



POLK COUNTY, WISCONSIN

WWW.CO.POLK.WI.US

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

MINUTES

PUBLIC SAFETY AND HIGHWAY COMMITTEE

County Board Room
Balsam Lake, WI 54810
2:00 P.M. Wednesday, August 1st, 2017

Meeting called to order by Chair Luke at 2:01 p.m.

Committee Members Present:

Attendee Name	Title	Status
Jay Luke	Chair	Present
John Bonneprise	Vice Chair	Present
Doug Route	Supervisor	Present
Joe Demulling	Supervisor	Present
Larry Jepsen	Supervisor	Present

Also present Sharon Jorgenson, County Clerk; Dana Frey, County Administrator; Malia Malone, Assistant Corporation Counsel; Judge Jeffery Anderson, Branch 2 Circuit Court Judge; Ken Sortedahl, Assistant District Attorney; Dave Williams, Victim Witness Assistant; Michelle Gullickson, Restorative Justice; Kathy Bohn, Supervisor of Highway Administration; Emil Norby, Highway Commissioner, Ashley Bechtold, District Attorney office; and member of the press.

Approval of Agenda-Chair Luke called for a motion to approve agenda. **Motion** (Jepsen/Bonneprise) to approve the agenda. **Motion** carried by unanimous voice vote.

Approval of Minutes- Chair Luke called for a motion to approve the minutes of the July 12th, 2017 meeting. **Motion** (Bonneprise/Jepsen) to approve the minutes. **Motion** carried by unanimous voice vote.

Public Comment

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

Announcements and Committee Information

Committee received information and announcements from Administrator Frey. Emil Norby, Highway Commissioner and Malia Malone will assist with agenda preparation for Public Safety & Highway Committee.

Discussion Items

- A. Committee received current fee schedules from Administrator Frey. **Motion** (Bonneprise/Route) to move fee schedules to County Board for review and approval. **Motion** carried by unanimous voice vote.
- B. Committee received report/updates from Emil Norby, Highway Commissioner regarding Highway Department road projects for 2017. Norby reported on numerous projects that have been completed, as well as detailing projects slated for future completion. Norby also updated committee on status of Highway Facility project.
- C. Committee received update on Stillwater bridge project. Ribbon cutting celebration of opening of bridge will be held on August 2nd, 2017 at 10:00 a.m.
- D. Committee received copies of proposed new ordinances and information regarding the ordinances from Ken Sortedahl, Assistant District Attorney. Proposed updated County Ordinances will incorporate existing state statutes. **Motion** (Luke/Bonneprise) recommending corrections of scrivener's errors on existing ordinances and recommending newly proposed ordinances moved to County Board meeting on August 15th for review and approval. **Motion** carried by unanimous voice vote.
- E. Committee received information from Kathy Bohn regarding highway department procedures on fuel handling and shop overhead charges. Procedures used by highway department for shop overhead and fuel handling are based on Department of Transportation accounting standards.
- F. Committee received information from Judge Jeffery Anderson regarding treatment court, which involves several phases of evaluation. Polk County is involved in the TAD Grant program (Treatment, Alternatives and Diversion). Statistics regarding treatment court were provided by Michelle Gullickson from Restorative Justice.
- G. Committee received information regarding Criminal Justice Coordinating Council from Michelle Gullickson, Restorative Justice; Judge Jeffery Anderson, Branch 2 Circuit Court Judge; and Malia Malone, Assistant Corporation Counsel. CJCC was established in 2008, oversees treatment court and related diversion programs, and is the only 501C-3 non-profit CJCC organization in the state of Wisconsin. Diversion program is being widely used.
- H. Committee received information regarding security in the Judicial Assistants' offices from Judge Jeffery Anderson. Office set-up makes it possible for individuals to enter over the counter area. Security issues will be addressed in upcoming budget per Administrator Frey.

Matters for Upcoming Meetings

September: Next meeting: Tuesday, September 5th, 2017 at 2:00 p.m.

Budget recommendations

Chair Luke called for a motion to adjourn. **Motion** (Bonneprise/Route) to adjourn. **Motion** carried by unanimous voice vote. Chair Luke declared meeting adjourned at 3:28 p.m.

Respectfully submitted,

Sharon Jorgenson, County Clerk



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AGENDA AND NOTICE OF MEETING

PUBLIC SAFETY & HIGHWAY COMMITTEE

Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810

County Board Room

Tuesday, August 1st, 2017 at 2:00 p.m.

A quorum of the County Board may be present

Materials: July 12th, 2017 Minutes

- | | | |
|--------|---|-------------------------|
| 2:00PM | 1. Call to order | Chair Luke |
| | A. Approval of agenda | |
| | B. Approval of minutes for July 12 th , 2017 | |
| 2:05PM | 2. Public comment (3 minutes) | |
| 2:10PM | 3. Announcements and committee information | Dana Frey |
| 2:20PM | 4. Discussion Items: | |
| | A. Review and recommendations on fee schedule | Dana Frey |
| | B. Report/Update on Highway Department road projects for 2017 | Emil Norby |
| | C. Update on Stillwater bridge project | |
| | D. Review County Ordinances for recommendation to County Board | Ken Sortedahl |
| | E. Highway Department Policies on fuel handling and shop overhead charges | Kathy Bohn
Moe Norby |
| | F. Treatment Court – future evaluation | Malia Malone |
| | G. CJCC – discussion on roles and responsibilities | Malia Malone |
| | H. JA security | Malia Malone |
| 2:45PM | 5. Identification of Subject Matters for Upcoming Meetings | Dana Frey |
| 3:00PM | 6. 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.



