

## CHAPTER 2

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### COUNTY DEPARTMENTS AND AGENCIES

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#### **2.01 Administrative Structure of the County.**

- (1) The principal administrative unit of Manitowoc County government shall be the department.
  - (a) Each department shall be headed by a department director who, under the supervision of the county executive, shall be responsible for the management of the department subject to the requirements of federal law, state law, and county ordinances and policies.
  - (b) Each department director shall organize the department so that it can carry out its duties in the most effective and efficient manner possible within the limits and consistent with the requirements of the budget, policies, and positions authorized by the county board.
  - (c) Each department director shall be responsible for the development of a proposed department budget for use in preparing the county's annual budget.
- (2) Divisions. The county board may authorize the creation of divisions for the purpose of coordinating the services provided by two or more departments. Each department included within a division shall report to a coordinator, who shall be responsible for coordinating the operations between the various departments subject to the requirements of federal law, state law, and county ordinances and policies.

#### **2.015 County Divisions.**

- (1) There is hereby created a Division of Emergency Services which shall include the Office of Emergency Management and the Joint Dispatch Center.

## 2.02 County Departments.

There are established the following county departments, named as stated herein and with the powers and duties described herein and in the applicable provisions of the Wisconsin Statutes.

- (1) Aging and Disability Resource Center. The Aging and Disability Resource Center (ADRC) is responsible for the operation of programs and providing outreach and aging and disability resource center services to the general public, persons who are elderly, and adults with developmental disabilities, mental illness, or physical disabilities in Kewaunee and Manitowoc Counties with respect to matters related to aging and disability.
- (3) Soil and Water Conservation. The Soil and Water Conservation Department shall promote sound agricultural methods which preserve soil and water resources of Manitowoc County and assist farmers of Manitowoc County in implementing effective farming methods which enhance the agricultural economy of Manitowoc County, pursuant to Wis. Stat. Chs. 91 and 92, and applicable portions of Title 7 of the United States Code.
- (4) Child Support. The Child Support Department shall administer Title IV-D of the Federal Social Security Act [42 U.S.C. §§. 651 - 665] in Manitowoc County in order to maximize the well being of children and families dependent on parental support. The Department shall be supervised by the Child Support Coordinator or Child Support Director employed by the County.
- (5) Clerk of Circuit Court. The Clerk of Circuit Court Department shall provide support staff for efficient operation of the Circuit Court for Manitowoc County and collection of child support, and carry out the duties and responsibilities set forth in Wis. Stat. §§ 59.40 - 59.41.
- (6) Comptroller/Auditor. The Comptroller/Auditor is the county's chief financial officer and his or her department is responsible for the county's financial accounting, reporting, and management systems; is empowered to monitor the overall financial condition and operation of the county and its subunits; and is granted the authority to inspect the books and records of any county department or other subunit at any time. The Comptroller/Auditor is responsible for preparing budget recommendations and proposals; operating and issuing the payroll; supervising the payment of all bills and claims; coordinating insurance coverage other than insurance provided as an employee benefit; serving as liaison to federal and state agencies with respect to all fiscal matters; and performing such other duties and responsibilities as may be required pursuant to Wis. Stat. § 59.47.
- (7) Coroner. The Coroner Department shall perform the duties assigned to the office by Wis. Stat. Ch. 979 related to the investigation of deaths and other duties provided by Wis. Stat. §§ 59.34 - 59.39.

- (8) Corporation Counsel. The Corporation Counsel shall provide civil legal counsel to all county departments and officers pursuant to Wis. Stat. § 59.42; coordinate legal representation of the county by outside counsel; represent the County Child Support Agency in enforcement of child support orders; represent the interests of the public in guardianship cases under Wis. Stat. Ch. 880; protective services and placements under Wis. Stat. Ch. 55; child protection and services cases under Wis. Stat. § 48.13; mental health, alcohol, and drug civil commitments under Wis. Stat. Ch. 51; and when the interests of the county or its insurers require, allows or disallows claims made against the County pursuant to Wis. Stat. § 893.80 which do not exceed five hundred dollars (\$500.00) and serves Notice of Disallowance of such claims; and serves Notice of Disallowance of claims under Wis. Stat. § 893.80 when the same have been disallowed by the Finance Committee or the Manitowoc County Board of Supervisors. A report of those claims allowed or disallowed by the Corporation Counsel shall be promptly forwarded to the Personnel and Finance Committees, and a report shall be made to the County Board of any claims allowed, at least annually.
- (9) County Clerk. The County Clerk shall act as secretary to and records custodian for the county board; act as agent of the State of Wisconsin for issuance of marriage licenses and hunting and fishing licenses; hold, as legal custodian, all county property; and perform such other duties and responsibilities as defined in Wis. Stat. § 59.23.
- (10) County Treasurer. Receive and invest all funds belonging to Manitowoc County and pay out the same as tender of county obligations as directed by the Comptroller, along with other responsibilities and duties created by Wis. Stat. § 59.25.
- (11) District Attorney. Provide staff support to the prosecution staff of the State of Wisconsin in criminal prosecutions of all traffic, misdemeanor and felony defendants in Manitowoc County; the State of Wisconsin as provided by law; perform the duties and responsibilities in Wis. Stat. Ch. 978.
- (12) Emergency Management. Coordinate planning necessary to assure that Manitowoc County citizens will be adequately protected in the event of radiological or other disasters, as provided by Wis. Stat. Ch. 166, and Ch. 3 of this Code. Assist in implementation of the Superfund Amendments and Reauthorization Act (SARA), P.L. 99-499.
- (12m) Family Court Commissioner. The Family Court Commissioner Department shall assume those powers assigned by the Manitowoc County Circuit Court pursuant to Wis. Stat. § 767.13, to adjudicate actions affecting the family under Wis. Stat. Ch. 767 and assume those duties assigned to the Family Court Commissioner by the Manitowoc County Circuit Court. The Family Court Commissioner shall provide child support services under contract to the Manitowoc County Child Support Department.
- (14) Health Care Center. Wis. Stat. §§ 49.16 and 49.45(6m) and Wis. Stat. Ch. 50.

