

2016 – 2017

COUNTY BOARD PROCEEDINGS

COUNTY BOARD OF SUPERVISORS OF MANITOWOC COUNTY



PHOTO (L to R): **CIRCUIT COURT JUDGES - BRANCH 1** Honorable Mark R. Rohrer, **BRANCH 2** Honorable Gary L. Bendix and **BRANCH 3** Honorable Jerome L. Fox. Back row: **BR. 1** Judicial Assistant Angela Linderud and Court Reporter Denise Fritz, **BR. 2** Court Reporter Robert Lemke, **Br. 3** Court Reporter Julie Kostichka and Judicial Assistant Robbie Marcelle.

Sessions: April 19, 2016 - March 21, 2017

Published per Wisconsin Statutes Chapter 59.23(2)(a)

2016-2017 OFFICIAL PROCEEDINGS

MANITOWOC COUNTY BOARD OF SUPERVISORS STATE OF WISCONSIN, MANITOWOC COUNTY

Chairperson of the County Board

Jim Brey

Vice Chairpersons

Kevin L. Behnke

Rick Gerroll

Prepared by:

Lois M. Kiel, County Clerk

Jessica Backus, Deputy County Clerk

Laurie Heier, Administrative Assistant

March 2017

2016/2017 OFFICIAL PROCEEDINGS
MANITOWOC COUNTY BOARD OF SUPERVISORS

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MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, April 19, 2016

4:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin – Manitowoc, in the City of Manitowoc, being the 19th day of April 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Jim Brey called the meeting to order at 4:30 p.m.

Chairperson Brey gave the invocation and the Pledge of Allegiance to the Flag was recited by the entire assemblage.

County Clerk Kiel read a certified list of members elected to the County Board for a two-year term starting April 19, 2016, and expiring April 16, 2018. The clerk then administered the oath of office.

Roll call: 24 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Wagner, Weiss, Williams, and Zimmer. Supervisor Nickels was excused.

Establish County Board Rules: Supervisor Weiss moved, seconded by Supervisor Behnke to adopt Resolution 1 (2016-2017-1) Adopting County Board Rules to Govern the Board for the 2016-2018 County Board Term pending amendments at the next County Board meeting. Discussion, upon voice vote, the motion carried unanimously.

No. 2016/2017 - 1

RESOLUTION ADOPTING COUNTY BOARD RULES

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors has found it useful to adopt a
2 set of County Board Rules to assist and guide it in conducting the county's business; and
3

4 WHEREAS, a proposed set of Manitowoc County Board Rules for the County Board
5 Elected April 2016 has been provided to the members-elect; and
6

7 WHEREAS, the Manitowoc County Board of Supervisors wishes to adopt the proposed
8 rules with the understanding that they will be reviewed by the Executive Committee, which may
9 recommend additions, changes, or deletions to the rules at the next regular County Board
10 meeting, and that the rules may be amended from time to time;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
13 Supervisors adopts the proposed Manitowoc County Board Rules for the County Board elected
14 April 2016.

Dated this 19th day of April 2016.

Respectfully submitted by Jim Brey, Supervisor.

FISCAL IMPACT: None.

LEGISLATIVE POLICY STATEMENT

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Election of Officers

CHAIR:

Chairperson Behnke announced that nominations were open for Chair. Supervisor Baumann nominated Supervisor Brey. There were no more nominations. Supervisor Gerroll moved to close nominations and pass by unanimous vote, seconded by Supervisor Holschbach. Upon vote, Supervisor Brey was elected as Chair for a two-year term by unanimous vote.

FIRST VICE-CHAIR:

Chairperson Brey announced that nominations were open for the position of First Vice-Chair, Supervisor Waack nominated Supervisor Behnke. There were no other nominations. Supervisor Hoffman moved to close nominations and pass by unanimous vote, seconded by Supervisor Swade. Upon vote, Supervisor Behnke was elected as First Vice-Chair for a two-year term by unanimous vote.

SECOND VICE-CHAIR:

Chairperson Brey announced that nominations were open for Second Vice-Chair. Supervisor Vogt nominated Supervisor Gerroll. There were no other nominations. Supervisor Falkowski moved to close nominations and pass by unanimous vote, seconded by Supervisor Henrickson. Upon vote, Supervisor Behnke was elected as Second Vice-Chair for a two-year term by unanimous ballot.

Announcements:

Chairperson Brey reminded the board to turn all paperwork to County Clerk Kiel.

Chairperson Brey announced that the next County Board meeting will be on Tuesday, April 26. The County Board picture will be at 6:00 p.m. in the rotunda and then the board meeting will follow at 7:00 p.m. in the County Board meeting room at 705 Viebahn Street.

Supervisor Behnke moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 4:47 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, April 26, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 26th day of April 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Hoffman gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisor Maresh was excused.

On a motion by Supervisor Holschbach, seconded by Supervisor Behnke the April 19, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Henrickson moved, seconded by Supervisor Weiss to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming the Month of May as Foster Care Month to Foster Care Administrator Karen Zahn. Foster parent Sandy Cater has been a provider for three and a half years expressed she became a foster parent because she wanted her neighborhood children to have someone that clothed, feed, and cared for them. Jennifer and Tony Reinke currently foster 3 children under the age of 3. Their home will always be open to children who need a loving and caring home while their parents are finding the help they need to fix their downfalls.

County Executive Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming National Salvation Army Week to Business Development Director Kyle Bryntesen and Lt. Terri Olson. Lt. Olson notified everyone the Salvation Army is celebrating 100 years, but there is still much work to be accomplished. They are in need of bell ringers for May, the raised funds provide utility assistance for those in need.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public input open at 7:16 p.m.

Maura Yost, Town of Centerville, is concerned there is collusion among the County Executive and the County Board regarding the appointment of a single Human Services Director. The County Board needs to uphold state law by forcing the County Executive to follow state law and create a single Human Services Director.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:19 p.m.

MISCELLANEOUS

Supervisor Behnke moved, seconded by Supervisor Henrickson to adopt Ordinance 9 (2016/2017-2) Amending Manitowoc County Code Section 2.4(11)(b) (Boards, Commissions, and Committees) Upon vote, the motion carried with 22 ayes, Supervisor Gauger abstained.

No. 2016/2017 - 2

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SECTION 2.4(11)(b)
(BOARDS, COMMISSIONS, AND COMMITTEES)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 2.4 creates the boards, commissions, and
2 committees that are authorized or required by Wisconsin Statutes or the Manitowoc County
3 Code; and

4
5 WHEREAS, Section 2.4(11)(b) of the Manitowoc County Code provides the makeup of
6 the Expo-Ice Center Board; and

7
8 WHEREAS, under the current Manitowoc County Code § 2.4(11)(b), the Expo-Ice Center
9 Board is to consist of 21 members, including one County Board Supervisor from the Public
10 Works Committee, one other supervisor from any committee, and 19 citizen members; and

11
12 WHEREAS, having an additional member of the Manitowoc County Board of Supervisors
13 on the Expo-Ice Center Board helps ensure that the Expo-Ice Center Board has adequate
14 representation of officials directly elected by the residents of Manitowoc County; and

15
16 WHEREAS, Manitowoc County does not desire to increase the overall size of the Expo-
17 Ice Center Board and accordingly the number of citizen members would have to be reduced by
18 one to accommodate the additional County Board Supervisor;

19
20 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
21 ordain as follows:
22

23 Manistowoc County Code § 2.4(11)(b) is amended as follows:
24

25 (b) Membership. The board will consist of 21 members, including ~~one~~ county
26 supervisor from the Public Works Committee, ~~two~~ other county supervisors from
27 any committee, and ~~18~~ citizen members. County board members will serve terms
28 concurrent with their term of office. Citizen members will serve staggered 3-year
29 terms. Members will be appointed by the county executive, subject to confirmation
30 by the county board.

