

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 2.04
(SEXUALLY VIOLENT PERSON AD HOC COMMITTEE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Chapter 908 of the Wisconsin statutes governs, *inter alia*, the supervised
2 release of sexually violent persons; and
3

4 WHEREAS, in March of 2018, the Wisconsin legislature amended Chapter 980 to require
5 counties to create a “temporary committee” to prepare a report that identifies an appropriate
6 residential option for a sexually violent person on supervised release; and
7

8 WHEREAS, to facilitate the statutory changes, Manitowoc County must be able to establish
9 the “temporary committee” on an as needed basis; and
10

11 WHEREAS, currently the Manitowoc County Code does not authorize the creation of a
12 “temporary committee” as required by statute, and thus must be amended to permit for the creation
13 of such committee;
14

15 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
16 ordain as follows:
17

18 Manitowoc County Code § 2.04(22) is created to read as follows:
19

20 (22) Sexually Violent Persons Ad Hoc Committee.
21

22 (a) The Corporation Counsel is authorized to convene a temporary committee
23 to discharge Manitowoc County’s statutory mandate when a court orders
24 Manitowoc County to prepare a report pursuant to Wis. Stat. § 980.08.
25

26 (b) The temporary committee shall consist of the following:
27

- 28 1. Director of the Human Services Department or his or her designee;
- 29 2. A representative designated by the Wisconsin Department of Health
30 Services;
- 31 3. A local probation or parole officer designated by the local Probation
32 and Parole Field Office;
- 33 4. Corporation Counsel; and
- 34 5. Director of Planning and Zoning or his or her designee.
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40 (c) The Sheriff shall designate a representative to assist the committee by
41 consulting with the law enforcement agency that has jurisdiction over the
42 residential option identified by the committee.

43
44 and

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46 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 18th day of September 2018.

Respectfully submitted by the
Executive Committee

Jim Brey, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AMENDING DISCLAIMER AND SECTION 14 OF THE
EMPLOYEE POLICY MANUAL
(Employee Grievances)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has authorized an Employee Policy Manual to establish
2 uniform personnel policies and procedures; and
3

4 WHEREAS, Section 5.03 (Termination of Probationary Employees) of the Employee
5 Policy Manual provides Manitowoc County's policy regarding the procedure that must be used
6 when a probationary employee is separated from his or her employment with Manitowoc County;
7 and
8

9 WHEREAS, Section 14 (Employee Grievances) of the Employee Policy Manual provides
10 Manitowoc County's policy regarding the procedure that must be used when an employee grieves
11 a disciplinary matter; and
12

13 WHEREAS, in 2011 Manitowoc County implemented a grievance procedure that included
14 a "just cause" standard of review when evaluating employee discipline; and
15

16 WHEREAS, Manitowoc County has discretion regarding what standard of review it will
17 use in employee disciplinary matters; and
18

19 WHEREAS, currently the just cause standard of review is used regardless of whether an
20 employee separation occurs due to discipline or performance reasons; and
21

22 WHEREAS, just cause standards are not particularly pertinent when reviewing a
23 separation from employment due to performance deficiency; and
24

25 WHEREAS, just cause standards are not intended to apply when a probationary employee
26 is separated from his or her employment with Manitowoc County; and
27

28 WHEREAS, the Disclaimer of the Employee Policy Manual contains language that
29 appears to contradict the County's use of a just cause standard; and
30

31 WHEREAS, amendments must be made to the Employee Policy Manual from
32 time-to-time to keep the policies current, reflect current practice, and address new issues and
33 circumstances; and
34

35 WHEREAS, the proposed amendments to the Employee Policy Manual update the
36 grievance process to provide a more balanced approach when reviewing employee disciplinary
37 matters and to be consistent with current practice while providing the flexibility necessary to
38 address differences between discipline and performance issues;
39

40 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of
41 Supervisors amends Section 5.03 (Termination of Probationary Employees) of the Manitowoc
42 County Employee Policy Manual to read as follows:

43
44 5.03 Termination of Probationary Employees

45
46 Department directors may recommend that an employee be terminated during their
47 probationary period. The recommendation shall be reviewed by the Personnel Director
48 prior to a final decision being made. Probationary employees shall not be entitled to a just
49 cause standard of review, the standard of review for probationary employees shall be
50 at-will.

