

**REGULAR SESSION  
of the  
JACKSON COUNTY BOARD OF SUPERVISORS**

**October 16, 2023**

The Regular Session of the Jackson County Board of Supervisors was called to order at 5:30 P.M., on Monday, October 16, 2023, at the Jackson County Courthouse in the County Board Room by Chairman Amo.

The Pledge of Allegiance was given.

County Clerk, Cindy Altman, took roll call with 18 members present and 1 excused (Supervisor Hart).

Chairman Amo asked if there were any corrections or additions to the minutes of the previous meeting. Supervisor Chamberlain made a motion to approve the minutes. This was seconded by Supervisor Higgins. Voice vote was taken with 18 present voting Aye.

RESOLUTION NO. 32-10-2023

**TO: HONORABLE COUNTY BOARD OF SUPERVISORS**

**RE: Jackson County Tribal Law Enforcement Grant,**

**WHEREAS**, Jackson County has annually applied for funding from the State of Wisconsin to be used to partially assist with Tribal Law Enforcement; and,

**WHEREAS**, Jackson County has a population of 21,121 residents with about 1,276 Ho-Chunk members residing within the boundaries of the county.

**WHEREAS**, Ho-Chunk Nation lands in Jackson County consist of approximately 2377.5 acres of Federal trust and 1270 acres of owned in fee land.

**WHEREAS**, in 1952, with the passage of Public Law 280, the federal government granted criminal jurisdiction over Ho-Chunk Nation members who commit major crimes on Ho-Chunk Nation lands to the State of Wisconsin, consequently leading Jackson County to assume a key law enforcement role on Ho-Chunk Nation trust land.

**WHEREAS**, the Jackson County Sheriff's Office intent is to continued to enhance the provision of all necessary law enforcement and emergency services to the Ho-Chunk Nation, to work with the Ho-Chunk community and Police Department to preserve the peace, prevent and detect crime and arrest violators of the law,

**WHEREAS**, in order to receive these funds, it is necessary for the Jackson County Board of Supervisors to officially request the funding from the State of Wisconsin by passage of a formal resolution; and,

**WHEREAS**, the Ho-Chunk Nation must also formally pass a resolution supporting this grant as required also by the State of Wisconsin,

**NOW THEREFORE BE IT RESOLVED**, the Honorable County Board of Supervisors hereby request a Tribal Law Enforcement Grant for the calendar year of 2024 to be used to partially assist with Tribal Law Enforcement in conjunction with the Ho-Chunk Nation.

Respectfully submitted by,

Jackson County Law Enforcement  
Committee  
s/Chuck Jensen  
s/Ron Carney  
s/William Laurent  
s/Garth Rolbiecki  
s/Max Hart

Jackson County Executive and  
Finance Committee  
s/John Higgins  
s/Ron Carney  
s/Jeff Amo  
s/Alton Staff

Supervisor Greendeer-Rave made a motion to adopt this resolution. This was seconded by Supervisor Gearing-Lancaster. Sheriff Waldera and Chief Deputy Olson were both present for questions. Voice vote was taken with 18 present voting Aye.

Supervisor Staff made a motion to read the following ordinance changes and zone petitions only one time. This was seconded by Supervisor Swanson. Voice vote was taken with 18 present voting Aye.

Resolution No. 33-10-2023

County Plan for Redistricting - Ordinance Chapter 2.02

WHEREAS, the 2020 census final count of 21,145 has been received and a redistricting plan has been created, and

WHEREAS, said Supervisory District Plan was adopted by Resolution 57-11-2021, and

WHEREAS, since said time, the State of Wisconsin has drawn its congressional and assembly district lines, requiring creation of additional Wards in Town of Alma and Village of Merrilan, and

WHEREAS, the Executive and Finance Committee now recommends the following Supervisory District Plan:

**District 1 – 1104 – Garfield W1 (574) & Cleveland (530)**  
**District 2 – 1157 – Northfield (674), Curran (301) & Garfield W2 (182)**  
**District 3 – 1095 – Garden Valley (395), Village Alma Center (487) & Hixton W1 (213)**  
**District 4 – 1131 – Village of Taylor (484) & Springfield W1 (647)**  
**District 5 – 1117 – Franklin (519), North Bend (491) & Irving W2 (107)**  
**District 6 – 1104 – Village of Melrose (544), Melrose (470) & Irving W3 (90)**  
**District 7 – 1115 – Village of Hixton (456), Hixton W2 (407), Albion W4 (206) & Springfield W2 (46)**  
**District 8 – 1133 – Albion W2 (477) & Irving W1 (656)**  
**District 9 – 1110 – Village of Merrilan W1, 2 (562) & Alma W1, 3, 5 (548)**  
**District 10 – 1121 – Adams W2 (697) & Albion W3 (424)**  
**District 11 – 1097 – City Point (177), Komensky (505) & Brockway W4 (415)**  
**District 12 – 1150 – Bear Bluff (155), Knapp (303), Millston W2 (66) & Brockway W3 (626)**  
**District 13 – 1086 – Brockway W1 (1086)**  
**District 14 – 1097 – BRF W1 (999) & Adams W3 (98)**  
**District 15 – 1089 – BRF W2 (999) & Albion W1 (90)**  
**District 16 – 1168 – BRF W3 (632) & Brockway W6 (536)**  
**District 17 – 1080 – BRF W4 (893) & Brockway W5 (187)**  
**District 18 – 1079 – Alma W2, 4 (485) & Adams W1 (594)**  
**District 19 – 1112 – Manchester 825, Brockway W2 (185) & Millston W1 (102)**