Dated this 26th day of April 2016.

Respectfully submitted by Jim Brey, Chair.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

APPOINTMENTS BY CHAIRPERSON

Supervisor Henrickson moved, seconded by Supervisor Vogt to approve the recommended appointments for committees. The standing committee appointments are: Finance Committee: Hansen-Chair, Baumann, Holschbach, Swade, and Williams; Highway Committee: Gerroll-Chair, Behnke, Hoffman, Maresh, and Vogt; Land Conservation Committee/Natural Resources & Education Committee: Wagner-Chair, Gauger, Holschbach, Muench, and Waack; Personnel Committee: Behnke-Chair, Baumann, Maresh, Metzger, and Vogt; Public Safety: Henrickson-Chair, Falkowski, Nasep, Nickels, and Vogel; Public Works: Weiss-Chair, Cavanaugh, Dyzak, Gerroll, and Zimmer; appointments to Boards Commissions, and Committees: Bay Area Workforce Development Board: County Executive; Criminal Justice Coordinating Council: Falkowski; English Lake Management District: Wagner; Mainly Manitowoc Board of Directors: Vogt; Millhome Dam Lake District Board of Commissioners: Waack; Safety Net Accountability Panel: Henrickson; Sergeant-At-Arms: Vogel; Sheboygan River & Rockville Mill Pond Management District: Waack; Silver Lake Inland Lake Protection & Rehabilitation District Board: Gauger; and Wisconsin Counties Utility Tax Association: Hoffman. Upon voice vote, the motion carried unanimously.

APPOINTMENTS BY COUNTY EXECUTIVE

Supervisor Baumann moved, seconded by Supervisor Gauger to approve County Executive Bob Ziegelbauer's appointments to Boards, Commissions, and Organizational appointments: Aging and Disability Resource Center of the Lakeshore Board (ADRC): Swade, Waack, Wagner; Bay-Lake Regional Planning Commission: N/A; Board of Health: Dyzak, Metzger, Nickels, and Vogel; Community Action Program (CAP): Metzger; Expo-Ice Center Board: Behnke, Cavanaugh and Gauger; Glacierland Resource Conservation & Development Council: Waack; Human Services Board: Cavanaugh-2017, Henrickson-2017, Waack-2017, Baumann-2018, Williams-2018, and Nasep 2019; Industrial Development Corporation: Hansen; Lakeland Care District: N/A; Land Information Council: Wagner; Lester Public Library Board of Trustee: Henrickson; Manitowoc Public Library Board of Trustees: Holschbach; Planning and Park Commission: Waack-2017, Falkowski-July 2018, Hoffman-2019, Vogt-2020, and Zimmer-July 2021; Transportation Coordinating Committee: Baumann and Weiss; VTAE District II Farm

Committee: Wagner. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Dr. Todd Nelson to the Board of Health for a two-year term expiring April 2018. Supervisor Vogel moved, seconded by Supervisor Metzger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Citizen Member Laurie Burke to the Human Services Board for a three-year term expiring April 2019. Supervisor Weiss moved, seconded by Supervisor Holschbach to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Paul Tittl and Kurt Duzeski to the Local Emergency Planning Committee for a two-year term expiring April 2018 and alternate-Nick Cluppert for a two-year term expiring June 2017. Supervisor Behnke moved, seconded by Supervisor Swade to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Shirley Fessler, Melissa Lyon and David Osterloth to the Transportation Coordinating Committee for a three-year term expiring April 2019. Supervisor Weiss moved, seconded by Supervisor Hoffman to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner gave a brief report. The next meeting will be May 24.

Board of Health: Supervisor Vogel gave a brief report. The next meeting will be on May 12.

Criminal Justice Coordinating Committee: Supervisor Vogel gave a brief report. The next meeting will be on May 4.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report. The next meeting will be May 4.

Finance Committee: Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 1 (2016/2017-3) Appropriating Up to \$120,000 from the General Fund Undesignated and Transferring to the Expo Special Revenue Fund for construction of a New Multi-Purpose Barn. Discussion, upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Hoffman and Vogel voted no.

**RESOLUTION APPROPRIATING UP TO \$120,000 FROM THE GENERAL FUND
UNDESIGNATED AND TRANSFERRING TO THE EXPO SPECIAL REVENUE FUND
FOR CONSTRUCTION OF A NEW MULTI-PURPOSE BARN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Expo Center an integral component of Manitowoc
2 County Government and an asset to all citizens of Manitowoc County; and
3

4 WHEREAS, the Manitowoc County Expo Center is the home of the annual Manitowoc
5 County Fair as well as numerous other events, including youth-centered activities, agricultural
6 activities, and various expositions and draws an average of 156,000 patrons annually; and
7

8 WHEREAS, the economic impact of the Expo Center to Manitowoc County, as identified
9 in the 2009 Vandewalle Associates study commissioned by the City of Manitowoc is \$6,900,000
10 annually; and
11

12 WHEREAS, in May of 2015, it was discovered that the majority of the structural wooden
13 support poles in the Walters building beef & swine barn were rotted to the point of making the
14 building structurally compromised and unfit for occupancy; and
15

16 WHEREAS, a structural engineer was commissioned to design repairs to the structural
17 poles and estimates were compiled that made repairing or replacing the structural poles
18 financially unachievable; and
19

20 WHEREAS, the building was condemned and demolished before the 2015 County Fair
21 so a temporary tent at an approximate cost of \$15,000 could be brought in to house livestock
22 during the 2015 County Fair; and
23

24 WHEREAS, for the safety of the public and the livestock, as well as to maintain proper
25 bio-security measures, a permanent pole building barn structure should replace the temporary
26 tent; and
27

28 WHEREAS, Horse-A-Rama Incorporated of Manitowoc County has pledged \$100,000 to
29 help fund a new multi-purpose barn to replace the former Walters building; and
30

31 WHEREAS, Manitowoc County Expo staff, Public Works staff, the UW-Extension
32 Agricultural Agent, and Horse-A-Rama Board members met to design a request for proposal for
33 a new multi-purpose barn that would be disseminated to all qualified builders; and
34

35 WHEREAS, proposals were received from numerous builders and (4) builders were
36 chosen for interviews; and

37
38 WHEREAS, Valley Building Systems was the lowest priced qualified builder at an
39 overall cost of \$315,553 to build a new the multi-purpose barn and has been chosen to be the
40 builder once funding is available; and

41
42 WHEREAS, Horse-A-Rama Incorporated and Manitowoc County Expo submitted a
43 grant request to the West Foundation for funding for the new multi-purpose barn and received a
44 \$62,500 grant in March of 2015; and

45
46 WHEREAS, the Manitowoc County Expo Reserve Fund has committed \$45,000 to the
47 Multi-Purpose Barn Building Fund bringing the total construction funds raised to date to
48 \$207,500; and

49
50 WHEREAS, Manitowoc County Expo staff have applied for other grant opportunities
51 and replies are expected to come in throughout 2016, though there is no guarantee any further
52 grant funds will become available; and