51
52 and

53
54 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors amends
55 Section 14 (Employee Grievances) of the Manitowoc County Employee Policy Manual to read as
56 follows:

57
58 14.01 Policy

- 59
60 (1) ~~It is the county's policy to treat all~~All employees shall be treated fairly and
61 equitably.
62
63 (2) An employee has the right to bring a grievance ~~to the county's attention~~ without
64 fear of reprisal. Filing a grievance will not reflect unfavorably on an employee's
65 loyalty or adversely affect an employee's employment status.
66
67 (3) Nothing in this section abrogates any legal means of redress available to an
68 employee, including the right to seek redress in a court of law.
69

70 14.02 Definitions

- 71
72 (1) "Abuse of discretion" means the failure to exercise sound, reasonable, and legal
73 decision-making.
74
75 (2) "Clearly erroneous" means a finding of material fact that is clearly contrary to the
76 weight of the evidence or that is not reasonably supported by the evidence as a
77 whole, but a mistake that does not interfere with rights or remedies will be
78 considered harmless and may be disregarded.
79
80 (3) "Day" means a calendar day unless otherwise specified.
81
82 (4) "Discipline" means suspension or termination.
83
84 ~~(5) "Dismissal" means termination.~~
85

- 86 (65) “Grievance” means a complaint by an employee regarding disciplinesuspension,
87 termination, or a workplace safety issue ~~that is not regulated by a federal or state~~
88 ~~law, regulation, rule, or standard.~~
- 89
- 90 (76) “Just cause” means a legally sufficient reason for ~~a suspension or~~
91 ~~termination~~discipline. A reason is legally sufficient if it is supported by the
92 preponderance of the evidence. The elements of just cause are:
- 93
- 94 (a) Whether the employee could reasonably be expected to know the probable
95 consequences of his or her conduct.
- 96
- 97 (b) Whether the rule or order that the employee allegedly violated is
98 reasonable.
- 99
- 100 (c) Whether the employer made a reasonable effort to investigate whether the
101 employee violated the rule or order.
- 102
- 103 (d) Whether the employer’s investigation was fair and objective.
- 104
- 105 (e) Whether the employer’s investigation produced substantial evidence that
106 the employee violated the rule or order.
- 107
- 108 (f) Whether the employer applied the rule or order ~~fairly~~reasonably and
109 without discrimination.
- 110
- 111 (g) Whether the discipline imposed reasonably relates to either: a) the
112 seriousness of the offense~~and to;~~ or b) the employee’s overall record.
- 113
- 114 (87) “Law enforcement officer” means a person employed by the county for the purpose
115 of detecting and preventing crime and enforcing laws or ordinances, who is
116 authorized to make arrests for violations of the laws or ordinances that he or she is
117 employed to enforce.
- 118
- 119 (98) “Preponderance of the evidence” means the greater weight of the evidence;
120 ~~superior evidentiary weight that,~~ though not sufficient to free the mind wholly from
121 doubt, is still sufficient to incline a fair and impartial mind to one side of the issue
122 rather than the other.
- 123
- 124 (409) “Suspension” means the employer’s temporary withdrawal without pay of an
125 employee from employment.
- 126
- 127 (4+10) “Termination” means a separation from employment for disciplinary or
128 performance reasons. Termination does not include a separation from
129 employment because of abandonment of a position; completion of a contract,
130 seasonal, or temporary assignment or employment; death; ~~failure to meet required~~
131 ~~qualifications;~~ furlough; ~~inability to work due to disability;~~ job restructuring;

132 layoff; non-disciplinary demotion; reduction in force; resignation; retirement;
133 transfer; or ~~voluntary resignation~~ other similar reason for separation from
134 employment.

135
136 (1211) “Workplace safety issue” means a condition of employment related to the physical
137 health and safety of the employee bringing the grievance, which is not otherwise
138 regulated by a federal or state law, regulation, rule, or standard. It includes, but is
139 not limited to, accident and risk prevention, provision of protective equipment,
140 safety of the physical work environment, safe operation of workplace equipment
141 and tools, safety training, and workplace violence prevention. It does not include
142 conditions of employment related to general working conditions that are unrelated
143 to physical health or safety, such as breaks, compensation, family leave, hours of
144 work, medical leave, overtime, performance reviews, sick leave, vacation leave,
145 vacation scheduling, or work schedules.