**TOTAL POPULATION 21,145**

NOW THEREFORE BE IT RESOLVED by the Jackson County Board of Supervisors that the above County Redistricting Plan be approved and therefore ordained as Chapter 2.02 of the Jackson County Code of Ordinances.

Executive and Finance Committee  
s/Jeff Amo  
s/John Higgins  
s/Ron Carney  
s/Alton Staff

Supervisor Rolbiecki made a motion to adopt this resolution. This was seconded by Supervisor Chamberlain. County Clerk, Cindy Altman explained why this resolution was necessary and was present for questions. Discussion took place. Voice vote was taken with 18 present voting Aye.

RESOLUTION NO. 34-10-2023

**TO: HONORABLE COUNTY BOARD OF SUPERVISORS**

**RE: Ordinance Revision to 9.08 Prohibition of Truancy**

WHEREAS, the Jackson County Health and Human Services Committee and Jackson County Law Enforcement Committee have voted to repeal and replace Jackson County Ordinance § 9.08 (the "Ordinance") with the language attached hereto as Attachment A;

WHEREAS, the Executive and Finance Committee has deemed it appropriate to repeal and replace the Ordinance with the language as shown on Attachment A hereto; and

WHEREAS, these committees have determined this revision will be beneficial for the residents of Jackson County by making the Ordinance consistent with State Statute and better structured to achieve the overall purpose of the Ordinance, which is to prevent truancy in Jackson County.

NOW THEREFORE BE IT RESOLVED, that the Jackson County Board of Supervisors hereby repeals and replaces Section 9.08 of the Jackson County Ordinances with the language shown on Attachment A hereto on October 16, 2023.

Jackson County Executive  
and Finance Committee  
s/Jeff Amo, Chairman  
s/John Higgins  
s/Ron Carney  
s/Alton Staff

ATTACHMENT A

## ORDINANCE

### **- REPEALING AND REPLACING JACKSON COUNTY ORDINANCE SECTION 9.08 IN ITS ENTIRETY WITH THE FOLLOWING LANGUAGE:**

The County Board of Supervisors of the County of Jackson does ordain as follows:

#### **9.08 – PROHIBITION OF TRUANCY**

**(1) DEFINITIONS.** For purposes of this Section:

- (a) "Dropout" has the meaning given in 118.153 (1)(b) Wis. Stats.
- (b) "Habitual truant" has the meaning given in 118.16(1)(a), Wis. Stats.
- (c) "Operating privilege" has the meaning given in 340.01(40), Wis. Stats.
- (d) "Truant" means a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester.

## **(2) SIMPLE TRUANCY.**

- (a) A person under 18 years of age is prohibited from being a Truant and any such person deemed to be a Truant may be issued a citation. All such citations shall include a mandatory court appearance and may subject the Truant to one or more of the following dispositions:
- i. An order for the Truant to attend school.
  - ii. A forfeiture of not more than \$50 plus costs for a first violation, or a forfeiture of not more than \$100 plus costs for any 2nd or subsequent violation committed within 12 months of a previous violation, subject to s. 938.37 and subject to a maximum cumulative forfeiture amount of not more than \$500 plus costs for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the Truant, the parents or guardian of the Truant, or both.
  - iii. An order for the Truant to report to a youth report center after school, in the evening, on weekends, on other non-school days, or at any other time that the Truant is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342 (1d) (c).

## **(3) HABITUAL TRUANCY.**

- (a) A person under 18 years of age is prohibited from being a Habitual Truant. Upon a determination that a person under the age of 18 is a Habitual Truant, the following dispositions are available to the court:
- i. Suspension of the person's operating privilege for not less than 30 days nor more than one year. The court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the department of transportation a notice stating the reason for and the duration of the suspension.
  - ii. An order for the person to participate in counseling or a supervised work program or other community service work as described in s. 938.34 (5g). The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parents or guardian of the person, or both. Any county department of human services or social services, community agency, public agency or nonprofit charitable organization administering a supervised work program or other

community service work to which a person is assigned pursuant to an order under this paragraph acting in good faith has immunity from any civil liability in excess of \$25,000 for any act or omission by or impacting on that person.

