632, 629, and 360, the Wisconsin Department of Natural Resources Administrative Rule NR 151 and the Wisconsin Department of Agriculture, Trade and Consumer Protection Administrative Rule ATCP 50. Standards and specifications are minimums. Additional standards and specifications may be required in Water Quality Management Areas where shallow soil to bedrock, highly fractured bedrock, drainage to sinkholes or similar conditions exists.

## Section 4: Permits and Certification Requirements

### 4.01. Animal Waste Storage Facility Permits:

- a. An application for a permit is required.
- b. The application shall include a completed application, fee, construction plans and nutrient management plan.
- c. The construction plans shall be certified and approved as meeting the requirements of this ordinance by an agricultural or civil engineer registered in the State of Wisconsin, or a Department of Agriculture Trade and Consumer Protection or Natural Resource Conservation Service engineering practitioner.
- d. The Nutrient Management Plan shall be certified as meeting the requirements of this ordinance by a Qualified Nutrient Management Planner.
- e. Within forty-five (45) days of receiving an application, plans and fee, the department shall inform the applicant in writing whether the application is approved or denied. If additional information is required, the department, within forty-five (45) days from the receipt of the additional information, must approve or reject the application.

### 4.02. Animal Waste Storage Facility Permit conditions:

- a. An approved application is on file with the department.
- b. An approved animal waste storage facility plan which shall include:
  1. Existing and anticipated numbers and types of animals and animal units.
  2. Site map drawn at a scale of not less than one (1) inch equals forty (40) feet of the animal waste storage facility's location including identification of all buildings, navigable streams, and wetlands or water bodies within one thousand (1000) feet of the proposed animal waste storage facility.
  3. Structural details, including but not limited to dimensions, cross sections, concrete thickness, reinforcement schedules, thickness and placement of groundwater protection liners and elevations.
  4. Well locations within three hundred (300) feet of the animal waste storage facility.
  5. Soil test pits, soil depth boring locations, and soil descriptions using the Unified Soil Classification System to a depth of at least five (5) feet below the planned bottom of the animal waste storage facility, or to bedrock if at a lesser depth.
  6. Groundwater or bedrock elevation if encountered in the soil profile, and the date of such determination.
  7. Provisions for drainage and control of runoff to prevent pollution of surface and groundwater and the location and distance of water bodies.
  8. Drawing scale and associated keys.
  9. Timetable for construction.
  10. Description and details of methods for transferring animal waste.
  11. Plans signed by a P.E. with a statement that they meet NRCS standards and specifications.
  12. A Nutrient Management Plan signed and approved by a Qualified Nutrient Management Planner.
  13. Other additional information necessary to describe the construction, operation and maintenance of structures.
- c. No construction has begun prior to the issuance of a permit.
- d. Five (5) days notice is given to the department prior to any construction activity.

- e. Permits are void if construction is not completed within eighteen (18) months of the permit issue date.
  - f. Extensions of up to one (1) year may be granted by the department upon written request from the permittee.
  - g. Prior to use of the manure storage facility, the department must issue a Certificate of Compliance, which requires:
    - 1. Red lined as-built construction plans signed and certified by an agricultural or civil engineer registered in the state of Wisconsin, or DATCP or NRCS certified engineering practitioner, that the animal waste storage facility and transfer system was installed as planned, including as-built dimensions and design changes made during construction, and that final construction meets NRCS standards and specifications.
    - 2. An approved Nutrient Management Plan on file with the department, as well as in subsequent years a checklist must be submitted to the department and a copy of the Nutrient Management Plan provided to the department upon request.
- 4.03. Permit Exceptions for Animal Waste Storage Facilities
- a. *Routine maintenance*
  - b. *Emergency repairs*
- 4.04. Permit Fees. Fees shall be required for new and substantially altered animal waste storage facilities. Fees shall be established and modified and incorporated in the Polk County Land & Water Resources Department fee schedule by motion of the Polk County Board. Fees are non-refundable. Fees shall be waived for animal waste storage closure, but a permit is still required.

## **Section 5: Administration**

- 5.01. Administration Duties. The Land and Water Resources Department shall administer this Ordinance. Administrative duties include:
- a. Keep accurate records of all official actions.
  - b. Review plans and ensure compliance with this Ordinance.
  - c. Investigate complaints relating to compliance with this ordinance.
  - d. Provide technical and financial assistance to the extent available.
  - e. Monitor permitted activities for compliance with this ordinance.
- 5.02. Inspection Authority. Pursuant to Chapter 92.07(14), Wisconsin Statute, the department is authorized to enter upon lands affected by this Ordinance to ensure compliance. Refusing department staff access to any site may be grounds for permit denial, revocation, or other enforcement action.

