



## POLK COUNTY, WISCONSIN

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### Executive Committee

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

### Minutes of Executive Committee from Wednesday, November 28, 2018 at 2:00 p.m.

Committee Members present: Dean Johansen, Brian Masters, John Bonneprise, Jay Luke, and Chris Nelson.

**Others present: Sharon Jorgenson, County Clerk; Jeff Fuge, Interim Administrator; Andrea Jerrick, Deputy County Administrator; Emil Norby, Highway Commissioner; Darlene Kusmirek, Employee Relations Manager; Malia Malone, Interim Corporation Counsel; Supervisor Tracy LaBlanc; and members of the public.**

Chairman Johansen called the meeting to order at 2:00 p.m.

Chairman Johansen called for motion to adopt the agenda. **Motion** (Bonneprise/Luke) to adopt the November 28, 2018 agenda as published. Chairman Johansen called for a voice vote on the motion to adopt the agenda. **Motion** carried by unanimous voice vote.

Chairman Johansen called for motion to adopt the November 8, 2018 minutes of Executive Committee. **Motion** (Masters/Luke) to adopt the minutes of November 8, 2018 as published. **Motion** to adopt minutes as published carried by unanimous voice vote.

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

Chairman Johansen called upon Highway Commissioner Norby to provide an update on the demolition of the old highway facility. Demolition of old facility is complete and within amount budgeted. The site will be seeded in the spring of 2019.

Committee received a hand-out and update regarding the proposed Fairgrounds Grandstand Construction Planning project from Interim Administrator Fuge. A needs assessment will be completed. County will be responsible to obtain all approvals and permits for construction or improvements. Interim Administrator Fuge will meet with the Fair Society on December 3, 2018 regarding development of an updated Fairgrounds Management Agreement, development of project outline, and development of a resolution to authorize an initial needs assessment and funding for assessment. Supervisor Nelson suggested doing a comprehensive needs assessment for the entire fair grounds.

The Committee received information regarding the Office of County Administrator from Deputy Administrator Jerrick. Applicants have been narrowed down to twelve. Applications and applicant videos will be reviewed in closed session on December 13 at 1:00 p.m.

Chairman Johansen called upon Employee Relations Director/Deputy Administrator Jerrick to provide information on final candidate selection process. Candidate names will remain confidential.

Chairman Johansen called for motion to convene in closed session at 2:28 p.m. regarding items noted on the agenda. **Motion** (Bonneprise/Luke) to convene in closed session for closed session item noted on agenda. Chairman Johansen called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Minutes will reflect those present in closed session. Members present include Executive Committee members, Sharon Jorgenson, County Clerk; Jeff Fuge, Interim Administrator; Darlene Kusmirek, Employee Relations Manager; Malia Malone, Interim Corporation Counsel; and Andrea Jerrick, Deputy Administrator.

**\*CLOSED SESSION\* 2:28 p.m.** - (Minutes separate and under seal)

\*Reconvened in Open Session at 3:12 p.m. \*

Chairman Johansen declared meeting back in open session at 3:12 p.m.

Next meeting will be held on December 13, 2018 at 1:00 p.m. to review applicant videos.

**Motion** (Luke/Bonneprise) to direct Administrator to prepare resolution to establish a selection committee in regard to selection of Administrator. After more discussion and the determination that a resolution for a selection committee was not needed, the motion was withdrawn

Supervisor Nelson proposed that the full board be involved with the final selection of the Administrator.

Chairman Johansen called for a motion to adjourn. **Motion** (Nelson/Luke) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote. Chairman Johansen declared meeting adjourned at 3:20 p.m.

Respectfully submitted,

Sharon E. Jorgenson  
County Clerk



Jeffrey B. Fuge  
Interim County Administrator  
100 Polk County Plaza, Suite 220  
Balsam Lake, WI 54810  
715-485-9282  
[jefff@co.polk.wi.us](mailto:jefff@co.polk.wi.us)

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**TO:** Polk County Executive Committee  
**DATE:** November 27, 2018  
**RE:** Fairground Grandstand Construction Project – Update

The Fairground Grandstand Construction Project returns to the committee as a project in development.