53
54 WHEREAS, a contract will need to be signed with Valley Building Systems by April 29,
55 2016 to have the new multi-purpose barn constructed in time for the 2016 County Fair; and

56
57 WHEREAS, the Public Works Department and Public Works Committee of the County
58 Board have investigated the proposed multi-purpose barn project and associated costs, and have
59 recommended to the Finance Committee of the Manitowoc County Board to appropriate funding
60 for the multi-purpose barn construction with an adequate construction contingency in the total
61 amount of \$120,000; and

62
63 WHEREAS, Manitowoc County intends to reimburse the General Fund Undesignated
64 account for the \$120,000 expenditure made for the construction of the multi-purpose barn with
65 proceeds from the sale of certain Manitowoc County Expo Center lands to Meijer Stores Limited
66 Partnership pursuant to that Real Estate Option Contract approved by the Manitowoc County
67 Board of Supervisors on January 26, 2016;

68
69 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
70 Supervisors authorizes the Comptroller to appropriate and transfer \$120,000 from the General
71 Fund Undesignated account to the Expo Special Revenue Fund for funding the multi-purpose
72 barn construction project; and

73
74 BE IT FURTHER RESOLVED that the Comptroller is to return the \$120,000 allocated
75 for the multi-purpose barn construction project to the General Fund Undesignated account from
76 the anticipated future proceeds of the sale of certain Manitowoc County Expo Center lands to
77 Meijer Stores Limited Partnership pursuant to that Real Estate Option Contract approved by the
78 Manitowoc County Board of Supervisors on January 26, 2016.

Dated this 26th day of April 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Reduces the amount available in the General Fund Undesignated account by the \$120,000 transfer until such time as the monies are returned to the Fund.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Cavanaugh to adopt Resolution 2 (2016/2017-4) Resolution Denying Claim-Judith Gretz. Upon vote, the motion carried with 23 ayes, Supervisor Swade abstained.

No. 2016/2017 - 4

RESOLUTION DENYING CLAIM
(Judith Gretz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Judith Gretz filed a claim with Manitowoc County on March 16, 2016 in the
2 amount of \$114.25, alleging that the driver's side mirror on her vehicle was damaged when she
3 hit a piece of stationary rebar placed by Manitowoc County as a curb marker on or near
4 Memorial Drive in Two Rivers, Wisconsin; and

5
6 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to
7 its insurance carrier; and

8
9 WHEREAS, the insurance carrier has reviewed the information provided, investigated
10 the facts, and determined that Manitowoc County has no liability for the claim; and

11
12 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the
13 insurance carrier's recommendation that the claim be denied and that the county issue a formal
14 disallowance;

15
16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
17 Supervisors that the claim is denied and that the Corporation Counsel and County Clerk are
18 directed to provide such notice of the denial of the claim as may be required.

Dated this 26th day of April 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Gerroll moved, seconded by Supervisor Behnke to adopt Resolution 3 (2016/2017-5) Resolution Authorizing Highway Committee to Receive Federal and State Funding. Upon vote, the motion carried unanimously.

No. 2016/2017 - 5

RESOLUTION AUTHORIZING HIGHWAY COMMITTEE TO RECEIVE FEDERAL AND STATE FUNDING

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates the Manitowoc County Airport;

2
3 WHEREAS, Manitowoc County desires to maintain and improve the Manitowoc County
4 Airport; and

5
6 WHEREAS, the Department of Transportation, Bureau of Aeronautics is planning and
7 budgeting the following list of proposed improvements using federal or state aid, or both:

- 8
9
- Repair and replace runway and taxiway lighting and circuits;
 - Perimeter fence repairs;
 - Helipad construction;
 - Wildlife site visit and study;
 - Land acquisition for airport development and runway approaches; and
 - Any necessary related work.
- 10
11
12
13
14
15

16 and

17
18 WHEREAS, Wisconsin Statutes require a Statement of Project Intentions from airport
19 owners that are contemplating receiving federal or state aid, or both, within the next six years;
20 and

21
22 WHEREAS, the Statement of Project Intentions is used by the Department of
23 Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition
24 for federal or state aid; and

25
26 WHEREAS, the Manitowoc County Highway Committee has reviewed and approved the
27 improvements listed herein and recommends that the Manitowoc County Board of Supervisors
28 approve these projects and funding;

29

30 NOW, THEREFORE BE IT RESOLVED, that the Manitowoc County Board of
31 Supervisors acknowledges that it is contemplating requesting federal or state aid, or both, for the
32 airport improvement projects listed herein.

Dated this 26th day of April 2016.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: The tax levy impact will be determined based upon the projects approved and the County's participation percentage associated with those projects. Any necessary budget amendments will be incorporated into the proposed budget or brought separately to the County Board for approval.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Gerroll moved, seconded by Supervisor Vogt to adopt Resolution 4 (2016/2017-6) Petitioning for Airport Improvement Aid and Designating the Secretary of Transportation as Agent. Upon vote, the motion carried with 23 ayes, Supervisor Muench abstained.

No. 2016/2017 - 6

RESOLUTION PETITIONING FOR AIRPORT IMPROVEMENT AID AND DESIGNATING THE SECRETARY OF TRANSPORTATION AS AGENT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, Wisconsin is authorized by Wis. Stat. § 114.11 to
2 acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an
3 airport, and
4

5 WHEREAS, Manitowoc County desires to develop or improve the Manitowoc County
6 Airport, located in Manitowoc County, Wisconsin; and
7

8 WHEREAS, Manitowoc County desires to make a PETITION FOR AIRPORT
9 PROJECT to the Secretary of the Wisconsin Department of Transportation; and
10

11 WHEREAS, airport users have been consulted in formulating the proposed
12 improvements included in this Resolution; and
13

14 WHEREAS, a public hearing was held prior to the filing of this Resolution Petitioning
15 for Airport Improvement Aid in accordance with Wis. Stat. § 114.33(2), as amended, and a
16 transcript of the hearing is to be transmitted with the petition;
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
19 Supervisors hereby approves a petition for federal or state aid, or both, in the following form:

20
21 The petitioner, desiring to sponsor an airport development project with federal or state
22 aid, or both, in accordance with the applicable state and federal laws, respectfully
23 represents and states:

- 24
- 25 1. That the airport, which it desires to develop, should generally conform to the
26 requirements for a General Aviation type airport as defined by the Federal
27 Aviation Administration.
28
 - 29 2. That the character, extent, and kind of improvements which it desires under the
30 project are as follows:
31
 - 32 • Repair and replace runway and taxiway lighting and circuits;
 - 33 • Perimeter fence repairs;
 - 34 • Helipad construction;
 - 35 • Wildlife site visit and study;
 - 36 • Land acquisition for airport development and runway approaches; and
 - 37 • Any necessary related work.
38
 - 39 3. That the airport project, which your petitioner desires to sponsor, is necessary to
40 meet the existing and future needs of the airport.