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MINUTES

PUBLIC SAFETY AND HIGHWAY COMMITTEE

County Board Room
Balsam Lake, WI 54810
2:00 P.M. Wednesday, July 12, 2017

Meeting called to order by Chair Luke at 2:00 p.m.

Committee Members Present:

Attendee Name	Title	Status
Jay Luke	Chair	Present
John Bonneprise	Vice Chair	Present
Doug Route	Supervisor	Present
Joe Demulling	Supervisor	Present
Larry Jepsen	Supervisor	Present

Also present Sharon Jorgenson, County Clerk; Wes Revels, Chief Deputy; Jeff Hahn, Deputy; Rob Drew, Jail Captain; and member of the press.

Approval of Agenda-Chair Luke called for a motion to approve agenda. **Motion** (Bonneprise/Route) to approve the agenda. **Motion** carried by unanimous voice vote.

Approval of Minutes- Chair Luke called for a motion to approve the minutes of the June 13th, 2017 meeting. **Motion** (Jepsen/Demulling) to approve the minutes. **Motion** carried by unanimous voice vote.

Public Comment

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

Announcements and Committee Information

Committee received announcements from Administrator Frey regarding updates/progress on Highway Facility Project.

Discussion Items

- A. Committee received information from Administrator Frey regarding WI interstate compact fee required for offenders when transferring probation out of state. More data will be gathered from Administrator Frey's meetings with probation/Serenity Home to determine actual impact and issues caused due to individuals unable to pay fee.
- B. Committee received information from Deputy Hahn regarding recreational patrol program. Program covers patrol in three areas, water patrol, snowmobile patrol, and ATV patrol.

Department receives 67% to 87% reimbursement due to partial DNR funding of program. Deputy Hahn reports few complaints or accidents on ATV trails. Educational programs provided as part of the program are well received and attended by the public.

- C. Committee discussed Criminal Justice Coordinating Council.
- D. Committee received information from Administrator Frey as to process used for selection of candidates for Jail Captain position. Selection process same as most County openings: position is posted, advertised, candidates selected for interviews, those not selected are notified.
- E. New Jail Captain, Rob Drew was introduced to the committee.
- F. Committee received 2016 Annual Reports from Administrator Frey for the following departments: Law Enforcement, Highway, Clerk of Circuit Court, District Attorney and Victim/Witness Services

Matters for Upcoming Meetings

August: Next meeting: Tuesday, August 1st, 2017 at 2:00 p.m.

Fee Schedule

Report/update on road projects for the year – Emil Norby

Update on Stillwater Bridge project

Chair Luke called for a motion to adjourn. **Motion** (Demulling/Bonneprise) to adjourn. **Motion** carried by unanimous voice vote. Chair Luke declared meeting adjourned at 3:08 p.m.

Respectfully submitted,

Sharon Jorgenson, County Clerk

Statistics for Polk County Treatment Court. June 2017

Participants

- Program began on 8/8/2008 with 3 participants.
- Since the start of the program we have had 63 participants
- 15 Females and 48 males. 24% Females and 76% Males
- 10 current/Active Participants; 4 applications under consideration
- 1 transfer
- 21 terminated participants, or 40%
- 31 graduated participants, or 58%

Ages

- Average age at start of program: 32.34
- Average start age for terminated participants: 27.6
- Average start age for graduated participants: 34.5

Time in Program

- Average # of days in program (Graduates and Non Graduates): 653 days or 21.5 months.
- Average # of days in program (Graduates): 731 days or 24 months (2 years).

Recidivism

Definition:

Recidivism is one of the most fundamental concepts in criminal justice. It refers to a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime. Recidivism is measured by criminal acts that resulted in re-arrest, reconviction or return to prison with or without a new sentence during a three-year period following the prisoner's release.

Beginning with our first graduation on 12/6/2013, Treatment Court has had 22 graduates. 9 graduates that have not committed any criminal acts that resulted in re-arrest, conviction or return to prison with or without a new sentence during a three year period following graduation giving us a 41% success rate.

The national average for success is 76%.

SHOP OVERHEAD - *Equipment repairs*

All shop expenses not directly related to vehicle/equipment repairs goes into shop overhead. This includes the fleet supervisor and parts person (labor and fringes), shop supplies, non-capitalized shop tools, allocation for buildings and grounds, depreciation on capitalized equipment, and other misc. expenses.

At the end of the fiscal year, a shop overhead rate is determined by dividing these expenses by the total cost of labor and fringes for direct repairs to equipment (highway and other departments). This rate is then allocated to all equipment/vehicles based on the actual labor/fringes charged to the equipment. As required by WisDOT's county highway accounting standards, shop overhead must be charged to towns, municipalities and county departments. However, we are not required to BILL for it. So at the end of each year, shop overhead on services for others then becomes a county maintenance expense.

Shop overhead rate charged in 2016 was .8917%. Unbilled shop overhead for 2016 was \$13,203.89.

FUEL HANDLING

All costs associated with the operation of our fuel pumps go into a fuel handling account. These costs include labor and fringes for ordering and processing fuel, repairs to fuel pumps, equipment inspections, depreciation on pumps and tanks, and other misc. expenses.