On November 13, 2018, the County Board considered the Fair Society's proposal that the county and the Fair Society construct a new grandstand that has a seating capacity of 3,000 with an estimated cost of \$1.3 million. The County Board adopted Resolution No. ~~86~~-18, indicating its acceptance of the Fair Society's proposal. The resolution contained provisions to set a maximum expenditure on the project, to adopt a financial plan; and to direct further development of necessary resolutions to move the project forward. As adopted, the resolution approved only the character of the grandstand consistent with the Fair Society proposal and the maximum project expenditure. In adopting the resolution, the County Board made no decision on a financial plan.

The Fair Society proposal offered a financial commitment of the Fair Society in the amount of \$400,000 toward project costs. The offered financial commitment of the Fair Society structured payments with \$125,000 up front moneys towards construction with additional annual payments of \$18,333 for each of the successive 15 years. The financial commitment, like many other facts of the project, have not been reduced to an agreement that would otherwise bind the County and the Fair Society.

Points of consideration:

**Fairgrounds Management Agreement**

At present, the current fairground management agreement provides legal obligations upon the County and the Fair Society. Certain provisions of the management agreement would govern the grandstand construction project, absent another agreement:

- o The management agreement requires the County to provide fairground facilities, including the grandstand that are adequate for the Fair Society's needs to conduct the Fair. (Needs Assessment)
- o New facilities will be constructed as the need is determined by mutual agreement of the County and the Fair Society. (Needs Assessment)

- Fairground related funding requests are developed in the course of annual budget process. (Structured and Timed Funding Process)
- The County has the responsibility to secure all approvals and permits to construct facilities or improve the Fairgrounds (Regulatory Compliance of the Project)

□ **Present Knowns:**

- Fair Board and County are in negotiations of an updated Fairgrounds Management Agreement with initial discussions set for December 3, 2018.
- Project Design is only in concept, requiring additional work to develop a complete project design and plan.
- Funding remains unsettled. Current management agreement calls for funding in the course of budget development. Aside from a stand-alone agreement, grandstand project and its funding would be governed by existing management agreement, with the funding piece developed in the 2020 budget process (February –November 2019).
- Grandstand project involves entire site, including track. Fair Society has asked that any construction occur after the Fair to keep intact the revenue streams associated with track event. Fair Society has also requested phased construction with track in the first phase. Earliest track construction would be August 2020 and concluded in late 2020 to allow for track settling and usage in 2021 Fair. Timeline places structure construction to start in April 2021 with completion in late June 2021. ( Comprehensive Construction Master Plan)

□ **Next Steps:**

- Open negotiations with Fair Society toward an updated Fairgrounds Management Agreement. (December 3)
- Develop tentative of project outline – See attached
- Develop resolution to authorize initial needs assessment and funding for same.

POLK COUNTY FAIRGROUNDS – GRANDSTAND PROJECT OUTLINE

The Grandstand Project Outline has a structure comparable that of the Highway Facility