41 and
42

43
44 BE IT FURTHER RESOLVED that it is recognized that the improvements petitioned for
45 as listed will be funded individually or collectively as funds are available, with specific project
46 costs to be approved as work is authorized, the proportionate cost of the airport development
47 projects described above which are to be paid by Manitowoc County to the Secretary of the
48 Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in
49 trust for the purposes of the project; any unneeded and unspent balance after the project is
50 completed is to be returned to Manitowoc County by the Secretary; Manitowoc County will,
51 subject to available appropriations, make available any additional monies that may be found
52 necessary, upon request of the Secretary, to complete the project as described above; the
53 Secretary shall have the right to suspend or discontinue the project at any time additional monies
54 are found to be necessary by the Secretary and Manitowoc County does not provide the same; in
55 the event Manitowoc County unilaterally terminates the project, all reasonable federal and state
56 expenditures related to the project shall be paid by Manitowoc County; and
57

58 BE IT FURTHER RESOLVED that Manitowoc County is required by Wis. Stat. §
59 114.32(5) to designate the Secretary as its agent to accept, receive, receipt for, and disburse any
60 funds granted by the United States under the federal Airport and Airway Improvement Act, and
61 is authorized by law to designate the Secretary as its agent for other purposes; and
62

63 BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc
64 County's agent and is requested to agree to act as such in matters relating to the airport
65 development project described above, and is hereby authorized as Manitowoc County's agent to

66 make all arrangements for the development and final acceptance of the completed project
67 whether by contract, agreement, force account, or otherwise; and to accept, receive, receipt for,
68 and disburse federal monies or other monies, either public or private, for the acquisition,
69 construction, improvement, maintenance and operation of the airport; and, to acquire property or
70 interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. ch. 32; and, to
71 supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed
72 by the Secretary; and, to execute any assurances or other documents required or requested by any
73 agency of the federal government and to comply with all federal and state laws, rules, and
74 regulations relating to airport development projects; and

75
76 BE IT FURTHER RESOLVED that Manitowoc County requests that the Secretary
77 provide, pursuant to Wis. Stat. § 114.33(8)(a), that Manitowoc County may acquire the required
78 land or interests in land that the Secretary shall find necessary to complete the aforesaid project;
79 and

80
81 BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate
82 the airport in accordance with the conditions established in Wis. Admin. Code ch. Trans 55, or in
83 accordance with Manitowoc County's assurances enumerated in a Federal Grant Agreement; and

84
85 BE IT FURTHER RESOLVED that the County Executive and the County Clerk are
86 authorized to sign and execute any agency, or other, agreement and Federal Block Grant Owner
87 Assurances authorized by this Resolution.

Dated this 26th day of April 2016.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: No tax levy impact and, based on the funding mechanism, no budget modifications are required at this time. If the petition is successful, the county will be eligible for grant funding for land acquisition and necessary work relating to the proposed improvements. Any necessary budget amendments will be brought to the County Board for approval.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report. The next meeting will be April 28.

Lakeland Care District: Supervisor Brey gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner gave a brief report. The next LCC meeting will be on May 19 and the NREC meeting will be on June 9.

Personnel Committee: Supervisor Behnke gave a brief report. The next meeting will be May 3.

Planning and Park Commission: Supervisor Waack moved, seconded by Supervisor Hansen to adopt Resolution 5 (2016/2017-7) Resolution Authorizing 2016-2017 Snowmobile Trail Program. Upon vote, the motion carried unanimously.

No. 2016/2017 - 7

RESOLUTION AUTHORIZING 2016-2017 SNOWMOBILE TRAIL PROGRAM

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Snowmobile Aids Program provides funds for the
2 acquisition, development, and maintenance of public snowmobile trails in eligible counties; and
3

4 WHEREAS, Manitowoc County has completed 43 years of participation in the
5 Wisconsin Snowmobile Aids Program by acquiring, developing, insuring, and maintaining
6 public snowmobile trails in the county in accordance with Wisconsin Department of Natural
7 Resources (“DNR”) standards; and
8

9 WHEREAS, Manitowoc County is eligible to continue its participation in the Wisconsin
10 Snowmobile Aids Program and has budgeted \$62,088.00 for a Snowmobile Trail Program to
11 cover the costs for 248.35 miles of trails; and
12

13 WHEREAS, the Parks Department has provided the County Board with a trail system
14 map showing the 248.35 miles of trails that are included in the Manitowoc County Snowmobile
15 Trail Program;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
18 Supervisors approves the trail system map provided by the Parks Department; and
19

20 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
21 designates the Parks Department as the agency to act on behalf of Manitowoc County in
22 submitting applications for state snowmobile aids for acquisition, bridge rehabilitation,
23 development, insurance, and maintenance costs of Manitowoc County’s public snowmobile trail
24 system; and
25

26 BE IT FURTHER RESOLVED that the Park Director is authorized to sign documents
27 and take the actions necessary to undertake, direct, and complete the 2016-2017 Snowmobile
28 Trail Program; and
29

30 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and
31 redevelopment of the snowmobile trails through the Manitowoc County Snowmobile Trail
32 Program, the trails will be designated as public snowmobile trails; and
33

34 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limits of
35 funds appropriated for such purposes, provide for adequate maintenance of the trails and
36 facilities that have been funded for acquisition and maintenance through the Wisconsin
37 Snowmobile Trail Program in accordance with DNR requirements and funding criteria; comply
38 with state and federal rules for the program; maintain the completed project in an attractive,
39 inviting, and safe manner; keep facilities open to the general public during reasonable hours
40 consistent with the type of facility; and obtain approval in writing from the DNR before any
41 changes are made in the use of the project site.

Dated this 26th day of April 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact \$62,088.00 is included in the 2016 approved budget.
The State of Wisconsin reimburses the County the total amount spent on
the program.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Hoffman to enact Ordinance 6 (2016/2017-8)
Amending Zoning Map (Allen Horst). Upon vote, the motion carried unanimously.

No. 2016/2017 - 8

ORDINANCE AMENDING ZONING MAP
(Allen Horst)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on March 28, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in part of the NW¹/₄, SW¹/₄, Section 35, T21N, R24E,
12 Town of Two Creeks, commencing at the W¹/₄ Corner of said Section 35, which is
13 the point of real beginning; thence easterly approximately 462 feet; thence
14 southerly approximately 660 feet; thence westerly approximately 462 feet; thence
15 northerly along the east r/w of STH 42 approximately 660 to the point of real

16 beginning, said parcel containing approximately 7.0 acres of land and is hereby
17 rezoned from Large Estate (LE) to General Agriculture (GA).

Dated this 26th day of April 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Falkowski to enact Ordinance 7 (2016/2017-9) Amending Zoning Map (Dennis Spevacek). Upon vote, the motion carried unanimously.

No. 2016/2017 - 9

ORDINANCE AMENDING ZONING MAP
(Dennis Spevacek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on March 28, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SE¼, SE¼, Section 19, T21N, R23E, Town of
12 Gibson, commencing at the S¼ Corner of said Section 19; thence easterly
13 approximately 1322.7 feet which is the point of real beginning; thence northerly
14 approximately 1323 feet; thence easterly approximately 713.6 feet; thence
15 southerly approximately 1114.04 feet; thence westerly approximately 661.35 feet
16 to the point of real beginning, said parcel containing approximately 20.0 acres of
17 land and is hereby rezoned from Exclusive Agriculture (EA) to Natural Area
18 (NA).

Dated this 26th day of April 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Williams to enact Ordinance 8 (2016/2017-10) Amending Zoning Map (Logan & Kristina Biggs). Upon vote, the motion carried unanimously.