At the end of the fiscal year, a fuel handling rate is determined much like shop overhead. The total expenses are divided by the total gallons of diesel and gas consumed during the year. This rate is then allocated to all equipment/vehicles, departments, etc., based on the gallons consumed during the year. Once again, fuel handling must be charged to towns, municipalities and county departments, but we do not BILL for it so it becomes a county maintenance expense at year-end.

Fuel handling rate for 2016 was \$.0562921. Unbilled fuel handling for 2016 was \$4,222.79.

Department County Clerk	Type of Fee	2016 Fee Rate	2017 Fee Rate	2018 Fee Rate	2018 Comments Comments	2016 Actual Revenues	2017 Estimated Revenues	2018 Estimated Revenues
	Marriage License Fee	80.00	80.00	80.00	\$35.00 goes to County 247 *\$35	\$8,645.00	\$8,000.00	\$8,000.00
	Marriage Waiver Fee	10.00	10.00	10.00		\$220.00	\$200.00	\$200.00
	Passport Agent Fee	25.00	25.00	25.00	Set by US Dept. of State	\$9,800.00	\$9,000.00	\$9,000.00
	Passport Photo Fee	10.50	10.50	10.50		\$5,318.40	\$4,500.00	\$4,500.00
	Temp Plate Fee- Counter Fee	5.00	5.00	5.00	Set by DOT	\$1,535.00	\$1,500.00	\$1,500.00
	DMV Tabs & Plates per Application	17.30	17.30	17.30	Set by TriVIN	\$3,026.00	\$3,500.00	\$3,500.00
	Large Assembly Permits	100.00	100.00	100.00	Per Day Fee	\$400.00	\$400.00	\$400.00
	SVRS Support Fees - population based				Additional fees billed for programming of election machines. County covers programming cost of one machine per municipality. Paid under HAVA Equipmt Rev G/L 47333	\$20,546.00	\$8,259.00	\$15,000.00
	Population 1-599	300.00	300.00	300.00		\$1,500.00	\$1,500.00	\$1,500.00
	Population 600-999	400.00	400.00	400.00		\$4,800.00	\$4,800.00	\$4,800.00
	Population 1000-1499	500.00	500.00	500.00		\$3,500.00	\$3,500.00	\$3,500.00
	Population 1500-1999	600.00	600.00	600.00		\$1,200.00	\$1,200.00	\$1,200.00
	Population 2000-2999	700.00	700.00	700.00		\$3,500.00	\$3,500.00	\$3,500.00
	Any Special Election plus \$.25 per eligible voter		100.00	100.00		\$0.00	\$0.00	\$0.00
	excess HAVA fee posted to SVRS fee 2016				\$16033 Total posted to 2016 SVRS fee - s/b \$14,500.00	\$1,533.00		

Form Completed by: Sharon Jorgenson
Date completed: 17-Jul-17

Department	Type of Fee	2016 Fee Rate	2017 Fee Rate	2018 Fee Rate	2018 Comments Comments	2016 Actual Revenues	2017 Estimated Revenues	2018 Estimated Revenues
Highway	Access Permits							
	Housing Developments	515.00	515.00	515.00		\$0.00	\$0.00	\$0.00
	Residential	295.00	295.00	295.00		\$4,130.00	\$3,540.00	\$3,540.00
	Field Access	180.00	180.00	180.00		\$1,080.00	\$900.00	\$900.00
	Field Visit Only	0.00	100.00	100.00		\$300.00	\$300.00	\$300.00
	Minor Modifications	55.00	55.00	55.00		\$275.00	\$330.00	\$275.00
	Utility Permits							
	Basic Permit	50.00	50.00	50.00		\$2,450.00	\$2,000.00	\$2,000.00
	Open Cut Pavement	250.00	250.00	250.00		\$500.00	\$500.00	\$500.00
	*Bore Pre & Post Inspections	100.00	0.00	0.00	*Cty board eliminated these fees in 2016	\$10,800.00	\$0.00	\$0.00
	*Trenching	100.00	0.00	0.00		\$0.00	\$0.00	\$0.00
	*Imp in Hwy Intersections	200.00	0.00	0.00		\$0.00	\$0.00	\$0.00
	*Plowing	50.00	0.00	0.00		\$1,900.00	\$0.00	\$0.00
	Oversize Overwidth Permits							
	Single Trip	30.00	30.00	30.00		\$150.00	\$60.00	\$60.00
	Multiple Trips	110.00	110.00	110.00		\$330.00	\$110.00	\$110.00
	Housemoving	50.00	50.00	50.00		\$100.00	\$50.00	\$50.00