Step	Highway Facility	Fair
1	Contracted with firm to conduct a facility needs assessment. For Highway project, this needs analysis was conducted by SEH.	Current plans and evaluation conducted by Fair Society indicate potential for 3,000 seat structure with 41 foot roof
2	Develop funding options and recommendations	Fair Board proposed funding amount; Develop and secure County/Fair Society Project Agreement defining project responsibilities, both financial and functional, and obtaining binding commitments.
3	Creation of steering committee with authorization to review and make recommendation to full board; Exec Committee	Executive Committee serving in this capacity
4	Board reviews options for land purchase alongside options for funding construction at various sites and in various phases	Not Applicable -
5	Authorization to purchase land; authorization to conduct RFP for construction manager; needs analysis conducted by SEH was included in RFP.	Authorization to issue RFP for CM with schematics as drafted and proposed by Fair Society. Authorization to conduct needs assessment.
5*		*Recommendation to conduct RFP to assemble overall Fair Management Plan ( <i>does not exist at present, required by Fair Board and County agreement</i> ) alongside grandstand construction master plan
6	CM firm selected; RFP conducted to select A&E firm. A&E firm selected. A&E and CM firms work with County to develop initial architectural renderings and estimated costs. Board creates project account and authorizes initial funding.	CM firm selected; RFP conducted to select A&E and/or design firm. Firm selected. A&E/Design and CM firms work with County to develop initial architectural renderings and estimated costs not to exceed \$1.3 million cap. Board creates project account and authorizes initial funding.
7	Board considers options as presented by A&E and CM firm along with funding considerations. Determines scope of project.	Board considers options as presented by A&E/Design and CM firm along with funding considerations and Fair Board recommendations. Determines scope of project.
8	Board receives and considers final design recommendations.	Board receives and considers final design recommendations.
9	RFP/Bids let for construction	RFP/Bids let for construction
10	Board awards contracts and authorizes accompanying funding.	Board awards contracts and authorizes accompanying funding.

POLK COUNTY FAIRGROUNDS – GRANDSTAND PROJECT OUTLINE

11	Determine financing (October 2016) authorized borrowing, recommended use of fund balance in 2017 budget.	Determine financing (October 2019), authorized borrowing, recommend use of various funding sources through the 2020 budget.
12	Confirm financing and budget (November 2016) and process for receiving and authorizing project change orders.	Confirm financing and budget (November 2019) and process for receiving and authorizing project change orders.
13	Board and Exec Committee reviewed construction issues as needed, authorized change orders, etc.	Board and Exec Committee review construction issues as needed, authorized change orders, etc.

\*This will require revision as we work through but provides general outline with steps comparable to those taken during the Highway facility construction process.

**Agreement Between Polk County and the Polk County Fair Society  
for the Management and Use of the Polk County Fairground Land**

1. WHEREAS, Polk County is a body corporate pursuant to Wis. Stat 59.01 and Polk County holds title to the lands, commonly known as the Polk County Fairground Lands, that have a legal description as contained in Exhibit A, which is attached hereto and incorporated herein.
2. WHEREAS, Polk County Fair Society, Inc. (hereinafter “Polk County Fair Society”), is a non-profit corporation, formed in 1973 in accordance with state statutes.
3. WHEREAS, a group of about 100 people organized the first Polk County Fair in 1861, in Farmington Township. It was held in that area until 1886 when the Polk County Fair Society was organized. This organization acquired land in St. Croix Falls, for locating the present fairgrounds. The Polk County Fair Society was officially organized as an agricultural society in accordance with state statutes July 7, 1894.
4. WHEREAS, a change of ownership was deemed beneficial to both parties, Polk County Fair Society sold the Polk County Fairgrounds to Polk County for the sum of one dollar.
5. WHEREAS, Polk County and the Polk County Fair Society entered into an agreement dated April 16, 1975 for the purpose of managing and using the Polk County Fairgrounds, situated on the Polk County Fairground Lands, for the Polk County Fair and other uses as permitted by the Polk County Fair Society.
6. WHEREAS, upon mutual agreement, Polk County and the Polk County Fair Society deem it appropriate to revise the agreement of April 16, 1975.
7. THEREFORE, for the valuable consideration set forth herein, Polk County and the Polk County Fair Society enter into this agreement for the management and use of the Polk County Fairground Lands.

## **ARTICLE I**

### **General Provisions**

1. The April 16, 1975 agreement is hereby terminated and this agreement replaces and supercedes the April 16, 1975 agreement. The April 16, 1975 agreement terminates immediately upon signatures of the parties.
2. The agreement shall be recorded with the Register of Deeds, Polk County. Polk County shall be responsible for recording costs.