146
147 14.03 Limitations

- 148
149 (1) A grievance that may be brought by or on behalf of a law enforcement officer using
150 the procedure specified in Wis. Stat. § 59.26(8) may not be brought under this
151 section.
152
153 (2) A grievance that may be brought by or on behalf of an employee under a grievance
154 procedure ~~that is contained in the~~ collective bargaining agreement may not be
155 brought under this section.
156
157 (3) A department head who is appointed by the county executive pursuant to Wis. Stat.
158 § 59.17(2)(br) may not bring a grievance under this section regarding the
159 suspension or termination of his or her employment.
160
161 (4) A circuit court commissioner who is appointed pursuant to Wis. Stat. § 757.68 may
162 not bring a grievance under this section regarding the suspension or termination of
163 his or her employment.
164
165 (5) A corporation counsel who is appointed pursuant to Wis. Stat. § 59.42(1)(b) may
166 not bring a grievance under this section regarding the suspension or termination of
167 his or her employment.
168
169 (6) A register in probate who is appointed pursuant to Wis. Stat. § 851.71(1) may not
170 bring a grievance under this section regarding the suspension or termination of his
171 or her employment.

172
173 14.04 Administration

- 174
175 (1) The Personnel Director shall supervise and administer the grievance process.
176

177 (2) Department directors, managers, and supervisors shall keep the Personnel Director
178 informed of the status of all grievances.
179

180 14.05 ~~Procedure~~ Guidelines

181
182 (1) An employee's grievance should be handled following the procedure contained in
183 this ~~section~~ Section 14 of the Manitowoc County Employee Policy Manual.
184

~~185 (2) A grievance that results from disciplinary actions issued by a department director
186 may be initiated as a written grievance.~~

187
188 (3) Every effort should be made to resolve a grievance as quickly as possible and as
189 early in the process as is practicable.
190

191 (4) Grievance meetings, hearings, and appeals will be scheduled at mutually agreeable
192 times.
193

194 (5) An employee may advance the grievance to the next step if a response is not
195 provided with the specified time limit.
196

197 (6) The failure to file ~~an oral or a~~ written grievance, request a hearing, or file an appeal
198 within the specified time limit terminates the grievance unless the time limit is
199 extended by mutual agreement.
200

201 (6) The employee has the right to be represented throughout the grievance process, at
202 the employee's expense, by a person of the employee's choosing. The employee's
203 representative may not be a material witness to the dispute.
204

205 ~~14.06 Oral Grievance~~

~~206
207 (1) An employee must first discuss a grievance with his or her supervisor within 14
208 days of the action or event that gives rise to the grievance.~~

~~209
210 (2) The employee has the right to be represented in the oral grievance, at the
211 employee's expense, by a person of the employee's choosing. The employee's
212 representative may not be a material witness to the dispute.~~

~~213
214 (3) The supervisor shall meet with the employee to discuss the grievance and attempt
215 to resolve the grievance.~~

~~216
217 (4) The supervisor shall promptly notify the Personnel Director and the department
218 director of any oral grievance, provide the name of the employee and the nature of
219 the grievance, and keep the Personnel Director and the department director
220 informed of the status of the grievance.~~
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222 14.067 Written Grievance

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- (1) An employee must initiate a grievance within seven (7) days of being suspended or terminated, or if the grievance is based on a workplace safety issue within (7) days of discovery of the action or condition that gives rise to the grievance, by filing a written grievance with the employee's department director~~If a grievance is not resolved to the employee's satisfaction within 14 days after it is first discussed with the employee's immediate supervisor, the employee may submit the grievance in writing to the employee's department director.~~
- (2) The written grievance must contain a statement explaining the reason for the grievance, provide any information that the employee wants the department director to consider in connection with the grievance, and describe the remedy being sought~~The employee has the right to be represented in the written grievance, at the employee's expense, by a person of the employee's choosing. The employee's representative may not be a material witness to the dispute.~~
- (3) The department director shall meet with the employee within seven (7) days of receipt of a written grievance to discuss the grievance and attempt to resolve the grievance whenever possible~~The written grievance must be filed within 28 days of the action or event that gives rise to the grievance.~~
- (4) The department director shall promptly notify the Personnel Director of any written grievance, provide a copy of any written materials received in connection with the grievance, and keep the Personnel Director informed of the status of the grievance~~The written grievance must contain a statement explaining the reason for the grievance, provide any information that the employee wants the department director to consider in connection with the grievance, and describe the remedy that is being sought.~~
- (5) The department director shall provide a written reply to the employee within seven (7) days following the meeting and shall provide a copy of the written reply to the Personnel Director at the time it is provided to the employee~~The department director shall, within 14 days of receipt of a written grievance, meet with the employee to discuss the grievance and attempt to resolve the grievance whenever possible.~~
- (6) ~~The department director shall promptly notify the Personnel Director of any written grievance, provide a copy of any written materials received in connection with the grievance, and keep the Personnel Director informed of the status of the grievance.~~
- (7) ~~The department director shall provide a written reply to the employee within 14 days following the meeting and shall provide a copy of the written reply to the Personnel Director at the time it is provided to the employee.~~