Form Completed by: Kathy Bohn
Date completed: 7/31/2017

Department	Type of Fee	2016 Fee Rate	2017 Fee Rate	2018 Fee Rate	2018 Comments Comments	2016 Actual Revenues	2017 Estimated Revenues	2018 Estimated Revenues
Law	Civil Process							
	Paper Service	75.00	75.00	75.00	Projections include all Civil Process	\$25,375.00	\$26,000.00	\$26,000.00
	Writ of Eviction/Assistance	100.00/65.00	100.00/65.00	100.00/65.00	\$100 first hour, \$65/hr thereafter	\$2,700.00	\$1,200.00	\$2,400.00
	Writ of Replevin	100.00/65.00	100.00/65.00	100.00/65.00	\$100 first hour, \$65/hr thereafter	\$700.00	\$700.00	\$700.00
	Writ of Execution	100.00/65.00	100.00/65.00	100.00/65.00	\$100 first hour, \$65/hr thereafter	\$400.00	\$200.00	\$400.00
	Notarized Affidavit	10.00	10.00	10.00		\$20.00	\$20.00	\$20.00
	Sheriff's Sale Foreclosure/Execution	150.00	150.00	150.00	\$150.00 for everytime it's posted	\$10,950.00	\$8,000.00	\$8,000.00
	Jail Division							
	Out-of-County Huber Fees/day	25.00	25.00	25.00	Inc Huber and out of county housing	\$4,718.00	\$4,700.00	\$4,900.00
	Huber Fees /day	15.00	15.00	15.00		*\$35,812	\$43,000.00	\$43,000.00
	Out of County Boarding/day	45.00	45.00	45.00	\$40 with contract	\$0.00	\$3,000.00	\$3,000.00
	Booking Fees	25.00	25.00	25.00		**\$16,489.52	\$19,700.00	\$20,000.00
	Alarm Fees							
	False Alarm Fees 1st/2nd/3rd/subsequent	0/50.00/50.00/ 100.00	0/50.00/50.00/ 100/00	0/50.00/50.00/1 00/00		\$5,450.00	\$5,400.00	\$5,500.00
	Records							
	Digital Audio Media (create/duplicate)	40.00/10.00	40.00/10.00	40.00/10.00	Inc Paper, Audio and Video	\$391.50	\$400.00	\$400.00
	Digital Video Media (create/duplicate)	30.00/10.00	30.00/10.00	30.00/10.00		\$120.00	\$120.00	\$120.00
	Digital Photo Media (duplicate)	10.00	10.00	10.00		\$501.50	\$500.00	\$500.00
	Paper Photo Sheet	2.00	2.00	2.00		N/A	N/A	N/A
	Paper Copies	0.25	0.25	0.25	per page, discretion applied.	\$246.03	\$250.00	\$250.00
	Drug Kits	5.00	5.00	5.00		\$20.00	\$20.00	\$20.00
	Outside Requests for Services							
	Fees 1st hours/2nd and subsequent hours	100.00/65.00	100.00/65.00	100.00/65.00	\$100 first hour, \$65/hr thereafter		\$4,000.00	\$1,000.00

*Outside Requests for Services added 2017

Completed by: Wes Revels

Date completed: 7/31/2017

**10months revenue

OFFICE OF
JOBIE BAINBRIDGE
CLERK OF CIRCUIT COURT - POLK COUNTY

TELEPHONE: 715-485-9241 • FAX: 715-485-9262

1005 WEST MAIN STREET - SUITE 300 • BALSAM LAKE, WI 54810

SMALL CLAIMS FILING FEES

Effective July 1, 2009

MONEY JUDGMENT – (31001)

Regular Mail – Service by Clerk

1 Defendant	\$96.50
2 Defendant	\$98.50
3 Defendant	\$100.50

**** Defendant(s) MUST be a Polk County
resident for Service by Clerk ****

Certified Mail – Service by Clerk

1 Defendant	\$102.50
2 Defendant	\$110.50
3 Defendant	\$118.50

REPLEVIN – (31003)

Personal Service – NO Service by Clerk

Unlimited Defendants	\$94.50
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EVICTION – (31004)

Personal Service – NO Service by Clerk

Unlimited Defendants	\$94.50
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Certified Mail – Service by Clerk (Effective as of 3/1/2014)

1 Defendant	\$102.50
2 Defendant	\$110.50
3 Defendant	\$118.50

(updated 5/14/2014)

JURY/PATERNITY CLERK	CRIMINAL	TRAFFIC	CIVIL / FAMILY	SMALL CLAIMS	JUVENILE CLERK	CHIEF DEPUTY
715-485-9227 715-485-9299	715-485-9298 715-485-9216 715-485-9215	715-485-9215 715-485-9216	715-485-9204 715-485-9290	715-485-9205 715-485-9299	715-485-9290 715-485-9299	715-485-9287 715-485-9299

FILING FEES - REVISED JULY 1, 2009

AMEND JUDGMENT, FAMILY

814.61(7)(A)	In action affecting the family (except legal custody & physical placement.	\$ 30.00
914.61(7)(b)	Revision of judgment as to legal custody & physical placement of child.	50.00

APPEAL - FROM MUNICIPAL COURT OR ADMINISTRATIVE DECISION

814.61(8)(am)1	On the record or by certiorari.	129.50
814.61(8)(am)2	New Trial.	144.50

APPEAL - FROM CIRCUIT COURT TO THE COURT OF APPEALS-CIVIL APPEAL

814.61(9)	Transmittal fee to Clerk (plus postage).	15.00+
809.25(2)(a)1	Appellate Court filing fee (send filing fee to Court of Appeals).	195.00

ARBITRATION

788.01(2)(A)	Appointment of arbitrator	0
814.61(1)	Confirm, modify, vacate arbitrators award	164.50
799.01(1)(cm)	Arbitration re purchase of real property	94.50

ASSIGNMENT - OR SATISFACTION OF JUDGMENT

814.61(5)(b)	Filing & docketing.	5.00
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ATTESTATION & COMPARISON

814.61(10)(a)	Of copies-per page.	1.25
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AWARD

814.61(5)(b)	Filing & docketing.	5.00
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CERTIFICATE

814.61(5)(a)	Issuing certificate, execution, commission, writ not commencing an action.	5.00
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CHANGE OF VENUE - RECEIVING COURT

814.61(2)	Civil.	75.00
814.61(1)(b)&(2)	Family (no support)	95.00
814.61(2); 814.61(1)(b)	Family (with request for support or maintenance)	105.00
814.61(13)		
814.61(2)	Small Claims action	22.00
801.52; 814.61(2)	Discretionary change of venue.	No Fee