## **ARTICLE II**

### **Fairgrounds Land Description and Definitions**

1. The Polk County Fairground Lands is the property described in Exhibit A, which is attached hereto and incorporated herein.
2. The Polk County Fairground means the grounds and all facilities situated on the Polk County Fairground Lands. The Polk County Fairgrounds includes all Facilities consistent with this agreement.
3. An aerial map showing the Polk County Fairground Lands, grounds and facilities, as they exist at the time of the agreement is attached hereto and incorporated herein as Exhibit B.

## **ARTICLE III**

### **Ownership**

1. The Polk County Fairground Lands and facilities are owned and shall continue to be owned by Polk County.
2. Any new fairground facilities constructed on the Polk County Fairground Lands shall be owned by Polk County.

## **ARTICLE IV**

### **Management and Use of Fairgrounds and Fairground Facilities**

1. It is the intent of the parties that the Polk County Fair Society shall have exclusive control of the management and use of the Polk County Fairgrounds consistent with the terms of this agreement. No committee, sub-committee or Department of Polk County shall make or allow any land, structure, or operational changes on

afore described property without the mutual agreement of the Polk County Fair Society and the Polk County Property, Forestry and Recreation Committee.

2. Polk County will provide fairground facilities, including buildings, grounds, grandstand, fences, walkways and roads, that are adequate for the Polk County Society's needs to conduct the Polk County Fair as herein provided.
3. New facilities of the Polk County Fairgrounds will be constructed as the need is determined by mutual agreement of the Polk County Property, Forestry and Recreation Committee and the Polk County Fair Society according to the Polk County Purchasing Policy.
4. The Polk County Fair Society may take such action to repair or replace equipment or materials without consulting the Polk County Property, Forestry and Recreation Committee whenever the Polk County Fair Society Board determines that there exists either an emergency or conditions that may cause a threat to safety of create further damage to buildings and grounds.
5. The Polk County Fair Society shall conduct an annual Polk County Fair and other uses as permitted by the Polk County Fair Society consistent with this agreement. The Polk County Fair Society is responsible for making all arrangements with users of the Polk County Fairgrounds.
6. The Polk County Fair Society will develop standard contracts and rental fee schedules applicable to the use of the Polk County Fairgrounds for the Polk County Fair and for other non-fair uses.
7. Users of fairgrounds shall arrange for security as needed for events.
8. The Polk County Fair Society shall prepare through its Buildings and Grounds Committee a facilities maintenance plan and related budget requests to the Polk County Property, Forestry and Recreation Committee no later than August 31<sup>st</sup> of each year. This maintenance plan will be developed in conjunction with the Polk County Parks and Buildings Department.
9. Polk County Fair Society will comply with City of St. Croix Falls ordinances, Polk County ordinances, State of Wisconsin statutes and Federal regulations.
10. Polk County Fair Society will comply with legally established Polk County documented policies.
11. Polk County Fair Society will cooperate with Polk County governmental agencies and departments.

## ARTICLE V

### Financial Responsibilities

1. Polk County is responsible for special assessment costs attributable to the Polk County Fairground Lands.
2. Polk County shall be responsible for the cost of any federal, state or local permit required to construct, repair or improve the Polk County Fairgrounds. Polk County shall obtain any and all permits necessary.
3. The Polk County Fair Society is responsible for the cost of electricity and telephone attributable to the operation of the Polk County Fairgrounds for the Polk County Fair and other uses. Polk County shall be responsible for water and sewer usage costs.
4. The Polk County Fair Society shall seek federal, state and local aid, where available, to conduct and operate the Polk County Fair.
5. Polk County shall provide financial aid to Polk County Fair Society to the extent state aid does not cover exhibit premium costs. Such financial support shall continue in order to assure the continuation for the annual Polk County Fair. This budget cost shall be submitted to the Finance Committee by August 31<sup>st</sup> each year.
6. The Polk County Fair Society will work with Polk County and its various committees in developing fairgrounds related funding requests to be included in the Polk County Budget each year. The Polk County Fair Society shall submit its budget request consistent with the budgetary and purchasing policies of Polk County.
7. Polk County waives any right to the income that the Polk County Fair Society receives through the Polk County Fair and other non-fair events conducted on the Polk County Fairgrounds as permitted by the Polk County Fair Society. Polk County Fair Society shall retain in its treasury all user fees received, less operational expenses.
8. The Polk County Fair Society shall use income from all sources for the purposes of conducting the annual Polk County Fair and to carry out its obligations under this agreement in managing, using and maintaining the Polk County Fairgrounds.