(15) Highway.

- (a) There is hereby created a Highway Department, and the highway commissioner appointed by the county executive pursuant to Wis. Stat. § 83.01(1)(c) will serve as its department director.
- (b) The Highway Department is responsible for providing for the convenient and safe transportation of people and goods within Manitowoc County by constructing and maintaining highways of suitable standards and specifications. Pursuant to Wis. Stat. § 83.035, the highway commissioner or the highway commissioner's designee is authorized to enter into contracts with cities, villages, and towns within the county to construct and maintain highways.
- (c) The Highway Department is responsible for the operation and maintenance of the Manitowoc County Airport.
- (d) The Highway Department is responsible for the operation and maintenance of the Manitowoc County park system.

(16) Human Services Department. The Human Services Department shall:

- (a) Within the limits of available funding, provide services to the mentally ill, developmentally disabled, alcohol and drug dependent, and brain injured residents of Manitowoc County pursuant to Wis. Stat. §§ 51.42 and 51.437, seeking to provide necessary care and treatment in the least restrictive setting and in the most cost-effective manner possible.
- (b) Provide income maintenance to dependent and needy persons pursuant to Wis. Stat. §§ 49.02 and 49.19 - 49.90.
- (c) Help children, adults, and families to deal with personal and family problems by providing social and protective services pursuant to Wis. Stat. Chs. 46, 48, and 55.
- (d) Assist the courts in adjudication of juvenile cases under Wis. Stat. Ch. 48 to promote rehabilitation of youth while protecting the public.

(16m) Information Systems. The Information Systems Department shall provide data, network, systems development, and technical services to all units of Manitowoc County government. Data services provided will include the development and management of databases to support data collection, storage, access, retention, and retrieval. Network services provided will include the design, installation, maintenance, and support of computer networks. Systems development services will include the identification and evaluation of emerging technologies; creation of a county-wide technology plan; the implementation of security policies and procedures;

and supervision of the design, development, testing, implementation, maintenance, and support of information systems. Technical services provided will include the installation, maintenance, and support of hardware and software and the coordination of such technical services with outside vendors.

- (16t) Joint Dispatch Center. The Joint Dispatch Center is responsible for providing a reliable and responsive, cost effective county-wide communications link for the public to police, fire, rescue, emergency medical, and emergency management services. The Joint Dispatch Center will receive 911 and non-emergency requests for dispatch services, identify the source of the request, determine the type of request, and route the request to the appropriate police, fire, rescue, emergency medical, emergency management, or other government agency for immediate response. The Joint Dispatch Center will provide dispatch services for the county and any municipality that enters into a Joint Dispatch Agreement with Manitowoc County.
  
- (16u) Land Information Office. The Land Information Office is created pursuant to Wis. Stat. 59.72(3) and is responsible for coordinating land information projects within the county and between the county and other local units of government; developing and securing approval for a countywide plan for land records modernization; and reviewing and recommending grant projects from local governmental units to the state department of administration. The office will be comprised of the Register of Deeds and the GIS coordinator.
  
- (16v) Personnel Department.
  - (a) There is hereby created a personnel department headed by a personnel director appointed by the county executive, subject to confirmation by the county board.
  
  - (b) The personnel department will administer or provide assistance to other departments with respect to all personnel-related plans, policies, and procedures, and programs including, but not limited to, classification, collective bargaining, compensation, departmental organization, employee assistance, employee benefits, employee development and training, family and medical leave, grievance processing, job classification, recruitment and hiring, performance planning and review, personnel and medical records, safety programs; and such other personnel-related duties as the county board, the personnel committee, or the county executive may from time to time specify.
  
  - (c) The personnel department will assist other departments in complying with applicable federal and state laws, regulations, and rules relating to personnel activities, such as ADA compliance, affirmative action programs, civil rights laws, family and medical leave acts, and HIPPA and OSHA regulations.

- (d) The personnel department will advise and assist the county executive, county board, department heads, and employees regarding personnel matters.
- (17) Planning and Zoning.
- (a) There is hereby created a Planning and Zoning Department, with a department director appointed by the county executive pursuant to Wis. Stat. § 59.17(2)(b).
  - (b) The Planning and Zoning Department is responsible for providing the professional planning services necessary to promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base; and to achieve the purposes for which planning and zoning authority has been granted to the county pursuant to Wis. Stat. § 59.69(1) and other statutes.
  - (c) The Planning and Zoning Department is responsible for administering the Airport Height Limitations, General Zoning, Large Wind Energy Systems, Nonmetallic Mining Operations, Private Sewage Systems, Private Water Systems, Setbacks, Shoreland/Floodplain Zoning, Small Wind Energy Systems, Standards for Wireless Communications Facilities; and Subdivision Regulations ordinances.
- (18) Health Department. The health department is created pursuant to Wis. Stat. § 250.02(1) and 251.02(1). The health department is responsible for promoting the health and physical well-being of the county's residents and visitors by providing services required of a local health department under Wis. Stat. § 251.05(1)(a); by providing additional services as specified in Wis. Admin. Code § 140.06(1)(a) – (f); and by performing such other duties as may be specified in Manitowoc County Code ch. 7.
- (19) Public Works. Provide for management, maintenance, and improvement of all county buildings and lands except lands under the jurisdiction of the Planning and Zoning Department or the Highway Department; supervise construction of facilities for county departments other than the Highway Department; develop facilities or methods for adequate, sanitary disposal of solid waste in compliance with Wis. Stat. Chs. 287 and 289, in Manitowoc County.
- (20) Register of Deeds. The Register of Deeds shall maintain accurate and reliable records of all documents lawfully submitted for recording, accept applications for state identification cards, furnish copies of vital records, and perform all other duties and responsibilities as set forth in the Wisconsin Statutes. The Register of Deeds shall also coordinate and direct the operation of the Land Information Office.
- (21) Register in Probate. Under the supervision of the Manitowoc County Circuit Court, administer the probate branch of the Manitowoc County judicial system by probating

estates; accepting and keeping records of guardianship, mental health, alcoholic commitment; and other special proceedings, pursuant to Wis. Stat. §§ 851.71 - 851.75. The Register in Probate Department shall not accept original last wills and testaments for safekeeping, but shall continue to retain wills deposited on or before July 1, 1982.