267 14.078 Impartial Hearing
268

- 269 (1) An employee may, within ~~14~~seven(7) days of the department director's reply,
270 request a hearing before an impartial hearing officer by filing a written hearing
271 request with the Personnel Director.
272
- 273 (2) The Personnel Director shall appoint a hearing officer upon receipt of a written
274 hearing request~~The employee has the right to be represented in the hearing, at the~~
275 ~~employee's expense, by a person of the employee's choosing. The employee's~~
276 ~~representative may not be a material witness to the dispute.~~
277
- 278 (3) ~~The Personnel Director shall, upon receipt of a written hearing request, provide the~~
279 ~~employee with a list of hearing officers. In suspension and termination cases, the~~
280 ~~list will consist of arbitrators selected from the Ad Hoc Roster maintained by the~~
281 ~~Wisconsin Employment Relations Commission. In workplace safety cases, the~~
282 ~~list will consist of persons skilled in loss prevention and risk management.~~
283
- 284 (4) ~~The employee may, within 14 days of being provided with the list of hearing~~
285 ~~officers, rank the hearing officers in order of preference and return the list to the~~
286 ~~Personnel Director.~~
287
- 288 (5) ~~The Personnel Director will contact the hearing officers in order of the employee's~~
289 ~~preference when appointing the hearing officer. If the employee does not return~~
290 ~~the list or rank the hearing officers, the Personnel Director may appoint any hearing~~
291 ~~officer on the list.~~
292
- 293 (63) The hearing officer shall be impartial and may not have any prior knowledge of the
294 grievance.
295
- 296 (74) A hearing will be scheduled within twenty-eight (28) calendar days of the
297 appointment of a hearing officer. The hearing officer may reschedule the hearing
298 with the mutual consent of the parties.
299
- 300 (85) Not less than seven (7) days prior to the hearing, the grievant and the county shall
301 exchange lists of the witnesses and exhibits that they intend to introduce at the
302 hearing.
303
- 304 (96) The hearing officer may, with consent of the parties, use his or her best efforts to
305 mediate the grievance.
306
- 307 (107) The burden of proof in a grievance hearing before a hearing examiner shall be as
308 follows:~~The county has the burden of proof in a suspension or termination~~
309 ~~grievance to show just cause for its action. The employee has the burden of proof~~
310 ~~in a workplace safety grievance. The standard required of the party with the~~
311 ~~burden of proof in all cases is a preponderance of the evidence.~~

312 (a) In termination cases due to failure to meet performance standards, the
313 county must only demonstrate that it complied with the procedural
314 requirements of Section 8.15 of this Employee Policy Manual.

315 (b) In suspension or termination cases for disciplinary reasons, the county must
316 show just cause for its action.

317 (c) In workplace safety cases, the employee must show that an actual health or
318 safety risk exists as a result of the action or inaction of the county.

319 (d) In termination cases for an employee during his or her probationary period,
320 the employee must demonstrate that the county did not meet the at-will
321 standard for termination.

322 The standard required of the party with the burden of proof in all cases shall be a
323 preponderance of the evidence.

324
325 (118) The hearing officer is authorized to administer oaths and affirmations, conduct the
326 proceedings, and take the testimony of witnesses. The hearing officer is not bound
327 by the strict rules of evidence, but shall exclude irrelevant, immaterial or unduly
328 repetitious evidence. Hearsay that is probative, trustworthy, and credible may be
329 received into evidence and given such weight as the hearing officer deems
330 appropriate. However, no factual finding may be made solely on the basis of
331 hearsay evidence.

332
333 ~~(12) The hearing officer shall make a record of the proceedings. The county shall~~
334 ~~provide the equipment and materials necessary to make an audio recording of the~~
335 ~~hearing.~~

336
337 (139) The hearing officer may request oral or written arguments, or both. If written
338 arguments are requested, the hearing officer shall set a briefing schedule.