CHANGE OF VENUE

814.61(9)	Transmitting court (plus postage)	15.00+
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CIVIL ACTION

814.61(1)(a)	Civil-amount > than \$10,000.00 - includes personal injury and property damage, 808.02(1m) includes foreclosure	265.50
799.01(1)(a) & 814.61(1)(a)	Amount = to or < than \$10,000.00	147.50
814.61(1)(a)	No dollar amount claimed - includes harassment restraining orders name change, declaratory judgment, habeas corpus, minor settlement	164.50
814.61(4)	Jury fee-per juror requested	6.00

CONDEMNATION APPEALS

814.61(8)(am)1., 32.61	On the record or by certiorari	129.50
814.61(8)(am)2	New trial	144.50

COPIES

814.61(10)(a)	Fee-per page – regular copies & reports.	1.25
814.61(5)(a), OAG 4-84	Certified copies	5.00+
		+ \$1.25 per page to copy actual, direct & necessary costs
814.61(10)(b)	For public defender	0.00
59.53	For INS certified copies of JOC regarding Veteran's benefits, any state or federal agency	0.00
	Exemplified Copies	16.25

COUNTERCLAIM OR CROSS CLAIM

814.62(3)(b)	Over \$10,000 on Small Claims	125.50
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DOCKETING FEES

814.61(5)(b)	Civil judgment	5.00
814.62(3)(c)	Small claims judgment	5.00
814.61(5)(b)	Satisfaction	5.00
814.61(5)(b)	Transcript of judgment, lien, warrant/award	5.00

EXECUTION

814.61(5)(a)	Issue	5.00
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FAMILY ACTIONS

814.61(1)(a)&(b)	Commence action-not support/maintenance	184.50
814.61(1)(a)&(b)	Commence action-request support or maintenance.	194.50
814.61(13)		
814.61(1)©1	Action by child support agency	194.50
814.615(1)(a)1&2	Mediation fee-no fee for 1st session	200.00
		or local fee
814.61(7)(a)	Motion to revise judgment-in action affecting family (except legal custody & placement)	30.00
814.61(7)(b)	Motion to revise judgment-in action affecting family (legal custody & physical placement)	50.00
767	Grandparent visitation - new action under ch 767	184.50
814.615(1)(a)3	Study-legal custody & physical placement	300.00

		or local fee
814.61(1)(a)	Paternity-commence action-private party	184.50
9814.61(13)	Paternity-with request for support	194.50
814.61(1)(c)	Paternity-action by state, c/s agency, GAL	0.0

FOREIGN JUDGMENT

814.61(6)	File	15.00
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GARNISHMENT

814.62(1)	Commence-amount = to or < \$10,000.00.	92.50
814.62(1)	Commence-amount claimed > \$10,000.00.	210.50

INCOME TAX WARRANT

814.61(5)(b)	Filing & docketing.	5.00
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JUDGMENT/LIENS - FILING & DOCKETING

814.61(6),806.24	File foreign judgment (from other states, countries, tribes, federal courts) - FJ	15.00
814.61(1)(c)(d) & 42 USC 3796gg	File foreign protective order	0.00
814.61(5)(b)	Civil.	5.00
814.62(3)(c)	Small claims.	5.00
814.61(5)(b)		
814.61(5)(b)	Transcript of judgment – TJ.	5.00
806.12-.17		
814.07	Reopen default judgment in forfeiture action (\$0 - \$300 at discretion of court)	0 - 300.00

JURY FEE

814.61(4)	Per juror requested, civil, non-refundable.	6.00
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LEIN

814.61(5)(b)	Filing & docketing.	5.00
814.61(5)(b)	Preservation of.	5.00

MAILING FEE - SMALL CLAIMS

814.62(4)	Per defendant-regular mail.	2.00
814.62(4)	Per defendant-plus certified fee.	8.00

MINOR SETTLEMENT

807.10	Petition to approve minor settlement	164.50
814.61(12)(a)1	Receive, handle or deposit funds.	10.00
		or .5%
814.61(12)(a)1	Withdraw funds-per transaction	10.00

NAME CHANGE

767.51(3m)	Name Change in paternity action	164.50
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NOTARY - Now Handled By State

OCCUPATIONAL DRIVERS LICENSE PETITION

343.10(4), 351.07(1g), File petition 40.00
814.61(14)

PHOTOCOPIES

814.61(10) Fee-per page. 1.25

SATISFACTIONS

814.61(5)(b) Filing & docketing judgments, liens & tax.
warrants. 5.00

SEARCH FEE

814.61(11) Search file/record to locate any one action
when no case # is provided 5.00

SMALL CLAIMS

814.62(3)(a) Commence action = to or < \$10,000.00 94.50

814.62(4) Mailing fee-per defendant (plus postage
if certified mail) 2.00

814.62(3)(b) Cross claim or counterclaim > \$10,000.00 125.60

814.61(4), 814.62(3)(e) Demand for jury trial - \$53 + \$36 jury fee 89.00

814.61(3) Third party complaint. 117.50

Plaintiff's upgrade to civil case - amount over \$10,000 171.00

Plaintiff's upgrade to civil case - amount under \$10,000 53.00

Exemplified Copies 16.25

TAX WARRANT

814.61(5)(b) Filing & docketing assignment or satisfaction 5.00

814.61(5)(c) Withdrawal, satisfaction or voidance of erroneous 5.00

71.91(5)(a) warrant.