- (22) Sheriff. Protect the public from violations of the state and county criminal and police laws and ordinances; operate the jail; attend the courts as requested by the judges thereof; serve process in the county as required by the Wisconsin Statutes; perform the duties and responsibilities set forth in Wis. Stat. §§ 53.30 - 53.45; 59.26 - 59.33; Chs. 806, 815, 818, and 846.
- (23) University of Wisconsin Extension. Enhance the quality of life of Manitowoc County residents by bringing the knowledge and education base of the University of Wisconsin System to the citizens of Manitowoc County through agents and support personnel, pursuant to Wis. Stat. § 59.56 (3).
- (24) Veteran's Services. Assist veterans of the armed forces of the United States with their personal needs as authorized by Wis. Stat. § 45.43.

### **2.03 Department Funds, Property, and Operations.**

- (1) Every Department shall be funded by the appropriations included in its departmental budget. Where a department budget includes activity areas, the funds for an activity area shall fund the departmental division, section, or unit which is related to that program activity.
- (2) Property that has previously been acquired by a department or that is acquired in the future shall be considered county property which is in use by a particular department. Property, not donated and required to be held for a special purpose, that is no longer needed by a department may be declared surplus by the department's oversight committee. The Public Works Department shall act as manager of surplus county property.
- (3) Disposal of Surplus Personal Property.
  - (a) Manitowoc County may dispose of surplus personal property by any means determined to be in the best interest of the county. The Public Works Committee may authorize the disposal of such property by any of the following means: sale at public auction; sale through an auction service; acceptance of an offer to purchase in response to a request for competitive bids or proposals; private sale; donation to a county agency, board, commission, department, or office; donation or sale to a city, town, or village located within Manitowoc County; donation to a charitable organization; or destruction of the property where appropriate.

- (b) If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of conducting the sale, shall be paid into the county treasury.
- (c) If the property is not disposed of in a sale open to the public, the Public Works Department shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.
- (d) If the property is allocated to another county agency, board, commission, department, or office, the Public Works Committee may determine that the department receiving the surplus property shall compensate the department that declared the property to be surplus, and the Public Works Committee shall determine the amount of such compensation.
- (e) If the property is sold to a city, town, or village located within Manitowoc County, the Public Works Committee shall determine the sale price.

### **2.035 Abandoned Personal Property.**

- (1) Authority. This section is enacted pursuant to authority granted under Wis. Stats. § 66.28.
- (2) Disposal of Personal Property. The Public Works Department shall act as the manager of abandoned or unclaimed personal property. Manitowoc County may, by any means determined to be in the best interest of the county, dispose of any personal property other than cash that has been abandoned or remains unclaimed for a period of 30 days after the county has taken possession of the property. The Public Works Committee may authorize the disposal of such property by any of the following means: sale at public auction; sale through an auction service; acceptance of an offer to purchase in response to a request for competitive bids or proposals; private sale; donation to a county agency, board, commission, department, or office; donation or sale to a city, town, or village located within Manitowoc County; donation to a charitable organization; or destruction of the property where appropriate. If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the county treasury. If the property is not disposed of in a sale open to the public, the Public Works Department shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.

- (3) Disposal of Cash.
  - (a) Except as provided in sub. (b), personal property consisting of cash which has been abandoned or which remains unclaimed for a period of 30 days after the county takes possession of the property shall be turned over to the county treasurer and credited to the miscellaneous general revenues account general fund. If the property appears to be or is reported stolen, the county shall attempt to return it to the rightful owner
  - (b) Abandoned or unclaimed personal property consisting of cash which was seized by a county-wide multi-jurisdictional task force during an investigation or arrest relating to illegal gambling or the purchase and sale of controlled substances or which has been found to be contraband in a judicial proceeding shall be turned over to the county treasurer and placed in the sheriff's department contraband account to be used for the multi-jurisdictional task force.
- (4) Disposal of Abandoned or Unclaimed Flammable, Explosive, or Incendiary Substances, Materials, or Devices. Any county officer may safely dispose of abandoned or unclaimed flammable, explosive, or incendiary substances, materials, or devices posing a danger to life of property in their storage, transportation, or use immediately after taking possession of the substances, materials or devices without a public auction. If the substance, material, or device appears to be or is reported stolen, the county officer shall attempt to return it to the rightful owner if it has a commercial value in the normal course of business usage and does not pose an immediate threat to life or property.
- (5) Abandoned, Unclaimed, or Seized Weapons or Ammunition. The county shall retain or dispose of any abandoned, unclaimed, or seized dangerous weapon or ammunition under Wis. Stat. § 968.20.

#### **2.04 Boards, Commissions, and Committees.**

The following boards, commissions, and committees are created as authorized or required by Wisconsin Statute or the Manitowoc County Code.