- iii. An order for the person to remain at home except during hours in which the person is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a person to leave his or her home if the person is accompanied by a parent or guardian.
- iv. An order for the person to attend an educational program as described in s. 938.34 (7d).
- v. An order for the department of workforce development to revoke, under s. 103.72, a permit under s. 103.70 authorizing the employment of the person.
- vi. An order for the person to be placed in a teen court program as described in s. 938.342 (1g) (f).
- vii. An order for the person to attend school.
- viii. A forfeiture of not more than \$500 plus costs, subject to s. 938.37. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
- ix. Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
- x. An order placing the person under formal or informal supervision, as described in s. 938.34 (2), for up to one year.
- xi. An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.
- xii. An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as

described in s. 938.342 (1g) (k).

(b) Except as provided in § 9.08(3)(c) of this Ordinance, before any proceeding may be brought against a Habitual Truant for a violation of § 9.08(3)(a) or against the Habitual Truant's parent or guardian under § 9.08(4) for failure to cause the child to attend school regularly, the school attendance officer shall provide evidence that appropriate school personnel in the school or school district in which the child is enrolled have, within the school year during which the truancy occurred, done all of the following:

- i. Met with the child's parent or guardian to discuss the child's truancy or attempted to meet with the child's parent or guardian and received no response or were refused.
- ii. Provided an opportunity for educational counseling to the child to determine whether a change in the child's curriculum would resolve the child's truancy and have considered curriculum modifications under s. 118.15 (1) (d).
- iii. Evaluated the child to determine whether learning problems may be a cause of the child's truancy and, if so, have taken steps to overcome the learning problems, except that the child need not be evaluated if tests administered to the child within the previous year indicate that the child is performing at his or her grade level.
- iv. Conducted an evaluation to determine whether social problems may be a cause of the child's truancy and, if so, have taken appropriate action or made appropriate referrals.

(c) Subsection (3)(b)(i) of this Ordinance does not apply if a meeting under Wis. Stat. § 118.16(2)(cg)3 is not held within 10 school days after the date that the notice under Wis. Stat. § 118.16(2)(cg) is sent. Subsections (b)(ii), (b)(iii), and (b)(iv) do not apply if the school attendance officer provides evidence that appropriate school personnel were unable to carry out the activities due to the Habitual Truant's absences from school.

#### **(4) CONTRIBUTING TO TRUANCY.**

(a) Except as provided in s. 118.15(1)(b) through (d), (g), and sub. (4), no person seventeen (17) years of age or older shall, by act or omission, knowingly encourage or contribute to the truancy of a person subject to school attendance laws.

(b) Whoever violates this section may be penalized as follows, if evidence has been provided by the school attendance officer that the activities under s.

118.16 (5) have been completed or were not required to be completed as provided in s. 118.16 (5m):

- i. For the first offense, by a fine of not more than \$500 or imprisonment for not more than 30 days or both.
- ii. For a 2nd or subsequent offense, by a fine of not more than \$1,000 or imprisonment for not more than 90 days or both.
- iii. The court may require a person who is subject to this subsection (b) to perform community service work for a public agency or a nonprofit charitable organization in lieu of the penalties specified under subd. 1. Any organization or agency to which a defendant is assigned pursuant to an order under this subdivision acting in good faith has immunity from any civil liability in excess of \$25,000 for any act or omission by or impacting on the defendant.
- iv. The court may order any person who violates this section to participate in counseling at the person's own expense or to attend school with his or her child, or both.

#### **(5) DROPOUT.**

(a) The Jackson County Circuit Court is hereby permitted to suspend the operating privilege of any person who is at least 16 years of age but less than 18 years of age and is a Dropout as follows:

- i. The Court may suspend the person's operating privilege until the person reaches the age of 18.
- ii. The Court may take possession of any suspended license. If the Court takes possession of a license, it shall destroy the license. The Court shall forward to the Department of Transportation a notice stating the reason for and the duration of the suspension.

(b) Pursuant to s. 118.163(2m)(b), the Court may order a school district to provide to the Court a list of all persons who are known to the school district to be Dropouts and who reside within Jackson County.

#### **(6) MISCELLANEOUS.**

(a) This Ordinance is adopted pursuant to the authority granted in Chapter 118 of the Wisconsin Statutes and is intended to be in strict conformity with the requirements therein. Any terms used in this Ordinance § 9.08 shall have the definition provided in Chapter 118 of the Wisconsin



Statutes, unless otherwise defined herein.