No. 2016/2017 - 10

ORDINANCE AMENDING ZONING MAP
(Logan and Kristina Biggs)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on March 28, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SW¹/₄, SW¹/₄, Section 6, T19N, R21E, Town of
12 Rockland, commencing at the SW Corner of said Section 6; thence N1°33'W,
13 33.01 feet; thence easterly approximately 407.71 feet along the north r/w of Lau
14 Lane which is the point of real beginning; thence easterly approximately 155.55
15 feet; thence N8°44'W, 161.67 feet; thence S87°1'W, 106.12 feet; thence S2°59'E,
16 2.27 feet; thence S87°1'W, 33 feet; thence S2°59'E, 150.39 feet to the point of
17 real beginning, said parcel containing approximately .53 acres of land and is
18 hereby rezoned from Rural Residential (RR) to Lake Residential (LR).

Dated this 26th day of April 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

The next meeting will be May 23.

Public Safety Committee: Supervisor Henrickson reported the next meeting will be on May 11.

Public Works Committee: Supervisor Weiss gave a brief report. The next meeting will be on May 11.

Transportation Coordinating Committee: Supervisor Weiss reported the next meeting will be on May 5.

Announcements: Chairperson Brey informed the new supervisors if they need help setting up their outlook email account please contact him or County Clerk Lois Kiel.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Behnke, and the motion was adopted by acclamation. The meeting adjourned at 8:02 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, May 17, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 17th day of May 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:02 p.m.

Supervisor Metzger gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present: Baumann, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisor Behnke was excused.

On a motion by Supervisor Baumann, seconded by Supervisor Holschbach the April 26, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Hoffman moved, seconded by Supervisor Maresh to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming June Dairy Month to UW-Extension Dairy Agent Scott Gunderson. Gunderson was happy to announce that with the help of many organizations, they have raised over 75% of the funds needed to build the new agriculture center. This center will bring jobs and tourism and be a show case where individuals can learn about the agriculture that takes place in Manitowoc County.

County Executive Ziegelbauer and Chairperson Brey presented a Proclamation Commending Cheyenne Mueller Manitowoc County Outgoing Fairest of the Fair reigning from Spring of 2015 to Spring of 2016. Mueller was very grateful for this opportunity. It was a great learning experience. Mueller invited everyone to come to the Expo on June 2, 2016 when they will crown 2016 Fairest of the Fair.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public input open at 7:12 p.m.

Michael Johnson of 3311 Oakwood Lane, Reedsville, expressed his support for the rezone for David Johnson that was on the agenda for this evening.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:14 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer’s appointment of Dave Funkhouser to the Joint Dispatch Board for a two-year term expiring June 2018. Supervisor Baumann moved, seconded by Supervisor Hendrickson to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer’s appointment of Eric Storm and Alternate-Brian Helminger to the Local Emergency Planning Committee for a two-year term expiring June 2018. Supervisor Swade moved, seconded by Supervisor Vogt to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner reported the next meeting will be May 24.

Board of Health: Supervisor Metzger moved, seconded by Supervisor Vogel to enact Ordinance 1 (2016/2017-11) Amending Manitowoc County Code Ch. 7 (Adoption of Renumbered Food and Recreation Licensing Administrative Rules). Upon vote, the motion carried unanimously.

No. 2016/2017 - 11

**ORDINANCE AMENDING
MANITOWOC COUNTY CODE CH. 7
(Adoption of Renumbered Food and Recreation
Licensing Administrative Rules)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has established a county-wide local health department
2 as part of the statewide public health system operating under Wis. Stat. chs. 250–255 and is an
3 agent of the State of Wisconsin for the food and recreational licensing program; and
4

5 WHEREAS, Manitowoc County Code Chapter 7 contains the Manitowoc County Public
6 Health Ordinance; and
7

8 WHEREAS, Manitowoc County has adopted certain state statutes and administrative
9 rules by reference in Chapter 7 as part of the food and recreational licensing program component
10 of the public health system; and
11

12 WHEREAS, as of July 1, 2016, the State of Wisconsin will relocate all food and
13 recreational licensing activities from the Department of Health Services to the Department of
14 Agriculture, Trade and Consumer Protection; and
15

16 WHEREAS, as part of the state’s relocation effort, the state has renamed and renumbered
17 various statutes and administrative codes; and

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WHEREAS, effect July 1, 2016 Wis. Admin. Code chs. DHS 172, 173, 175, 178, 192, 195, 196, 197, and 198 are being replaced with Wis. Admin. Code ATCP chs. 72, 73, 74, 75, 76, 78, 79 and SPS 221; and

WHEREAS, to keep the Manitowoc County Code consistent with the most current administrative code references, the Board of Health recommends that Chapter 7 of Manitowoc County Code be amended to replace the references to DHS Administrative Codes with references to the updated ATCP Administrative Codes;

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

Manitowoc County Code § 7.06 is amended as follows:

The provisions of Wis. Stats. chs. 97, 251, ~~and 254, and 463~~; Wis. Stat. §§ 66.0417 and 95.21; Wis. Admin. Code chs. ~~ATCP 72, 73, 74, 75, 76, 78, and 79; Wis. Admin. Code chs. DHS 172, 173, 175, 178, 192, 195, 196, 197, and 198; and Wis. Admin. Code chs. Comm. 26 and 90; and Wis. Admin Code ch. SPS 221~~ are adopted and incorporated into this code by reference.

Dated this 17th day of May 2016.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Metzger gave a brief report. The next meeting will be on June 9.

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report. The next meeting will be on June 1.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report. The next meeting will be June 1.

Finance Committee: Supervisor Hansen gave a brief report. The next meeting will be on June 13.

Human Services Board: Supervisor Henrickson gave a brief report. The next meeting will be May 23.

Lakeland Care District: Supervisor Brey gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the next LCC meeting will be on May 19 and the NREC meeting will be on June 9.

Personnel Committee: Supervisor Maresh moved, seconded by Supervisor Baumann to adopt Resolution 2 (2016/2017-12) Authorizing Creation of .10 Full-Time Equivalent ADRC Position (Registered Dietician). Upon vote, the motion carried unanimously.

No. 2016/2017 - 12

**RESOLUTION AUTHORIZING CREATION OF .10 FULL-TIME
EQUIVALENT ADRC POSITION**

(Registered Dietician)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Nutrition Program Director position at the ADRC has been restructured
2 to a Nutrition Program Coordinator position to place a greater focus on volunteer recruitment and
3 training; and

4
5 WHEREAS, the ADRC has a limited need for a registered dietician to review menus for
6 the nutrition program and provide nutritional counseling; and

7
8 WHEREAS, the prior Nutrition Program Director is a Registered Dietician and is
9 interested in continuing to provide the required dietician services; and

10
11 WHEREAS, the prior Nutrition Program Director is knowledgeable about the nutrition
12 program and the communities served by the ADRC;

13
14 NOW, THEREFORE, BE IT RESOLVED that the number of authorized full-time ADRC
15 positions is increased by a .10 full-time-equivalent Registered Dietician position; and

16
17 BE IT FURTHER RESOLVED that the job posting requirement for the .10 Registered
18 Dietician position is waived to allow the prior Nutrition Program Director to fulfill this position;
19 and

20
21 BE IT FURTHER RESOLVED that the 2016 Full Time Equivalent Report (FTE) by
22 Department included in the 2016 Adopted Annual Budget Book is amended accordingly and that
23 the Comptroller/Auditor is directed to record such information in the official books of the
24 County for the year ending December 31, 2016 as may be required.