- (1) Board of Adjustment.
  - (a) A Board of Adjustment is created pursuant to Wis. Stat. § 59.694 to hear matters arising under the Manitowoc County Code that may be brought before the board.
  - (b) The board will consist of 5 members and 2 alternates who will be appointed by the county executive subject to the approval of the county board. Members and alternates will serve staggered 3-year terms beginning on July

1. Members and alternates may be reappointed. The members of the board, including alternate members, must all reside within the county and outside of the limits of incorporated cities and villages; provided, however, that no 2 members may reside in the same town.
  - (c) The board will choose its own chairperson. Annually, the county executive shall designate one of the alternate members as the first alternate and the other as second alternate. The first alternate shall act, with full power, only when a member of the board refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than one member of the board refuses to vote because of a conflict of interest or is absent.
  - (d) The board is subject to any rules adopted by the county board rules, but may adopt further rules as necessary to carry into effect the regulations of the county board. Meetings of the board will be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board will be open to the public, except that the board may confer with legal counsel with respect to litigation in closed session pursuant to Wis. Stat. § 19.85(g)(1). The board will keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and will keep records of its examinations and other official actions, all of which will be immediately filed in the office of the board and will be a public record.
- (2) Board of Health. The Board of Health is created pursuant to Wis. Stat. sec. 251.03. The board will consist of 9 members who are appointed by the county executive, subject to confirmation by the county board, and who will served staggered 2-year terms. At least 4, but not more than 5, members must be county board supervisors. The remaining members must be persons who are not elected officials or employees of the county or of any city within the county who have a demonstrated interest or competence in the field of public health or community health. A good faith effort must be made to appoint a registered nurse and at least one physician. Members of the board of health shall reflect the diversity of the community.
  - (3) Commission on Aging.
    - (a) Appointment. The county executive shall appoint the commission on aging, subject to confirmation by the county board. A member of a commission on aging may be removed by the county executive for cause.
    - (b) Composition. The commission on aging shall be composed of 10 members. Five of the members will be the county board supervisors who are on the

Natural Resources and Education Committee. The remaining five citizen members must be older individuals with recognized ability and demonstrated interest in services for older individuals.

- (c) Terms. Citizen members of the commission on aging shall serve for terms of 3 years, except that the initial appointments to the board may be for shorter terms so that, as nearly as practicable, the terms of one-third of the members shall expire each year. Vacancies shall be filled in the same manner as the original appointments.
  - (d) Powers and Duties. The commission on aging, in addition to any other powers or duties established by state law, shall plan and develop administrative and program policies for programs for older persons in the county that are funded by the federal or state government and administered by the Aging and Disability Resource Center (ADRC). The commission may develop a mission statement; obtain input from consumers, providers, and local constituents; make recommendations regarding the structure, policies, and procedures for the ADRC subject to state guidelines and the approval of the county board and county executive; review and act on resolutions and ordinances affecting the ADRC before they are submitted to the county board; develop and monitor implementation of an operational plan; and review and make recommendations to the county executive and county board with respect to the budget.
- (4) Aging and Disability Resource Center Board.
- (a) The Aging and Disability Resource Center Board (ADRC Board) is created for the purpose of performing policy formulation and program oversight responsibilities with respect to the Aging and Disability Resource Center (ADRC). The ADRC Board will develop a mission statement consistent with the goals of the statewide long term care system; obtain input from consumers, providers, and local constituents; determine the structure, policies, and procedures for the ADRC subject to state guidelines and the approval of the county board and the county executive; review and act on all resolutions and ordinances affecting the ADRC before they are submitted to the county board; develop and monitor implementation of an operational plan; and review and make recommendations to the county executive and county board with respect to the budget.
  - (b) Membership. The ADRC Board will be composed of 12 representatives from Kewaunee and Manitowoc Counties as follows:
    - 1. Three members of the Kewaunee county board to be appointed by the Kewaunee county board chair.

2. Three members of the Manitowoc county board to be appointed by Manitowoc county executive, subject to confirmation by the Manitowoc county board.
  3. One representative from Kewaunee County's commission on aging (age 65 or older) to be appointed by the Kewaunee county administrator.
  4. One representative from Manitowoc County's commission on aging (age 65 or older) to be appointed by the Manitowoc county executive.
  5. One consumer representing Kewaunee County's aging population to be appointed by the ADRC Board.
  6. One consumer representing Manitowoc County's aging population to be appointed by the ADRC Board.
  7. One consumer representing individuals with developmental disabilities to be appointed by the ADRC Board.
  8. One consumer representing individuals with physical disabilities to be appointed by the ADRC Board.
- (c) Terms. Half of the initial appointments to the ADRC Board will be for a term of approximately 2 years, ending in 2013, and the other half of the initial appointments will be for a term of approximately 3 years, ending in 2014. Subsequent appointments will be for a two-year term. Appointments may be made at each county board's annual meeting or at some other time fixed by each county. Members may serve until a replacement has been confirmed, except that the term of a member will immediately end if the member resigns or is a county board supervisor who vacates his or her office.
- (d) Officers. Annually, at the first meeting of the ADRC Board following each county's annual meeting, the ADRC Board shall elect a Chair, Vice Chair, and Secretary, who shall serve until successor officers are elected unless the officer's term ends as provided in subpar. 3.
1. The Chair shall preside at all meetings of the ADRC Board and sign any documents that require a signature on behalf of the ADRC Board. The Chair may establish and appoint committees when authorized by the ADRC Board.
  2. The Vice Chair shall perform all of the duties and have all of the powers of the Chair in the absence of the Chair.

3. The Secretary shall ensure that a complete record of the proceedings of the ADRC Board is kept, shall oversee the preparation of written minutes of all meetings, and ensure that the minutes are provided to each county's county clerk in a timely manner.
- (e) Compensation and Expense Reimbursement. Each county may compensate the ADRC Board members who are county supervisors in accordance with its respective policies. Citizen members will not receive compensation for their service on the ADRC Board, but are eligible for reimbursement of mileage reimbursement and other approved out-of-pocket expenses incurred as a result of their attendance at ADRC functions. Funds for the reimbursement of mileage and out-of-pocket expenses for citizen members will be included as part of the ADRC operations budget.
- (f) Powers and Duties. The ADRC Board may:
1. Advocate on behalf of elderly and disabled individuals in Kewaunee and Manitowoc Counties.
  2. Gather information from consumers, providers, and others about the adequacy of long term care services to identify gaps in living arrangements and community services needed by target groups and develop plans to meet them.
  3. Identify the ADRC's strengths and potential areas of improvement in order to make recommendations about how to better serve client needs.
  4. Identify potential community resources and funding sources to increase the services available to consumers.
  5. Oversee preparation and distribution of an annual report detailing the ADRC's progress in providing services to the target population.
  6. Participate in strategic planning, including the establishment of specific goals and the timely assessment of accomplishment.
  7. Recommend a public relations plan for identified target groups.
  8. Review expenditures on a quarterly basis and make recommendation's to the ADRC's director on an annual budget.
  9. Review the Aging and Disability Resource Center Services Agreement annually and make recommendations to the counties for revisions necessary for ongoing coordination.