**ARTICLE VI**

**Insurance**

1. Polk County will include property damage and premises liability coverage for the Polk County Fairgrounds and provide the Polk County Fair Society with a certificate of such coverages.
2. The Polk County Fair Society will maintain liability insurance that covers bodily injury and property damage in an amount not less than \$100,000 per occurrence and \$500,000 policy limits. The liability coverage of the Polk County Fair shall extend to premises liability and such coverage shall be primary to Polk County's coverage on the same.
3. The Polk County Fair Society shall maintain workers compensation insurance coverage in an amount not less than \$100,000 per occurrence.
4. The Polk County Fair Society shall provide Polk County with a certificate of said coverages.
5. The Polk County Fair Society shall require a certificate of insurance on liability coverage from any user of the Fairground for uses and events other than the Polk County Fair.

**Polk County Fair Society, Inc.**

\_\_\_\_\_  
**President**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_  
**Date**

State of Wisconsin    )  
County of Polk        )

Personally came before me this \_\_\_ day of \_\_\_\_\_, 2003, the above named \_\_\_\_\_, President, and \_\_\_\_\_, Secretary, of the Polk County Fair Society, Inc., to me known to be the persons who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Wisconsin  
My Commission: \_\_\_\_\_

**Polk County**

\_\_\_\_\_  
**Chairperson**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**County Clerk**

\_\_\_\_\_  
**Date**

State of Wisconsin )  
County of Polk )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2003, the above named \_\_\_\_\_, Chairperson, and \_\_\_\_\_, County Clerk, of Polk County, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Wisconsin.  
My Commission: \_\_\_\_\_



## POLK COUNTY, WISCONSIN

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Sharon Jorgenson, County Clerk  
100 Polk Plaza, Suite 110, Balsam Lake, WI 54810  
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**Agenda and Notice of Meeting**  
**Polk County Executive Committee**  
**Polk County Government Center, County Board Room**  
**100 Polk County Plaza, Balsam Lake, Wisconsin**  
**Wednesday, November 28, 2018 at 2:00 p.m.**

A quorum of the County Board may be present.

**Order of Business:** (The Committee may take up any subject matter noticed herein at any time during the meeting regardless of the location of such subject matter on the meeting notice at the time of issuance.)

1. Call to Order
2. Adoption of the Agenda
3. Adoption of the Minutes of the November 8, 2018 meeting
4. Public Comments
5. Update on Highway Demolition Project
6. Update and Status Report on Fairground Grandstand Construction Planning
7. Screening and Selection of Candidates to the Office of County Administrator
8. Develop Recommendations Concerning the Employment and Performance of Current Interim Administrator

Closed Session: Pursuant to Wisconsin Statute Sections 19.36 (10)(d) and 19.85(1)(c) and (e), the Committee may convene in closed session for the purpose of reviewing applicant materials of prospective candidates selection of the County Administrator and screening the same for further process in the selection process. Any action of the committee on such matter will remain closed and or sealed, pursuant to Sections 19.36 (10)(d) and 19.85(1)(c) and (e), until the County Board of Supervisors takes action to finalize the offer of appointment to said office.

Pursuant to Wisconsin Statute Sections 19.85(1)(c), the Committee may convene in closed session to develop recommendations concerning the employment and performance of the Current Interim County Administrator.

Following closed session, the committee will convene in open session to give announcement of actions taken in closed session and to take up for consideration and action matters notices on this meeting notice.