Dated this 17th, day of May 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: The salary for the Nutrition Program Coordinator is approximately \$15,000 less than the salary of the Nutrition Program Director. The cost

of the .10 Registered Dietician is approximately \$5500, for a total reduction in cost of approximately \$9500.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Waack moved, seconded by Supervisor Vogel to enact Ordinance 3 (2016/2017-13) Amending Zoning Map (James & Brenda Evenson). Upon vote, the motion carried unanimously.

No. 2016/2017 - 13

ORDINANCE AMENDING ZONING MAP
(James Evenson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 25, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SW¼ of the SW¼ of Section 9, T18N, R22E,
12 Town of Liberty, commencing at the SW Corner of said Section 9; Thence
13 N 00°11'55" E, approximately 1085.84 feet coincident with the west line of said
14 SW ¼; thence easterly, approximately 42 feet to the east right-of-way line of
15 C.T.H. "J" being the point of real beginning; thence northerly approximately 85
16 feet; thence easterly approximately 287 feet; thence northerly approximately 143
17 feet; thence easterly approximately 205 feet; thence southerly approximately 226
18 feet; thence westerly approximately 497 feet to said easterly right-of-way line of
19 C.T.H. "J" which is the point of real beginning, said parcel containing
20 approximately 1.6 acres of land and is hereby rezoned from Exclusive Agriculture
21 (EA) to Rural Residential (RR).

Dated this 17th day of May 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Cavanaugh to enact Ordinance 4 (2016/2017-14) Amending Zoning Map (David Johnson). Upon vote, the motion carried unanimously.

No. 2016/2017 - 14

ORDINANCE AMENDING ZONING MAP
(David Johnson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 25, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in part of the NW¹/₄ of the NW¹/₄ of Section 8, T19N,
12 R21E, Town of Rockland, commencing at the NW Corner of said Section 8;
13 thence South a distance of 530 feet along the west line of the NW¹/₄; thence East a
14 distance of 360 feet to the point of beginning; thence North a distance of 120 feet;
15 thence East a distance of 110 feet; thence South a distance of 120 feet; thence
16 West a distance of 110 feet to the point of beginning, said parcel containing
17 approximately .30 acres of land and is hereby rezoned from Large Estate (LE) to
18 Small Estate District (SE) and;
19

20 A parcel of land located in part of NW¹/₄ of the NW¹/₄ of Section 8, T19N, R21E,
21 Town of Rockland, commencing at the NW Corner of said Section 8; thence
22 South a distance of 530 feet along the west line of the NW¹/₄ to the point of
23 beginning; thence East a distance of 470 feet; thence South a distance of 186 feet;
24 thence West a distance of 470 feet; thence North a distance of 186 feet to the
25 point of beginning, said parcel containing approximately 2.0 acres of land and is
26 hereby rezoned from Exclusive Agriculture (EA) to Small Estate (SE).

Dated this 17th day of May 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Hoffman to enact Ordinance 5 (2016/2017-15) Amending Zoning Map (Jesse & Jill Vanne). Upon vote, the motion carried unanimously.

No. 2016/2017 - 15

ORDINANCE AMENDING ZONING MAP
(Jesse and Jill Vanne)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 25, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SE¹/₄ of the SE¹/₄ of Section 19, T20N, R25E,
12 Town of Two Rivers, commencing at the SE Corner of said Section 19; thence
13 S 89°56'13" W along the South Line of said SE¹/₄ of said Section 19 (recorded as
14 S 88°27'30" W) a distance of 492.11 feet to the SW corner of existing Tract 2 of
15 Certified Survey Map recorded in Volume 5, Page 497; thence northerly
16 approximately 33.00 feet which is the Point of Real Beginning; thence continue
17 S 89°56'13" W along said South Line of the SE¹/₄ a distance of 433.20 feet;
18 thence N 0°58'42" §E a distance of 385.01 feet; thence N 89°56'13" E a distance
19 of 433.20 feet to NW Corner of Lot 1 of Certified Survey Map recorded in
20 Volume 24, Page 107; thence S 0°58'42" W along the West Line of said Lot 1
21 and along the West Line of Tract 2 of Certified Survey Map recorded in Volume
22 5, Page 497 (recorded as S 0°29'30" E) a distance of 385.01 feet to the Point of
23 Real Beginning, said parcel containing approximately 3.5 acres of land and is
24 hereby rezoned from Exclusive Agriculture (EA) to Rural Residential (RR).

Dated this 17th day of May 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported the next meeting will be on June 8.

Public Works Committee: Supervisor Weiss gave a brief report. The next meeting will be on June 8.

Transportation Coordinating Committee: Supervisor Weiss gave a brief report.

Miscellaneous: Supervisor Bob Cavanaugh moved, seconded by Supervisor Vogt to adopt Resolution 6 (2016/2017-16) Approving Town of Franklin Zoning Ordinance Text Amendment. Upon vote, the motion carried unanimously.

No. 2016/2017 - 16

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING
ORDINANCE TEXT AMENDMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin 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
9 amendments thereto, are subject to county board approval in counties that have adopted a zoning
10 ordinance under Wis. Stat. § 59.69; and
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on May
13 10, 2016 by redefining the conditional uses allowed in the Rural Residential (R1) District in
14 accordance with Wis. Stat. § 60.62; and
15

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

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
21 Supervisors approves the Town of Franklin's amended Unified Development Ordinance that
22 redefines the conditional uses allowed in the Rural Residential (R1) District and was adopted by
23 the Town Board of the Town of Franklin on May 10, 2016.

Dated this 17th day of May 2016.

Respectfully submitted by Bob Cavanaugh, Supervisor.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee and Personnel Committee: Supervisor Gerroll moved, seconded by Supervisor Maresh to adopt Resolution 7 (2016/2017-17) Authorizing Creation of 1.0 Full-Time Equivalent Highway Department Position (Stockroom Clerk). Upon vote, the motion carried unanimously.

No. 2016/2017 - 17

**RESOLUTION AUTHORIZING CREATION OF 1.0 FULL-TIME
EQUIVALENT HIGHWAY DEPARTMENT POSITION
(Stockroom Clerk)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Department has received notification that the vendor that
2 currently manages the Highway Department stockroom is no longer interested in providing this
3 service; and
4

5 WHEREAS, the Highway Department has analyzed the costs of continuing to contract
6 for the service or providing the service with a 1.0 full-time equivalent position; and
7

8 WHEREAS, converting the position to a 1.0 full-time equivalent position will allow
9 greater flexibility in assignment of duties and providing back-up for other Highway Department
10 positions; and
11

12 WHEREAS, there is no fiscal impact with the conversion of the contracted service to a
13 1.0 full-time-equivalent position;
14

15 NOW, THEREFORE, BE IT RESOLVED that the number of authorized full-time
16 Highway Department positions is increased by a 1.0 full-time equivalent Stockroom Clerk
17 position, which will be filled in accordance with Manitowoc County's personnel policies; and
18

19 BE IT FURTHER RESOLVED that the 2016 Full Time Equivalent Report (FTE) by
20 Department included in the 2016 Adopted Annual Budget Book is amended accordingly and that
21 the Comptroller/Auditor is directed to record such information in the official books of the
22 County for the year ending December 31, 2016 as may be required.

Dated this 17th day of May 2016.

Respectfully submitted by the Highway Committee and Personnel Committee.

FISCAL IMPACT: None. The total cost of the contracted service is \$55,000/year and the cost of wages and statutory benefits equal \$39,000. Exact cost of full-time equivalent position is dependent on benefit elections, but will not exceed

the annual budgeted cost for the stock clerk position.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Randy Vogel moved, seconded by Supervisor Falkowski to adopt Resolution 8 (2016/2017-18) Approving Town of Newton Zoning Ordinance Amendment (Larry & Agnes Schmitz). Upon vote, the motion carried unanimously.