10. Recommend policies and procedures to the ADRC's director to ensure the efficiency and effectiveness of the organization, facilitate timely access to services, and improve the ADRC's ability to serve clients.
- (g) Limitations. The ADRC Board may not levy taxes, borrow funds, or enter into contracts in its own name or in the name of either county. No member of the ADRC Board may profit from ADRC operations or provide services to the ADRC Board or either county.
- (6) Human Services Board.
    - (a) There is created a Human Services Board under Wis. Stat. § 46.23(5m), and which shall function relative to the Manitowoc County Human Services Department in accordance with Wis. Stats. Ch. 46.
    - (b) The Human Services Board shall consist of nine (9) members, not more than six (6) of whom shall be members of the Manitowoc County Board of Supervisors. The remainder shall be members of the public. All shall have recognized ability and demonstrate interest in human services.
    - (c) Members of the Human Services Board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. The term for a county board supervisor shall commence on the 3rd Tuesday in April and the term for all other members shall commence on January 1. A member who was county board supervisor when appointed and who is not reelected to office shall be removed from the Human Services Board at the expiration of the supervisor's term upon due notice in writing, which shall be issued by the County Clerk.
    - (d) The Human Services Board shall succeed to all records, responsibilities, duties, and policies of the Manitowoc County Community Programs Board, which existed until January 1, 1989, and the Social Services Committee of the Manitowoc County Board of Supervisors.
  - (6m) Kiel Public Library Board of Trustees.
    - (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of the Kiel Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.
    - (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.

- (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.
- (7) Land Conservation Committee. The Land Conservation Committee is created pursuant to Wis. Stat. § 92.06, for the purpose of performing policy formulation and program responsibilities authorized by Wis. Stats. Ch. 92. The committee will be composed of the Natural Resources and Education Committee, the chairperson of the County Farm Service Agency Committee or a member of the County Farm Service Agency Committee designated by the Chairperson of the County Farm Service Agency Committee, and a Conservation Congress Delegate from Manitowoc county. Each committee member's term will begin on the 3rd Tuesday in April in even-numbered years and continue for two years or until a successor is appointed, whichever is longer. Committee members may be reappointed. The County Board will designate a representative of the Planning and Park Commission and the Public Works Committee to serve as advisers to the committee.
- (7m) Land Information Council.
- (a) A Land Information Council is hereby created pursuant to Wis. Stat. § 59.72(3m).
  - (b) The Register of Deeds, the Treasurer, and the real property lister, or a designee, will be ex officio members of the council. The remaining members of the council will be appointed by the county executive, subject to confirmation by the county board, and will include a member of the county board, a representative of the land information office, a realtor or a member of the Realtors Association employed within the county, a public safety or emergency communications representative employed within the county, and the county surveyor or a registered professional land surveyor employed within the county, and one public representative.
  - (c) Council members who hold county elective office or who are employed by the county will serve on the council for so as long as they hold office or are employed by the county. Appointed council members will serve two-year terms.
  - (d) The council may bring matters forward to the county board through the Finance Committee.
- (8) Lester Public Library Board of Trustees.
- (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of the Lester Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.

- (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.
  - (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.
- (9) Long-Term Support Planning Committee. Pursuant to Wis. Stat. § 46.27(4), there is hereby created a Long-Term Support Planning Committee. The Committee shall be comprised of 15 members who shall be appointed by the county executive and who shall include in their number the following representatives:
- (a) Five persons receiving long-term support services, each of whom represents one of the following groups:
    1. Elderly persons;
    2. Physically disabled persons;
    3. Developmentally disabled persons;
    4. Chronically mentally ill persons; and
    5. Chemically dependent persons.
  - (b) Two elected county officials.
  - (c) One representative from the County Health Department.
  - (d) Two representatives from the Manitowoc County Human Services Department, one familiar with services to the mentally ill, developmentally disabled, or chemically dependent and the other familiar with income maintenance and social services to people in need of long-term support.
  - (e) One representative of the Commission on Aging.
- (10) Manitowoc-Calumet Library System Board of Trustees.
- (a) Manitowoc County has elected to participate in the Manitowoc-Calumet Library System.
  - (b) The county executive shall appoint, subject to the approval of the county board, 11 members to the Manitowoc-Calumet Library System Board of Trustees in accordance with Wis. Stat. § 43.19(b) for a term of 3 years. One county board member may be appointed to the system board. The appointments will be divided into 2 classes of 4 trustees and 1 class of 3

trustees, so that approximately one-third of the appointments expire each year.

(11) Expo-Ice Center Board.

- (a) Creation. There is hereby created an Expo-Ice Center Board
- (b) Membership. The board will consist of 21 members, including 1 county supervisor from the Public Works Committee, 1 other county supervisor from any committee, and 19 citizen members. County board members will serve terms concurrent with their term of office. Citizen members will serve staggered 3-year terms. Members will be appointed by the county executive, subject to confirmation by the county board.
- (c) Advisory Responsibility. The board is responsible for providing budgetary and policy advice to the Public Works Committee on matters related to the operation of the Expo grounds, county fair, and ice center.
- (d) Operational Responsibility. The board is responsible for organizing and operating the county fair. The board may negotiate contracts related to the operation of the county fair and the ice center, subject to the limit of funds appropriated by the county board. Each contract must be approved by the Public Works Committee and signed on behalf of the county by the Public Works Director or his or her designee.
- (e) Reporting Responsibility. The board is responsible for reporting operational concerns relating to the Expo grounds, the county fair, and the ice center to the Public Works Director, as the Public Works Department is responsible for the day-to-day operation of the Expo grounds, county fair, and ice center.
- (f) Finances. All expenses associated with the operation of board will be paid from the Expo Special Revenue Fund.