THIRD PARTY COMPLAINT

814.61(3) Claim over \$10,000 235.50

814.61(3) Claim - \$10,000 or less 117.50

No dollar amount claimed. 134.50

TRANSCRIPT FROM DOCKET

814.61(5)(a) Issue. 5.00

814.61(5)(b) Filing & docketing. 5.00

TRANSMIT DOCUMENTS

814.61(9) Certify & transmit documents on appeal, 15.00+
writ, change of venue, real estate judgments, plus postage
out-of-state judgments

TRO'S & INJUNCTIONS

813.12, 814.61(1)(d)	Domestic abuse	0.00
813.122, 123, 125, 127, & 814.61(10)(e)	Child abuse, vulnerable adult, harassment, combined actions – <i>if certain conduct alleged:</i> stalking, sexual assault, physical violence, impaired physical condition, or threats	0.00
814.61(1)	Without allegations above	164.50
	File foreign or out-of-county protective orders	0.00

TRUST FUND

757.25,	Receive, handle, or deposit funds.	10.00
807.10(3) &	(includes general deposits, minor settlements,	or .5%
880.04(2)(a)	trust funds, small estates, conservator accounts)	
814.61(12)(a)1	Withdraw funds, per transaction.	10.00
814.61(12)(a)	Contempt proceedings, deposits	10.00

VITAL STATISTICS

Amendments after One Year & for delayed registration	164.50
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WAGE EARNER

128.21, 814.62(2)	Voluntary debt proceeding	31.50
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WARRANT

814.61(5)(b), 806.11	Tax warrants - filing & docketing.	5.00
814.61(5)(b), 71.91(5)(g)	Satisfaction, voidance or withdrawal	5.00

WRIT

814.61(5)(a)	Issue-not commencing an action.	5.00
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CERTIORARI

129.50

PRO HAC VICE APPLICATIONS

250.00

OFFICE OF THE DISTRICT ATTORNEY
Polk County Justice Center

District Attorney
Jeffrey L. Kemp

Victim Coordinator/Office Manager
Belinda Cash



Assistant District Attorney
Kenneth Sortedahl II
James Renniecke

July 20, 2017

Sharon Jorgenson
Polk County Clerk
100 Polk County Plaza Ste 110
Balsam Lake WI 54810

Dear Mrs. Jorgenson:

Enclosed please find the proposal for Polk County Ordinances. Please add this matter to the agenda for the Highway and Public Protection meeting on August 1, 2017 at 2:00 p.m. and to the agenda for the next County Board Meeting.

If you have any questions, please feel free to contact me.

Thank you,


Kenneth N. Sortedahl
Assistant District Attorney

cc: Jeff Kemp, Polk County District Attorney
Judge Jeffery L. Anderson, Branch 2
Judge Daniel J. Tolan, Branch 1
Dean Johansen, Polk County Board Chair
Commissioner James Krupa
Jay Luke, Highway and Public Protection Committee
Dana Frey, Polk County Administrator
Jobie Bainbridge, Polk County Clerk of Court
Pete Johnson, Polk County Sheriff
Jeffrey Fuge, Corporation Counsel

COUNTY OF POLK

Pursuant to its authority under Board of Municipalities Wisconsin State Statute § 66.0113, The Polk County Board of Supervisors hereby adopts and enacts the following State Statutes as additions to its ordinances:

1. Battery (Wis. Stats. § 940.19(1)) (Replaces Polk Ordinance 57-75)
2. Disorderly Conduct (Wis. Stats. § 947.01) (Replaces Polk Ordinance 56-75)
3. Worthless Check (Wis. Stats. § 943.24(1)) (Replaces Polk Ordinance 43-77)
4. Trespass (Wis. Stats. § 943.13(1m)) (Replaces Polk Ordinance 98-95)
5. Damage to Property (Wis. Stats. § 943.01(1))
6. Theft (Wis. Stats. § 943.20(1)(a))
7. Retail Theft (Wis. Stats. § 943.50(1m))
8. Obstructing (Wis. Stats. § 946.41(1))
9. Possession of THC (Wis. Stats. § 961.41(3g)(e))
10. Possession of Paraphernalia (Wis. Stats. § 961.573(1))

Furthermore, as adopted, the respective ordinance will not be a misdemeanor but an ordinance, the violation of which shall be punishable by not less than \$114.50 court cost only (minimum) and not more than \$2500, plus court costs (maximum).

Furthermore, it is the Board's intention that when/if the underlying state statute is changed or amended by the State Legislature that the Polk County ordinances above referenced will automatically incorporate those changes effective on the same date as the statutory change.

This ordinance shall be effective upon enactment and publication.

Submitted and Sponsored By:

Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

Review By Corporation Counsel:

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

Dana Frey, County Administrator

Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

At its regular business meeting on _____, 2017, the Polk County Board of Supervisors adopted the above ordinances as follows:

1. Battery (Wis. Stats. § 940.19(1)) (Replaces Polk Ordinance 57-75)
Ordinance No. _____
2. Disorderly Conduct (Wis. Stats. § 947.01) (Replaces Polk Ordinance 56-75)
Ordinance No. _____
3. Worthless Check (Wis. Stats. § 943.24(1)) (Replaces Polk Ordinance 43-77)
Ordinance No. _____
4. Trespass to Land (Wis. Stats. § 943.13(1m)) (Replaces Polk Ordinance 98-95)
Ordinance No. _____
5. Damage to Property (Wis. Stats. § 943.01(1))
Ordinance No. _____
6. Theft (Wis. Stats. § 943.20(1)(a))
Ordinance No. _____
7. Retail Theft (Wis. Stats. § 943.50(1m))
Ordinance No. _____
8. Obstructing (Wis. Stats. § 946.41(1))
Ordinance No. _____
9. Possession of THC (Wis. Stats. § 961.41(3g)(e))
Ordinance No. _____
10. Possession of Paraphernalia (Wis. Stats. § 961.573(1))
Ordinance No. _____

- Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Enacted by unanimous vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.