9. Calendar: Next Meeting and Agenda Items
10. Adjourn

This meeting is open the public according to Wisconsin 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, WISCONSIN

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### Executive Committee

100 Polk County Plaza, Balsam Lake, Wisconsin

Polk County Government Center - County Board Room

### Minutes of Executive Committee from Thursday, November 8, 2018 at 9:00 a.m.

Committee Members present: Dean Johansen, Brian Masters, John Bonneprise, Jay Luke, and Chris Nelson.

**Others present: Sharon Jorgenson, County Clerk; Jeff Fuge, Interim Administrator/Corporation Counsel; Andrea Jerrick, Deputy County Administrator; Emil Norby, Highway Commissioner; members of the public and member of the press. Supervisor Jepsen joined the meeting at 9:10 a.m. Assistant Corporation Counsel Malone joined meeting at 9:23 a.m. Finance Director Wickre joined meeting at 9:23 a.m. Supervisor Larsen joined the meeting at 9:43 a.m. Supervisor Prichard joined the meeting at 9:56 a.m.**

Chairman Johansen called the meeting to order at 9:02 a.m.

Chairman Johansen called for motion to adopt the agenda. **Motion** (Bonneprise/Masters) to adopt the November 8, 2018 agenda as published. Chairman Johansen called for a voice vote on the motion to adopt the agenda. **Motion** carried by unanimous voice vote.

Chairman Johansen called for motion to adopt the October 11, 2018 minutes of Executive Committee. **Motion** (Luke/Masters) to adopt the minutes of October 11, 2018 as published. **Motion** to adopt minutes as published carried by unanimous voice vote.

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

Chairman Johansen called upon Highway Commissioner Norby to provide an update on the Highway Facility Project and demolition of old highway facility. Binder course is being put down on Pheasant Lane & Loon in preparation for paving in the spring. State inspector requested ingress and egress lighting in the salt shed. Finishing touches are under completion on the new facility. Demolition of old building should be completed the week of November 12. There were no soil issues from removal of the old fuel tanks. Committee received information from Supervisor Nelson regarding trusses (4) from the Old Blacksmith Shop building that were salvaged by NCS at no cost to Polk County for possible use at a later time.

The Committee received information regarding the Office of County Administrator from Deputy Administrator Jerrick. 35 applications have been received. Vetting of candidates is underway with background checks to be completed by an outside agency. Applications will be reviewed in closed session at the next Executive Committee meeting in late November.

Recommendation on Ordinance No. 83-18: Amendment to Polk County Board of Supervisors Rules of Order Ordinance – Article 3.1.a – Concerning the Sponsorship and Processing of Proposed Resolutions and Ordinances was discussed. Committee received information regarding the Ordinance from Interim Administrator Fuge and Supervisor Johansen

**Motion** (Nelson/Masters) to **not** recommend Ordinance No. 83-18 to the County Board for passage. Chairman Johansen called for a voice vote on said motion. **Motion** to **not** recommend Ordinance No. 83-18 to the County Board for passage carried by voice vote with 3 voting for no recommendation and 2 voting for recommendation.

Recommendation on Resolution No. 84-18: Resolution Concerning the Design and Funding for Fairground Grandstand Construction was discussed.

Committee received a report and update regarding the proposed Fairgrounds Grandstand project from Interim Administrator Fuge. Committee received information regarding financing amounts and options for the proposed project. Committee received information from Representatives of the Fair Board, Carrie Melin-Swenson and Janis Larson regarding amounts Fair Board could pay toward the project.

**Motion** (Nelson/Masters) to move Resolution No. 84-18 to the County Board for further consideration without recommendation. Chairman Johansen called for a voice vote on said motion. **Motion** carried by unanimous voice vote.

Chairman Johansen called for a motion to adjourn. **Motion** (Luke/Bonneprise) to adjourn. Chairman Johansen called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote. Chairman Johansen declared meeting adjourned at 10:02 a.m.

Respectfully submitted,

Sharon E. Jorgenson  
County Clerk