## **Section 6. Enforcement**

- 6.01. Enforcement Authority.
- a. The department is authorized to issue Certificate of Noncompliance, Stop Work Orders, revoke permits, issue citations, and seek penalties or injunctions against any person who violates this Ordinance. The department shall provide written notification as to the reasons for the enforcement action.
  - b. A permit revocation or stop work order shall remain in effect until retracted by the department, or court of general jurisdiction.
  - c. The department director is authorized to refer violations or enforcement actions to the Corporate Counsel. The department may request the Corporate Counsel to obtain a cease and desist order, or any other form of injunctive relief as needed.

- d. The department shall retract a Stop Work Order, a Certificate of Noncompliance, or the revocation of a permit upon compliance with this ordinance.
- 6.02. Certificate of Noncompliance. Conditions:
- a. Issued after a site evaluation by the department.
  - b. Issued after a determination that a violation of this ordinance exists.
  - c. Certificate will allow activities subject to regulation to exist or continue, but recipients are subject to compliance prior to time frames specified on the notice.
  - d. Certificate will specify portions of this ordinance under which the violation occurs.
  - e. Certificate may be extended to allow for compliance with this ordinance.
- 6.03. Stop Work Orders. Conditions:
- a. Activities regulated by this ordinance carried out without a permit or certificate.
  - b. A Certificate of Noncompliance has expired.
  - c. Only actions related to any activity subject to regulation shall be ceased.
  - d. Forty-eight (48) hours after posting a stop work order where conditions threaten public health, safety, or welfare, or where the potential for severe offsite damage warrants immediate attention, the department may notify the violator of the county's intent to perform work necessary to comply with this ordinance and bill violator for costs incurred.
- 6.04. Citations. Under authority of Wisconsin Statute 66.0113 any person who violates or resists enforcement of this ordinance is subject to a citation for forfeiture of not less than \$10 or more than \$500, plus costs of prosecution for each violation. Each day that a violation exists may be a separate offense.
- 6.05. Injunctions. As a substitute for, or in addition to forfeiture actions, Polk County may seek enforcement of any part of this Ordinance by court actions seeking injunctions or restraining orders.

## **Section 7. Appeals**

- 7.01. Procedure. The procedures under Chapter 68 of the Wisconsin Statutes shall apply. The department director shall act as the initial appeal authority pursuant to Wisconsin Statute 68.09(2). Any person having a substantial interest, which is adversely affected by the order, requirement, decision or determination made by the department may appeal to the department director. The appeal must be submitted within 30 days of the noncompliance determination.
- a. The request shall specify written evidence and the reason for the request, including which requirements from this ordinance are involved. A written decision shall be mailed to the appellant within 30 days of the appeal. The decision will affirm, deny, or modify the initial determination.
- 7.02. Appeals. If a person wishes to appeal the decision of the department director, a written appeal must be made within 30 days of the date of the decision. Any such appeal will be heard by the Polk County Environmental Services Committee. The provisions of Wisconsin Statute 68.11 and 68.12 shall govern any hearing and decisions to occur under this subsection.

## **Section 8: Effective Date**

This Polk County Manure Management Ordinance shall take effect upon passage and publication, effective XX, XX, 2017

Polk County Board of Supervisors  
Ordinance No. 39-17  
Manure and Water Quality Management 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 and Recommendation of: <i>BY: [Signature]</i>	

Review by County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only <i>[Signature]</i> Dana Frey, County Administrator	Review By Corporation Counsel <input type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended _____ Jeffrey B. Fuge, Corporation Counsel
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**County Board Action**

At its regular business meeting on \_\_\_\_\_ the Polk County Board of Supervisors enacted the above-entitled ordinance: Ordinance No. 39-17 *Manure and Water Quality Management Ordinance* (~~Name of Ordinance~~), by majority vote of the entire membership of a vote of \_\_\_ in favor and \_\_\_ against. (or how vote was made-ballot, etc.)

\_\_\_\_\_ Dated: \_\_\_\_\_  
Dean Johansen, County Board Chairperson

Attest: \_\_\_\_\_ Dated: \_\_\_\_\_  
Sharon Jorgenson, Polk County

**Certification of Publication**

The above-enacted ordinance, Ordinance No. 39-17 *Manure and Water Quality Management Ordinance* (~~Name of Ordinance~~), was published in the Inter-County Leader on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_ Dated: \_\_\_\_\_  
Sharon Jorgenson, County Clerk

*Tracy Hablanc - Yes*  
*Kate Isakson - Y*  
*Dae Wood - Y*

*Bruce Olson [Signature]*  
*James S. Edgell*