339
340 (1410) The hearing officer has the authority to order a reasonable remedy as follows:-
341 ~~However, the hearing officer may not add to, modify, or strike any provision in the~~
342 ~~county's personnel policy manual.~~

343
344 (a) In a suspension case, the hearing officer may reduce or withdraw the
345 suspension, ~~with or without partial or full back pay.~~

346
347 (b) In a termination case, the hearing officer may order reinstatement, ~~with or~~
348 ~~without partial or full back pay.~~

349
350 (c) In a workplace safety case, the hearing officer may recommend a remedy
351 the
352 steps the county must take to abate the safety risk.

353 Notwithstanding the foregoing, in a suspension or termination case for a
354 disciplinary reason, once it is determined that there is just cause the hearing

355 examiner shall not have the authority to alter the suspension or termination
356 imposed.

357
358 (11) The hearing officer may not add to, modify, or strike any provision in the county's
359 personnel policy manual.

360
361 (12) In a suspension or termination case, the hearing officer shall provide a written
362 decision within twenty-eight (28) days following the close of the record. The
363 written decision should include a case caption; the parties and appearances; a
364 statement of the issue(s); findings of fact; any necessary conclusions of law; the
365 final decision and order; and any other information the hearing officer deems
366 appropriate.

367
368 (13) In a workplace safety case, the hearing officer shall provide a written
369 recommendation within of what steps the county must take to abate the safety risk
370 within twenty-eight (28) days following the close of the record.

371
372 (14) Following issuance of the decision or recommendation, the hearing officer shall
373 provide the record to the County Clerk/Personnel Director for preservation.

374
375 14.089 County Board Appeal

376
377 (1) An employee may appeal the hearing officer's decision to the county board.

378
379 ~~(2) The employee has the right to be represented in the appeal, at the employee's~~
380 ~~expense, by a person of the employee's choosing. The employee's representative~~
381 ~~may not be a material witness to the dispute.~~

382
383 (3) An employee must file a written notice of appeal with the County Clerk within
384 seven (7)44 days of the hearing officer's decision. The notice must contain a
385 statement explaining the reason for the appeal. The employee must also provide a
386 copy of the notice of appeal, written grievance, and hearing officer's decision for
387 each supervisor and two (2) copies for the County Clerk at the time the notice is
388 filed. The employee must also provide a copy of any transcript, exhibit, and
389 written argument that he or she files for each supervisor and two (2) copies for the
390 County Clerk. A minimum of twenty-seven (27) copies are required. An
391 employee bears the cost of his or her appeal to the county board.~~The notice may~~
392 ~~include a request that the hearing be held in open session. The notice must be~~
393 ~~accompanied by a copy of the written grievance that was filed with the department~~
394 ~~director and a copy of the hearing officer's decision. The notice may also be~~
395 ~~accompanied by a copy of all or part of the hearing transcript, a copy of one or more~~
396 ~~of the exhibits, or a combination of both.~~

397
398 (43) The employee may submit written arguments in support of the appeal with the
399 notice of appeal or at any time up to seven (7) days prior to the county board
400 meeting at which the appeal will be heard.

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- ~~(5) An employee bears the cost of his or her appeal to the county board. Consequently, the employee must provide a copy of the notice of appeal, written grievance, and hearing officer's decision for each supervisor and 2 copies for the County Clerk at the time the notice is filed. The employee must also provide a copy of any transcript, exhibit, and written argument that he or she files for each supervisor and 2 copies for the County Clerk. A minimum of 27 copies is required.~~
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- ~~(64) The appeal will be placed on the agenda for the first county board meeting that is held at least fourteen (14) days after the County Clerk receives a written notice of appeal. The appeal will be noticed for consideration in closed session pursuant to Wis. Stat. § 19.85(1)(b) pertaining to the dismissal, demotion, licensing, or suspension of a public employee. However, the employee may, at any time prior to the close of business on the last business day prior to the day on which the appeal will be heard, request that the appeal be heard in open session. The appeal will then be heard in open session.~~The County Clerk will provide a copy of the meeting notice to the employee.~~~~
- 420
421
- ~~(5) The County Clerk will provide a copy of the meeting notice to the employee.~~
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425
- ~~(7) The employee may, at any time prior to the close of business on the last business day prior to the day on which the appeal will be heard, request that the appeal be heard in open session. The appeal will then be heard in open session.~~
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- ~~(86) The employee and the employee's representative may speak and present oral arguments to the county board ~~during the open or closed session~~ when the appeal is heard.~~
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432
- ~~(97) The Corporation Counsel, either directly or through outside counsel, shall provide any necessary legal services to the county board in connection with the appeal.~~
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436
- ~~(108) The county board's discussion and deliberation of the appeal will be conducted in closed session. The employee and the employee's representative will be excluded from the closed session during the county board's discussion or deliberation.~~
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- ~~(119) The county board's consideration of the appeal will be limited to a review of the record and any oral or written arguments to determine whether there was any procedural error or abuse of discretion by the hearing officer. The county board may not consider any evidence that was not admitted at the hearing.~~
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- ~~(1210) The county board may, by a ~~simple~~two-thirds majority of members present and voting, ~~affirm, modify, or reverse the hearing officer's decision or, or~~ remand the decision to the hearing examiner for further proceedings if it finds that the hearing examiner's decision is clearly erroneous. Absent such action by the county board at the meeting that the appeal is heard, the hearing examiner's decision shall stand.~~