(13) Manitowoc County Traffic and Safety Commission.

- (a) Pursuant to Wis. Stat. § 83.013, there is created a Manitowoc County Traffic Safety Commission to promote safer driving conditions on the highways of Manitowoc County.
- (b) The Commission shall have sixteen (16) appointed members.
- (c) The members shall serve indefinite terms, continuing until they resign and are replaced.
- (d) The Commission's membership shall include a representative of the Wisconsin Department of Transportation district office; the Highway

Commissioner of Manitowoc County; the Manitowoc County Sheriff; the Chiefs of Police of Manitowoc and Two Rivers; the Highway Safety Coordinator of the Manitowoc County Sheriff's Department; and the Chairperson of the Public Safety Committee of the Manitowoc County Board of Supervisors.

- (e) Each member may designate an alternate to represent him or her in the event that he or she is unable to attend a meeting.

(14) Manitowoc Public Library Board of Trustees.

- (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of the Manitowoc Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.
- (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.
- (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.

(15) Planning and Park Commission.

- (a) The Planning and Park Commission is created pursuant to Wis. Stat. § 27.02 and is designated as the county zoning agency under Wis. Stat. §§ 59.69 and 59.692 and as the private sewage system regulatory agent under Wis. Stat. § 145.20(1).
- (b) The commission will consist of 7 commissioners who will be appointed by the county executive subject to the approval of the county board. Commissioners will serve staggered 7-year terms so that one term expires each year.
- (c) Any or all of the commissioners may be county supervisors, but a county supervisor who ceases to be a member of the county board vacates the office of commissioner and a replacement will be appointed to serve the remainder of the term.

(16) Veterans Service Commission. Pursuant to Wis. Stat. §§ 45.12(1) and (2), there is created a three-person commission composed of Veterans of the armed forces of the United States, which shall administer the program of assistance created by Wis. Stat. § 45.14. The members shall serve three-year terms.

- (17) VTAE District II Farm Committee. A County Supervisor shall be appointed to the Farm Committee of Vocational, Technical and Adult Education District II.
- (18) Local Emergency Planning Committee.
- (a) Pursuant to Wis. Stat. § 59.54, there is created a Local Emergency Planning Committee with the duties, powers, and responsibilities assigned such a committee under Wis. Stat. §§ 166.20 and 166.21, and 42 U.S.C. sec. 11000 to 11050.
- (c) The Committee shall consist of fifteen (15) regular members or their approved alternates, all of whom shall be appointed for a two (2)-year term. The members shall include representatives from each of the following groups or organizations:
1. Owners and operators of facilities subject to the requirements of Subtitle A of the “Emergency Planning and Community Right-to-Know Act of 1986” (P.L. 99-499).
  2. Law Enforcement, Emergency Management (civil defense), firefighting, first aid, health, local environmental, hospital, and transportation personnel;
  3. State and Local elected officials;
  4. Broadcast and print media;
  5. Community groups;
- (d) The County Board Chair shall be an ex-officio member of the committee.
- (e) The committee shall by rule provide for public comment and response to public comments by the committee and for the distribution of the plan, and shall establish procedures for receiving and processing requests from the public for information under § 324 of the “Emergency Planning and Community Right-to-Know Act of 1986” (P.L. 99-499) including Tier II information under Section 312 thereof. Such procedures shall include the designation of an official to serve as coordinator for information.
- (19) Commission on Recycling and Clean Sweep Program. There is created the “Manitowoc County Commission on Recycling and Clean Sweep Program.”
- (a) The Commission shall have six (6) members. At least one (1) member shall be a member of the Manitowoc County Board of Supervisors.

- (b) The Commission members shall be appointed for a term of two (2) years, which shall commence with the first day of March. One-half (½) of the initial members shall serve a one (1)-year term so that the members' terms are staggered.
  - (d) The Commission may adopt rules of order; by-laws; establish subcommittees (which may include public members); and take other appropriate action to achieve its purpose.
  - (e) The purpose of the Manitowoc County Commission on Recycling and Clean Sweep Program shall be to work with the County, municipalities, waste generators, and waste haulers to develop programs increasing the proportion of solid waste which is recycled, and to advise the Public Works Committee on operations of the Clean Sweep Program.
  - (f) The Commission shall report at least annually to the Public Works Committee.
  - (g) The Public Works Department shall be responsible for providing staff and support services to the Commission.
- (20) Transportation Coordinating Committee.
- (a) Pursuant to Wis. Stat. § 85.21 and Wis. Admin. Code § Trans. 2.10, there is hereby created a Transportation Coordinating Committee which shall be responsible for coordinating Manitowoc County's specialized transportation programs for the elderly and the disabled.
  - (b) The Committee shall consist of eleven members and shall, at a minimum, include such representatives as may be specified by the Wisconsin Department of Transportation in the Wisconsin Administrative Code.
  - (c) All members shall be appointed by the County Executive, subject to confirmation by the County Board, and shall be persons familiar with the transportation service needs of the elderly and the disabled. The District Office of the Wisconsin Department of Transportation may designate a person on its staff, subject to approval by the County Administrator, to attend meetings in an advisory capacity. The appointment of any County Board supervisor to the Committee shall be made at the April reorganization meeting of the County Board. Appointments of all other members shall be made at the regular April County Board meeting.
  - (d) Four (4) of the initial appointments to the Committee shall be for a three (3) year term; four (4) of the initial appointments shall be for a two (2) year term; and three (3) of the initial appointments shall be for a one (1) year term. Thereafter, the term of each appointment shall be for three (3) years ending

on the third Tuesday in April or as soon thereafter as a successor is appointed and qualified. Any member of the Committee who ceases to meet the qualifications for appointment shall be deemed to have vacated the position and a replacement shall promptly be appointed in the same manner as the original appointment to serve the remainder of the term. Public notice shall be given of any vacancy occurring on the Committee.