(b) If any court of competent jurisdiction adjudges any section or part of this Ordinance unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

Supervisor Chamberlain made a motion to adopt this resolution. This was seconded by Supervisor Carney. Sheriff Waldera and Chief Deputy Olson, were present for questions. Voice vote was taken with 18 present voting Aye.

**PETITION #2023-46  
TOWN OF FRANKLIN**

**REPORT OF THE ZONING COMMITTEE**

TO THE JACKSON COUNTY BOARD OF SUPERVISORS:

The Jackson County Zoning Committee, having considered Petition #2023-46 to amend the Jackson County Zoning Ordinance filed by Christian Hardie on the 6<sup>th</sup> day of September, 2023 to change 5.6 Acres of the Official Zoning Map from the A1 (Agriculture) District to the R2 (Residential) District on the following described lands:

On property known as Lot 2 CSM 3951 located in the NW1/4-NW1/4, Section 21, T20N, R06W, Town of Franklin, Jackson County, WI. The request is to change 5.6 acres of the A1(Agriculture) District to the R2(Residential) District for the setbacks to be met.

Located in the Franklin, and having held public hearing thereon pursuant to Sec. 59.97(5)(e), Wis. Stats., notice thereof having been sent as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

That the zone change be approved.

Dated this 16<sup>th</sup> day of October 2023.

JACKSON COUNTY ZONING COMMITTEE  
BY: s/Hoyt Strandberg, Chairman

Supervisor Chamberlain made a motion to accept this zone change. This was seconded by Supervisor Strandberg. Voice Vote was taken with 18 present voting Aye.

**PETITION #2023-47  
TOWN OF ALBION**

**REPORT OF THE ZONING COMMITTEE**

TO THE JACKSON COUNTY BOARD OF SUPERVISORS:

The Jackson County Zoning Committee, having considered Petition #2023-47 to amend the Jackson County Zoning Ordinance filed by Nick Tracy on the 15<sup>th</sup> day of September, 2023 to change 5 Acres of the Official Zoning Map from the C1 (Resource Conservancy) District to the R6 (Residential-Rural Ag) District and 20 acres of the Official Zoning Map from the C1 (Resource Conservancy) District to the A2 (Forestry and Limited Agriculture) District on the following described lands:

On property located in the NE1/4-NE1/4, Section 04, T21N, R05W, Town of Albion, Jackson County, WI. The request is to change 5 acres of the C1 (Resource Conservancy) District to the R6(Residential-Rural Ag) District for the construction of a single-family home and to change 20 acres of the C1(Resource Conservancy) District to the A2(Forestry and Limited Agriculture) District.

Located in the Town of Albion, and having held public hearing thereon pursuant to Sec. 59.97(5)(e), Wis. Stats., notice thereof having been sent as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

That the zone change be approved with stipulations set by Gaylord E Olson II.

Dated this 16<sup>th</sup> day of October 2023.

JACKSON COUNTY ZONING COMMITTEE  
BY: s/Hoyt Strandberg, Chairman

**Zone Change Petition #2023-47 Nick Tracy – October 16, 2023**

If the Zoning and Land Information Committee decides to approve the Tracy Zone Change Petition application the Land Conservation Department requests that the following conditions be attached to the approval:

- 1 – No livestock and/or animals can be placed on the property until authorization and approval has been granted by the Land Conservation Department.
- 2 – If an agreement for the number and type of livestock and/or animals can't be reached by the property owner and the Land Conservation Department the Zoning and Land Information Committee will become involved in determining the proper numbers and types.
- 3 – A description of the manure management plan will be provided to the Land Conservation Department and included as part of the documentation if approved.
- 4 – Manure should be spread on the cropland fields according to current Nutrient Management Plan guidelines. Composting may be an option depending on site conditions.

- 5 – All State and County environmental standards for preventing manure and soil runoff pollution must be met and maintained.
- 6 – All livestock and animal fencing installation and its maintenance for the R-6 parcel is the responsibility of the R-6 rezoned parcel property owner.
- 7 – All setbacks for livestock structures and/or feedlots from property lines (100 feet), streams (300 feet), and roads must be met.
- 8 – An order for livestock and/or animal removal may be a possibility if the R-6 zone change conditions for approval are not maintained.

Supervisor Staff made a motion to accept this zone change. This was seconded by Supervisor Swanson. Voice Vote was taken with 18 present voting Aye.

Chairman Amo asked for committee reports. Chairpersons of the various committees reported on the activities in their committees.

Supervisor Jensen made a motion to adjourn. This was seconded by Supervisor Swanson. All present voted Aye by voice vote. Meeting adjourned at 5:55 P.M.