447
448 (1311) The County Board Chair shall prepare and sign a written determination reflecting
449 the county board's decision. The County Board Chair may enlist the assistance of
450 the County Clerk or legal counsel provided by or through the Corporation Counsel,
451 or both, in preparing the determination. A copy of the determination will be
452 provided to the employee within ~~14~~seven (7) days following the county board's
453 decision.

454
455 (1412) The county board's decision is final and may not be appealed.
456

457 14.109 Employment Discrimination or Service Delivery Grievances
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459 The county's Civil Rights Compliance Plan contains informal and formal procedures for
460 employees to use when a grievance alleges discrimination or a violation of the county's
461 commitment to Equal Opportunity in Employment and Service Delivery.
462

463 and

464
465 BE IT FURTHER RESOLVED that the Employee Policy Manual Disclaimer be amended
466 to read as follows:
467

468 The contents of this policy manual are presented as a matter of information only. The plans,
469 policies and procedures described are not conditions of employment. Manitowoc County
470 reserves the rights to modify, revoke, suspend, terminate, or change any or all such plans,
471 policies, or procedures, in whole or in part, at any time with or without notice. The
472 language that appears in this booklet is not intended to create, nor is it to be construed to
473 constitute, a contract between Manitowoc County and any one or all of its employees or a
474 guaranty of continued employment. ~~Notwithstanding any provisions of this~~
475 ~~handbook~~ Subject only to the grievance process provided in this handbook, employment
476 may be terminated at any time, with or without cause. This document has been reviewed
477 and approved by the Personnel Committee and adopted as County policy. Any action of the
478 County Board that conflicts with this policy manual shall automatically prevail over this
479 manual. This manual shall be amended, when required, by the Personnel Committee in the
480 same manner as adopted. Notwithstanding the above, for the purpose of maintaining this
481 Employee Policy Manual, the Personnel Director is empowered to correct clerical and
482 typographic errors in this Employee Policy Manual without the need to amend this
483 Employee Policy Manual through a formal adoption process and shall report all such
484 corrections to the Personnel Committee when such corrections have been completed.

Dated this 18th day of September 2018.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING
ORDINANCE**

(Patrick and Penelope Borman)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin has adopted a zoning ordinance (known as the Town of
2 Franklin Unified Development Ordinance) pursuant to the authority granted to towns under Wis.
3 Stat. § 60.62; and
4

5 WHEREAS, Manitowoc County adopted a zoning ordinance pursuant to the authority
6 granted to counties under Wis. Stat. § 59.69; and
7

8 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments
9 thereto, are subject to county board approval in counties that have adopted a zoning ordinance
10 under Wis. Stat. § 59.69; and
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on
13 September 11, 2018 by rezoning property owned by Patrick and Penelope Borman from EAG
14 (Exclusive Agricultural) to AG (General Agricultural) in accordance with Wis. Stat. § 60.62; and
15

16 WHEREAS, the Town of Franklin has submitted the map amendment to its Unified
17 Development Ordinance to the Manitowoc County Board of Supervisors for approval, and a copy
18 of the amended zoning ordinance has been provided to each member of the County Board for
19 review;
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
22 Supervisors approves the Town of Franklin’s map amendment to its Unified Development
23 Ordinance that rezones that certain property owned by Patrick and Penelope Borman from EAG
24 (Exclusive Agricultural) to AG (General Agricultural) and was adopted by the Town Board of the
25 Town of Franklin on September 11, 2018.

Dated this 18th day of September 2018.

Respectfully submitted by

Robert Cavanaugh, Supervisor

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____ Date
Bob Ziegelbauer, County Executive