- (e) The Committee shall have the following duties:
  - 1. monitor the expenditures of transportation funds being expended on transportation services for the elderly and disabled in service areas;
  - 2. review passenger transportation plans for service areas;
  - 3. review and comment on county aid applications under Wis. Stat. § 85.21;
  - 4. review and comment on capital assistance applications under Wis. Stat. § 85.22;
  - 5. act as an informational resource for local transportation providers regarding the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.; and
  - 6. act on requests by local public bodies to be designated as coordinators of transportation services for elderly and disabled persons for the purpose of becoming eligible for assistance under 49 U.S.C. § 5310.
- (f) The Committee shall elect a Chair, Vice Chair, and a Secretary at its first meeting. Officers shall serve for a term of one (1) year. The Committee may adopt its own bylaws and rules, except that no bylaw or rule may conflict with Wisconsin Statute or County Board Rule.
- (h) The County Board may provide for the needs of the Committee, including office space, through the budget for the Aging Resource Center and, subject to the availability of resources, all County departments are authorized to assist the Committee in fulfilling its duties.

(21) Loan Review Board.

- (a) There is hereby created a loan review board to implement the revolving loan fund program, oversee revolving loan fund activities, and provide policy guidance to the revolving loan fund administrator. The board is responsible for the revolving loan fund program in its entirety and has the authority to review, select, and award loans under the program.

- (b) The board will be comprised of the chair of the finance committee and four members, appointed by the county executive and subject to confirmation by the county board, who have knowledge and experience in one or more of the following fields: banking, business, engineering, law, or municipal government at the city, town, or village level.
- (c) Two of the initial appointments will be for a term ending in April 2011 and two will be for a term ending in April 2012. Subsequent appointments will be for a term of three years. All terms will end on the third Tuesday in April or as soon thereafter as a successor is appointed and qualified.
- (d) Any person appointed to the board may be reappointed to the board.
- (e) Public notice will be given of any vacancy on the board, and a replacement will be appointed to serve the remainder of the vacant term.
- (f) The board will elect a chair, vice chair, and secretary at its first meeting for a term ending in April 2010. Thereafter, officers will be elected annually and serve for a term of one year.
- (g) The board may adopt its own bylaws and rules, except that no bylaw or rule may conflict with any county board rule, county ordinance, or Wisconsin statute.
- (h) The Comptroller and the Corporation Counsel will provide staff support to the board. The Comptroller will serve as the administrator of the revolving loan fund and will make periodic activity reports to the county board.

#### **2.045 General Procedure.**

- (1) Each board, commission, and committee has the authority to adopt rules of procedure, elect officers, conduct meetings, keep minutes, and take other actions in accordance with county board rules.
- (2) No employee, official, or officer of Manitowoc County may be appointed as a citizen member of a board, commission, or committee. The foregoing notwithstanding, an employee, official, or officer who is a citizen member of a board, commission, or committee on August 21, 2007 may complete his or her term and may be reappointed one time as a citizen member of that board, commission, or committee.
- (3) Each citizen member of a board, commission, or committee is entitled to receive expense and mileage reimbursement in accordance with the county's travel policy.

- (4) Each citizen member of the Board of Adjustment, the Expo-Ice Center Board, and the Planning and Park Commission is entitled to a per diem for each day or portion of a day on which the member is in attendance at an official meeting of his or her respective board or committee. A \$25 per diem will be paid if the meeting is less than 4 hours long and a \$37.50 per diem will be paid if the meeting is 4 or more hours long.
- (5) Each board, commission, and committee shall meet in open session except as authorized by Wis. Stat. § 19.85(1).

## 2.05 Non-Discrimination.

No Manitowoc County Department, Commission, Board, or Council may discriminate against any person in determining eligibility for county services, providing services, granting accommodations to any person, or awarding any permit, license, authority or privilege, on the basis of race, religion, color, creed, marital, sex, handicapped condition, sexual orientation, or national origin, unless some specific provision of law makes one of these factors a permissible consideration in the decision by a county agency.

### HISTORY

11/15/1988: Chapter 2 codified by Ord. No. 88/89-115 effective November 23, 1988.

06/15/1993: Sec. 2.02(15) amended by Ord. No. 93/94-55 effective June 24, 1993.

06/20/1989: Sec. 2.04(1)(p) created by Ord. No. 89/90-50 effective June 26, 1989.

07/20/1993: Sec. 2.02(4) amended by Ord. No. 93/94-76 effective July 29, 1993.

08/15/1989: Sec. 2.02(20) amended and sec. 2.04 (1)(q) created by Ord. No. 89/90-61 effective August 23, 1989.

12/23/1993: Sec. 2.03(3) created by Ord. No. 93/94-152 effective January 3, 1994.

12/19/1989: Sec. 2.02(8) and (11) amended and sec. 2.02(15a) created by Ord. No. 89/90-126 effective December 28, 1989.

02/15/1994: Sec. 2.04(1)(l)1 repealed by Ord. No. 93/94-165 effective February 21, 1994.

12/19/1989: Sec. 2.04(1)(q) amended by Ord. No. 89/90-127 effective December 28, 1989.

05/17/1994: Sec. 2.04 (1)(p) amended by Ord. No. 94/95-24 effective May 31, 1994.

01/16/1990: Sec. 2.03(4) amended and sec. 2.04(12a) created by Ord. No. 89/90-137 effective February 1, 1990.

09/26/1995: Secs. 2.02(13) and 2.04(1)(d)1-6 repealed by Ord. No. 95/96-86 effective October 6, 1995.

02/20/1990: Sec. 2.04(1)(s) created by Ord. No. 89/90-156 effective March 2, 1990.

10/10/1995: Sec. 2.04 amended and 2.04(j) created by Ord. No. 95/96-106 effective October 19, 1995.

04/21/1992: Sec. 2.04 repealed in part by Ord. No. 92/93-4 effective May 1, 1992.

11/14/1995: Sec. 2.03(4) created by Ord. No. 95/96-117 effective November 27, 1995.

06/15/1993: Sec. 2.02(8) amended by Ord. No. 93/94-53 effective June 24, 1993.