No. 2016/2017 - 18

**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE**

Larry and Agnes Schmitz

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton adopted a zoning ordinance pursuant to the authority
2 granted to towns under Wis. Stat. § 60.62; and
3

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

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

11 WHEREAS, the Town of Newton amended its zoning ordinance on May 11, 2016 by
12 rezoning that certain property owned by Larry and Agnes Schmitz from A-3 Farmland
13 Preservation to A-2 General Agriculture in accordance with Wis. Stat. § 60.62; and
14

15 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
16 Manitowoc County Board of Supervisors for approval and a copy of the amended zoning
17 ordinance has been provided to each member of the county board for review;
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
20 Supervisors approves the amended zoning ordinance of the Town of Newton that rezones that
21 certain property owned by Larry and Agnes Schmitz from A-3 Farmland Preservation and was
22 adopted by the Town Board of the Town of Newton on May 11, 2016.

Dated this 17th day of May 2016.

Respectfully submitted by Randy Vogel, Supervisor.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Announcements: Chairperson Brey wished everyone a fun and safe memorial day weekend. Brey invited supervisors to join him in the Memorial Day Parade. Supervisor Holschbach announced the 3rd Annual Lake Michigan day will be August 12 at the Maritime Museum. Supervisor Muench announced he would be speaking at the Am Vets meeting and welcomed all the supervisors to attend.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Gauger, and the motion was adopted by acclamation. The meeting adjourned at 7:46 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, June 21, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 21th day of June 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Hansen gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage. Supervisor Hansen led a moment of silence for the passing of Wisconsin Department of Health Services Secretary Kitty Rhoades.

Roll call: 19 members present: Baumann, Behnke, Brey, Cavanaugh, Falkowski, Gauger, Gerroll, Hansen, Hoffman, Maresh, Metzger, Nasep, Nickels, Swade, Vogt, Waack, Wagner, Weiss, and Williams. Supervisor Dyzak, Henrickson, Holschbach, Muench, Vogel, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Weiss the May 17, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Hoffman moved, seconded by Supervisor Maresh to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Comptroller Todd Reckelberg introduced Bryan Grunewald, External Auditor from Schenk Audit Business Solutions, who summarized results of the 2015 audit and explained that the county continued to be in good financial condition which was illustrated by a reduction of uncollected taxes, a positive balance in Highway Fund, and a significant reduction in long term debt. They answered supervisors' questions.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public input open at 7:14 p.m.

Mayor Justin Nickels, City of Manitowoc, addressed the Board regarding the future plans of the Expo grounds. Mayor Nickels expressed concern that when Meijer builds, the surrounding land will become more valuable and there is no plan in place to take advantage of the site's potential for future development. The Mayor requested to meet with the Expo Board, the Public Works Committee, and supervisors to discuss a long term plan for the Expo grounds.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:20 p.m.

APPOINTMENTS BY CHAIRPERSON

Chairperson Brey presented his appointments of Richard Wegner, Scott Ahl, Harvey Jannette, Donna Kieckbusch, Daniel Koski, Kris August and Bob Wolf to the Solid Waste Management System Advisory Board for a three-year term expiring July 2019. Supervisor Weiss moved, seconded by Supervisor Maresh to approve the appointments. Upon voice vote, the motion carried unanimously.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Laurel Vondrachek to the Board of Adjustment for a three-year term expiring July 2019. Supervisor Baumann moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Nicolas Sparacio, Alternate-Dan Pawlitzke and Alternate-Peter Wills to the Northeast Wisconsin Regional Economic Partnership for a one-year term expiring July 2017. Supervisor Vogt moved, seconded by Supervisor Gauger to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Mary Muench to the Planning and Park Commission for a seven-year term expiring in July 2023. Supervisor Wagner moved, seconded by Supervisor Waack to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner reported the next meeting will be July 26.

Board of Health: Supervisor Metzger gave a brief report. The next meeting will be on August 11.

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report. The next meeting will be July 6.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report. The next meeting will be July 6.

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Gerroll moved, seconded by Supervisor Hoffman to adopt Resolution 1 (2016/2017-19) Supporting Sustainable State Funding for Wisconsin Transportation System. Upon vote, the motion was carried unanimously.

**RESOLUTION SUPPORTING SUSTAINABLE STATE FUNDING FOR
WISCONSIN'S TRANSPORTATION SYSTEM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, local governments in Wisconsin are responsible for about 90% of the road
2 miles in the state; and
3

4 WHEREAS, Wisconsin's diverse economy is dependent upon county and town roads as
5 well as city and village streets and transit systems across the state; and
6

7 WHEREAS, according to "Filling Potholes: A New Look at Funding Local
8 Transportation in Wisconsin," commissioned by the Local Government Institute of Wisconsin
9 (LGI) the condition of Wisconsin's highways is now in the bottom third of the country; and
10

11 WHEREAS, state funding for local roads in Wisconsin has failed to keep up with costs
12 over the past several decades, which has adversely affected local transportation finances; and
13

14 WHEREAS, according to "Filling Potholes: A New Look at Funding Local
15 Transportation in Wisconsin," municipal transportation spending has declined from \$275 per
16 capita in 2000 to \$227 in 2012; and
17

18 WHEREAS, levy limits do not allow local government to make up for the deterioration
19 of state funding; and
20

21 WHEREAS, the State's over-reliance on borrowing eats away at the State's segregated
22 funding sources – the state gas tax and vehicle registration fees – which increasingly pay debt
23 service rather than fund transportation needs; and
24

25 WHEREAS, safety is a primary concern and responsibility of local governments across
26 Wisconsin; and
27

28 WHEREAS, according to TRIP, a national non-profit transportation research group,
29 Wisconsin had 347 non-interstate, rural road fatalities in 2013; and
30

31 WHEREAS, Mass Transit Operating Aids and County Elderly and Disabled
32 Transportation assistance programs are funded through the gas tax and vehicle registration user
33 fee system; and
34

35 WHEREAS, Mass Transit Operating Aids and County Elderly and Disabled
36 Transportation assistance programs are critical to ensuring that transportation services are
37 delivered to vulnerable citizens; and

38 WHEREAS, proper funding for the Mass Transit Operating Aids and County Elderly and
39 Disabled Transportation assistance programs helps ensure that all citizens have an opportunity to
40 access the workplace as well as the marketplace; and

41
42 WHEREAS, the Manitowoc County Board of Supervisors recognizes that our state
43 highway and interstate system is the backbone of our surface transportation system and plays a
44 vital role in the economy of Wisconsin; and

45
46 WHEREAS, both local and state roads need to be properly maintained in order for our
47 economy to grow; and

48
49 WHEREAS, from a competitive standpoint Wisconsin motorists pay significantly less
50 than any of our neighbors when you combine the annual cost of the state gas tax and vehicle
51 registration fees; and

52
53 WHEREAS, the Transportation Finance and Policy Commission, appointed by the
54 Governor and Legislature found that if Wisconsin does not adjust its user fees, the condition of
55 both our state and local roads will deteriorate significantly over the next decade;

56
57 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
58 Supervisors urges the Governor and Legislature to “Just Fix It” and agree upon a sustainable
59 solution to the State’s transportation needs: one that includes a responsible level of bonding and
60 adjusts user fees to adequately and sustainably fund Wisconsin’s transportation system; and

61
62 BE IT FURTHER RESOLVED, the Manitowoc County Board of Supervisors directs the
63 Manitowoc County Clerk to send a copy of this resolution to our State Legislators and to
64 Governor Scott Walker.