Action Deferred by Procedural Action, as follows:

SIGNED BY: _____

Dean Johansen, County Board Chairperson

Attest: _____

Sharon Jorgenson, Polk County Clerk

Dated: _____

Certification of Publication

Ordinance No.(s) _____

were published pursuant to Wisconsin Statutes § 59.14(1) in the Inter-County Leader on

_____, 2017.

Sharon Jorgenson
Polk County Clerk

Date

POLK COUNTY ORDINANCE #57-75

AN ORDINANCE PROHIBITING BATTERY IN POLK COUNTY, WISCONSIN

The Board of Supervisors of Polk County, Wisconsin, does hereby ordain as follows:

No person shall:

Cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

Any person who violates this ordinance shall be required to forfeit a sum of not more than \$200.00 together with the costs of prosecution, and in default of payment thereof may be confined to the Polk County Jail until said forfeiture and costs are paid but not to exceed 6 months.

This ordinance shall be effective upon passage and publication according to law.

Signed: James W. Moore, Irving M. Jensen

Clyde Williams, Carl McCurdy

Moved by Sup. Paulson and seconded by Sup. Bauerfield to adopt Res. 57. Adopted by a unanimous voice vote.

BATTERY

Revised Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 940.19(1), Wis. Stats.

(1) Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed is guilty of a Class A misdemeanor.

POLK COUNTY ORDINANCE #75-56

AN ORDINANCE PROHIBITING DISORDERLY CONDUCT IN POLK COUNTY

The Board of Supervisors of Polk County, Wisconsin, does hereby ordain as follows:

No person shall:

1. In a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances which such conduct tends to cause or provoke a disturbance; or
2. With intent to annoy another, make a telephone call, whether or not conversation [sic] ensues.

Any person who violates this ordinance shall be required to forfeit a sum of not more than \$200.00 together with the costs of prosecution, and in default of payment thereof may be confined to the Polk County Jail until said forfeiture and costs are paid but not to exceed 90 days.

This ordinance shall be effective upon passage and publication according to law.

Signed: James W. Moore, Irving M. Jensen

Clyde Williams, Carl McCurdy

Moved by Sup. Peterson and seconded by Sup. Pearson to adopt Res. 56.

Adopted by a unanimous voice vote.

DISORDERLY CONDUCT

Revised Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 947.01, Wis. Stats.

(1) Whoever, in a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance is guilty of a Class B misdemeanor.

(2) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, a person is not in violation of, and may not be charged with a violation of, this section for loading a firearm, or for carrying or going armed with a firearm or a knife, without regard to whether the firearm is loaded or the firearm or the knife is concealed or openly carried.

POLK COUNTY ORDINANCE 43-77

AN ORDINANCE PROHIBITING THE ISSUANCE OF WORTHLESS CHECKS IN POLK COUNTY

The Board of Supervisors of Polk County, Wisconsin, does hereby ordain as follows:

Section I. Issuance of worthless check prohibited. No person shall issue any check or other order for the payment of money which, at the time of issuance, he intends shall not be paid.

Section II. Prima Facie evidence of Intent. Any of the following is prima facie evidence that the person at the time he issued the check or other order for the payment of money, intended it should not be paid:

- A. Proof that, at the time of issuance, he did not have an account with the drawee; or
- B. Proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed to pay the check or other order within 10 days after notice of nonpayment or dishonor was sent by first class mail to his last known address or to the address shown on the face of the check or other order; or
- C. Proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and he failed to pay the check or other order within 10 days after notice of nonpayment or dishonor was sent by first class mail to his last known address or the address shown on the face of the check or other order.

Section III. Certain Defenses Abolished. Refusal to accept or failure to receive notice of nonpayment or dishonor mailed by first class mail to such person's last known address or the address shown on the face of the check or other order shall not be a defense to the charge of issuance of a worthless check.

Section IV. Exceptions. This ordinance does not apply to postdated checks or to a check given for a past consideration, except a payroll check.

Section V. Penalties. Any person that violates this ordinance shall be required to forfeit a sum of not more than \$200.00 together with the costs of prosecution, and in default of payment thereof may be confined to the Polk County Jail until said forfeiture and costs are paid but not to exceed 90 days.

Section VI. Enforcement. The Sheriff or any Deputy Sheriff may commence a forfeiture action by the issuance of a citation or a complaint. Any other person may commence a forfeiture action pursuant to this ordinance by signing a complaint in the Office of the District Attorney of Polk Co.

Section VII. Forfeitures. Forfeitures collected pursuant to this ordinance shall be placed in the Polk Co. General fund.

Section VIII. Provisions severable. The provisions of this ordinance shall be deemed severable. If any provision of this ordinance is found invalid by reason of nonconformity with the laws of the

US or the State of WI or the Constitutions of the US and the State of WI such defect shall not affect the validity of any other provision of this ordinance.