06/18/1996: Sec. 2.02(8) amended by Ord. No. 96/97-54 effective June 26, 1996.

04/21/1998: Sec. 2.04(1)(b)1 amended by Ord. No. 98/99-12 effective April 21, 1998.

05/19/1998: Sec. 2.04(1)(e) amended by Ord. No. 98/99-14 effective May 19, 1998.

02/16/1999: Sec. 2.04(1)(am) created by Ord. No. 98/99-142 effective February 26, 1999.

03/16/1999: Sec. 2.04(1)(r) created by Ord. No. 98/99-156 effective March 26, 1999.

07/20/1999: Sec. 2.04(1)(a) amended by Ord. No. 1999/2000-70 effective July 30, 1999.

08/17/1999: Sec. 2.04(1)(r) amended by Ord. No. 1999/2000-83 effective August 17, 1999.

12/21/1999: Sec. 2.04(1)(fm) created by Ord. No. 1999/2000-124 effective December 21, 1999.

01/18/2000: Sec. 2.02(6) amended and sec. 2.02(16m) created by Ord. No. 1999/2000-147 effective January 28, 2000.

01/18/2000: Sec. 2.04(1)(f) amended by Ord. No. 1999/2000-155 effective January 28, 2000.

02/20/2001: Sec. 2.04(1)(fm) created by Ord. No. 2000/2001-147 effective March 2, 2001.

06/19/2001: Sec. 2.03(3) amended, sec. 2.03(4) repealed, and sec. 2.035 created by Ord. No. 2001/2002-35 effective June 27, 2001.

03/19/2002: Sec. 2.04(3)(e) amended by Ord. No. 2001/2002-190 effective March 29, 2002.

04/16/2002: Sec. 2.02(2) stricken and sec. 2.02(15) amended by Ord. No. 2001/2002-208 effective May 3, 2002.

04/15/2003: Secs. 2.01 repealed and recreated and sec. 2.015 created by Ord. No. 2003/2004-11 effective April 25, 2003.

06/17/2003: Sec. 2.02(2) amended and sec. 2.03(3) repealed and recreated by Ord. No. 2003/2004-38 effective June 27, 2003.

09/9/2003: Sec. 2.015 amended by Ord. No. 2003/2004-64 effective September 18, 2003.

01/20/2004: Sec. 2.04(1)(g) amended by Ord. No. 2003/2004-99 effective January 29, 2004.

10/12/2004: Secs. 2.015 amended and sec. 2.02(16t) created by Ord. No. 2004/2005-88 effective October 21, 2004.

10/25/2004: Sec. 2.04(1)(i) amended by Ord. No. 2004/2005-99 effective November 4, 2004.

12/21/2004: Sec. 2.04(1)(i)1 amended by Ord. No. 2004/2005-121 effective December 31, 2004.

06/21/2005: Sec. 2.04(1)(j) amended by Ord. No. 2005/2006-53 effective July 1, 2005.

11/07/2005: Sec. 2.04(1)(bm) created effective November 15, 2005, secs. 1.04(3)(f) and 2.02(1) repealed effective June 30, 2006 and recreated effective July 1, 2006, and sec. 2.04(1)(b) repealed effective June 30, 2006 by Ord. No. 2005/2006-109.

11/15/2005: Sec. 2.04(1)(f) amended by Ord. No. 2005/2006-121 effective November 23, 2005.

12/20/2005: Sec. 2.04(1)(am) repealed and recreated, sec. 2.04 amended by striking subsection number (1) and renumbered, and secs. 7.08, 7.09, 7.10, and 7.11 amended by Ord. No. 2005/2006-124 effective December 28, 2005.

05/16/2006: Secs. 2.04(1)(f) and 2.04(15)(d) amended by Ord. No. 2006/2007-5 effective May 24, 2006.

08/15/2006: Sec. 2.04(12) amended by Ord. No. 2006/2007-51 effective August 25, 2006.

12/19/2006: Secs. 2.02(6) and (9) amended by Ord. No. 2006/2007-93 effective December 27, 2006.

12/19/2006: Sec. 2.015(2) amended by Ord. No. 2006/2007-97 effective January 1, 2007.

08/23/2007: Secs. 2.04, 2.04(10)d, (14), (16), (17), and (20)(c) amended; secs. 2.04(1)(f), (6)(e), (11)(d), (15)(d), (16), (18)(b), (19)(c), (20)(g), and (21)(l) repealed; and sec. 2.045 created by Ord. No. 2007/2008-51 effective January 1, 2008.

10/16/2007: Secs. 2.04(1) and (15) amended by Ord. No. 2007/2008-74 effective October 25, 2007.

02/24/2009: Sec. 2.04(21) amended by Ord. No. 2008/2009-107 effective March 5, 2009.

04/21/2009: Secs. 2.02(15), 2.02(17), and 2.02(19) amended by Ord. No. 2009/2010-6 effective May 1, 2009.

05/19/2009: Sec. 2.04(6m) created and secs. 2.04(8), (10), and (14) amended by Ord. No. 2009/2010-25 effective June 1, 2009.

07/27/2010: Sec. 2.02(16u) created, sec. 2.02(20) amended, and sec. 2.04(7m) created by Ord. No. 2010/2011-30 effective August 1, 2010.

08/17/2010: Sec. 2.04(11) amended, sec. 2.04(12) repealed, and sec. 2.045(4) amended by Ord. No. 2010/2011-46 effective September 1, 2010.

12/20/2011: Secs. 2.02(1), 2.04(3), and 2.04(4) amended by Ord. No. 2011/2012-73 effective December 28, 2011.

04/24/2012: Sec. 2.04(11)(b) amended by Ord. No. 2012/2013-5 effective April 30, 2012.

05/20/2014: Sec. 2.02(18) amended by Ord. No. 2014/2015-19 effective June 1, 2014.

12/16/2014: Sec. 2.02(15m) repealed and sec. 2.02(16v) created by Ord. No. 2014/2015-65 effective January 1, 2015.