Section IX. This ordinance shall be effective upon passage and publication according to law.

Signed: James W. Moore, Irving M. Jensen

Carl McCurdy, Committee on Committees

Moved by Sup. McCurdy and seconded by Sup. Lutz to adopt Res. 43.

Adopted by a unanimous voice vote.

WORTHLESS CHECK

Revised Ordinance No _____

Statutory Authority. This ordinance is enacted by incorporating § 943.24, Wis. Stats.

(1) Whoever issues any check or other order for the payment of not more than \$2,500 which, at the time of issuance, he or she intends shall not be paid is guilty of a Class A misdemeanor.

POLK COUNTY TRESPASS ORDINANCE #5-95

1. Whoever does any of the following is subject to a forfeiture not to exceed \$200:
 - a. Enters any enclosed or cultivated land of another with intent to catch or kill any birds, animals, or fish on the land, or gather any products of the soil without the express or implied consent of the owner or occupant to engage in any of those activities.
 - b. Enters or remains on any land of another after having been notified by the owner or occupant not to enter or remain on the premises.
 - c. Hunts, shoots, fishes, or gathers any product from the soil on the premises of another, or enter said premises with intent to do any of the foregoing after having been notified by the owner or occupant not to do so.
 - d. Enters any enclosed or cultivated land of another with a vehicle of any kind, without the express or implied consent of the owner or occupant.

2. A person has received notice from the owner or occupant within the meaning of this ordinance if he or she has been notified personally, either orally or in writing, or if the land is posted. Land is considered to be posted under this ordinance under either of the following procedures:
 - a. If a sign at least eleven (11) inches square is placed in at least two conspicuous places for every forty (40) acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner." If the person giving the notice is the owner of legal title to the land and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. Proof that appropriate signs as provided in this paragraph were erected or in existence on the premises to be protected within six (6) months prior to the event complained of shall be prima facie proof that the premises to be protected were posted as provided by this paragraph.
 - b. If markings in blaze orange and at least one (1) foot long including in a contrasting color the phrase "private land" and the name of the owner, are made in at least two (2) conspicuous places for every forty (40) acres to be protected.

3. Whoever erects on the land of another signs which are the same or similar to those described in sub(2) without obtaining the express consent of the lawful occupant or of the holder of legal title to such land is subject to a forfeiture not to exceed \$200.

4. This section does not apply to any of the following:
 - a. A person entering the premises, other than the residences or other buildings or the curtilage of the residence or other buildings, of another for the purpose of removing a wild animal as authorized under Sections 29.59(2), (3) or (4) of the Wisconsin Statutes.
 - b. A hunter entering land that is required to be opened for hunting under Section 29.59(4m) or 29.598(7) of the Wisconsin Statutes.

TRESPASS TO LAND

Revised Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 943.13(1m), Wis. Stats.

(1m) Whoever does any of the following is subject to a Class B forfeiture:

(a) Enters any enclosed, cultivated or undeveloped land of another, other than open land specified in par. (e) or (f), without the express or implied consent of the owner or occupant.

(am) Enters any land of another that is occupied by a structure used for agricultural purposes without the express or implied consent of the owner or occupant.

DAMAGE TO PROPERTY

Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 943.01, Wis. Stats.

(1) Whoever intentionally causes damage to any physical property of another without the person's consent is guilty of a Class A misdemeanor.

THEFT

Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 943.20(1)(a), Wis. Stats.

(1) ACTS. Whoever does any of the following may be penalized as provided in sub. (3):

(a) Intentionally takes and carries away, uses, transfers, conceals, or retains possession of movable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

RETAIL THEFT

Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 943.50(1m), Wis. Stats.

(1m) A person may be penalized as provided in sub. (4) if he or she does any of the following without the merchant's consent and with intent to deprive the merchant permanently of possession or the full purchase price of the merchandise or property:

- (a) Intentionally alters indicia of price or value of merchandise held for resale by a merchant or property of a merchant.
- (b) Intentionally takes and carries away merchandise held for resale by a merchant or property of a merchant.
- (c) Intentionally transfers merchandise held for resale by a merchant or property of a merchant.
- (d) Intentionally conceals merchandise held for resale by a merchant or property of a merchant.
- (e) Intentionally retains possession of merchandise held for resale by a merchant or property of a merchant.
- (f) While anywhere in the merchant's store, intentionally removes a theft detection device from merchandise held for resale by a merchant or property of a merchant.
- (g) Uses, or possesses with intent to use, a theft detection shielding device to shield merchandise held for resale by a merchant or property of merchant from being detected by an electronic or magnetic theft alarm sensor.
- (h) Uses, or possesses with intent to use, a theft detection device remover to remove a theft detection device from merchandise held for resale by a merchant or property of a merchant.

OBSTRUCTING JUSTICE

Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 946.41(1), Wis. Stats.

(1) Except as provided in subs. (2m) and (2r), whoever knowingly resists or obstructs an officer while such officer is doing any act in an official capacity and with lawful authority is guilty of a Class A misdemeanor.

POSSESSION OF THC (Tetrahydrocannabinols)

Ordinance No. _____

Statutory Authority. This ordinance is enacted by incorporating § 961.41(3g)(e), Wis. Stats.

961.41(3g)(e) *Tetrahydrocannabinols.* If a person possesses or attempts to possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols.

POSSESSION OF PARAPHERNALIA

Ordinance No _____

Statutory Authority. This ordinance is enacted by incorporating § 961.573, Wis. Stats.

(1) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of this chapter.