Dated this 21st day of June 2016.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Gerroll gave a brief report and answered Supervisor’s questions.

Human Services Board: Supervisor Cavanaugh gave a brief report and answered Supervisor’s questions. The next meeting will be June 23.

Lakeland Care District: Supervisor Brey gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Cavanaugh to adopt Resolution 2 (2016/2017-20) Opposing the UW-Extension Reorganization Plan. Upon vote, the motion carried 17 ayes, 1 no, and 1 abstained. Supervisor Falkowski voted no and Supervisor Nasep abstained; all other supervisors voted aye.

No. 2016/2017 - 20

**RESOLUTION OPPOSING THE UW-EXTENSION
REORGANIZATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the process used to develop the UW-Cooperative Extension Reorganization
2 Plan (“Plan”) was flawed and provided little opportunity for meaningful consideration of
3 Manitowoc County concerns; and
4

5 WHEREAS, the partnership between the UW-System and Wisconsin counties implies
6 working together to find solutions; and
7

8 WHEREAS, the decision of the Chancellor of UW Colleges and UW-Extension to
9 unilaterally impose the Plan jeopardizes the partnership between the UW-System and Wisconsin
10 counties; and,
11

12 WHEREAS, the current Cooperative Extension system has a proven track record of
13 success for more than 100 years as a single county based model for governance with a locally set
14 levy contribution and the individual educational programming priorities determined by the
15 county under the policy guidance of the County Extension Committee as designed by the duly
16 elected County Board; and,
17

18 WHEREAS, the reduction target allocated by the Plan to Cooperative Extension of \$1.2
19 million annually, is about 5.8% of the total \$20.46 million county levy support for Cooperative
20 Extension by the 72 counties; and
21

22 WHEREAS, the reduction target allocated by the Plan does not justify the complete
23 dismantling of the current county-based Cooperative Extension system when there are multiple
24 options to address the budget shortfall; and,
25

26 WHEREAS, the Plan imposes a reckless and drastic change, eliminates faculty education
27 positions, and includes an unnecessary layer of Area Director positions who will not provide
28 face-to-face educational programs nor be accountable to local partners and county boards; and
29

30 WHEREAS, Wisconsin counties are unlikely to continue the current level of county tax
31 levy support in future years if direct educational services are significantly decreased, thereby
32 making the proposed Plan financially unsustainable;

33
34 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
35 Supervisors hereby opposes the UW-Cooperative Extension Reorganization Plan approved by
36 Chancellor Sandeen on February 10, 2016; and

37
38 BE IT FURTHER RESOLVED, that Manitowoc County is not willing to continue
39 providing local tax levy funding at the current level if direct educational faculty services are
40 decreased as described in the Plan while eliminating accountability to the Manitowoc County
41 Natural Resources and Education Committee and the Manitowoc County Board of Supervisors;
42 and

43
44 BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all 72
45 Wisconsin County Boards, County Extension Committee Chairs, and County Cooperative
46 Extension department heads, as well as the Wisconsin Counties Association, all Wisconsin
47 County Executives and Administrators, Governor Scott Walker, University of Wisconsin System
48 President Ray Cross, the Board of Regents, Senators Frank Lasee and Devin LeMahieu, and
49 Representatives Joel Kitchens, Andre Jacque, Tyler Vorpapel and Paul Tittl.

Dated this 21st day of June 2016.

Respectfully submitted by the Natural Resources and Education Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner reported the next LCC meeting will be on July 21 and the NREC meeting will be on August 11.

Personnel Committee: Supervisor Behnke moved, seconded by Supervisor Baumann to adopt Resolution 3 (2016/2017-21) Amending Employee Policy Manual Section 26 (Travel Policy). Upon vote, the motion was carried unanimously.

No. 2016/2017 - 21

**RESOLUTION AMENDING EMPLOYEE POLICY MANUAL
SECTION 26 (TRAVEL POLICY)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Section 26 of the Employee Policy Manual generally provides Manitowoc
5 County's policy regarding employee travel; and

6
7 WHEREAS, Section 26.01 (Purpose of Policy) of the Employee Policy Manual describes
8 the purpose of Manitowoc County's policy regarding employee travel; and

9
10 WHEREAS, Section 26.13 (Meals) of the Employee Policy Manual provides Manitowoc
11 County's policy for reimbursing employees for certain meals; and

12
13 WHEREAS, Section 26.19 (Out of State Travel) of the Employee Policy Manual
14 provides Manitowoc County's policy regarding out of state travel for employees; and

15
16 WHEREAS, updates must be made to the Employee Policy Manual from time-to-time to
17 keep the policies current, reflect current practice, and address new issues and circumstances; and

18
19 WHEREAS, the proposed revision to § 26.01 changes the time period for employees to
20 submit expenses for reimbursement from 90 days to 60 days to meet the IRS definition of an
21 accountable plan; and

22
23 WHEREAS, the proposed revision to § 26.13 updates the policy by deleting outdated
24 examples; and

25
26 WHEREAS, the current requirement of § 26.19 that requires County Board approval for
27 certain out of state travel has given rise to security concerns for employees and their families;
28 and

29
30 WHEREAS, the proposed revision to § 26.19 will allow the County Executive and
31 County Board Chairperson to approve out of state travel, thus providing the necessary oversight
32 while removing the security concerns;

33
34 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
35 Supervisors amends the Manitowoc County Employee Policy Manual § 26.01 (Purpose of
36 Policy) to read as follows:

37
38 Purpose of Policy:

39
40 Manitowoc County recognizes that travel is a necessary part of performing the County's
41 business. This policy sets forth rules and guidelines for travel as well as rules and
42 guidelines for both reimbursements of expenses incurred and authorized use of a County
43 credit card. All travel and expenses paid, charged to Manitowoc County, or reimbursed
44 to employees must be done in compliance with these regulations, regardless of the
45 funding source. No request for reimbursement by an employee or elected official may be

46 paid unless the request is submitted to the Comptroller/Auditor's Office within ~~90~~ 60
47 days of the date it was incurred; and

48
49 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors
50 amends § 26.13 (Meals) of the Manitowoc County Employee Policy Manual to read as follows:

51
52 Meals

53
54 Whether or not a meal is eligible for reimbursement is determined by this Travel Policy.
55 ~~The Internal Revenue Service regulations determine which meals are taxable.~~

56
57 In order for meals consumed outside of the county to be reimbursable, one of the
58 following criteria must be met:

- 59
- 60 • ~~The meal must be~~ Meals consumed in conjunction with a business meeting that
61 includesing a third party or non-county employee ~~in~~ during which county business
62 is conducted; or
 - 63 • Meals consumed while at conferences/conventions/seminars that are not included
64 in the registration fee; or
 - 65 • Meals consumed while transporting county inmates or evidence; or
 - 66 • Meals consumed while traveling to and from authorized
67 training/conventions/conferences, or similar events; or
 - 68 • Meals consumed while traveling to and from authorized business meetings.
- 69

70 In order for meals consumed within the County to be reimbursable, there must be a
71 business meeting that includesing a third-party or non-county employee ~~in~~ during which
72 county business is conducted. A third party or non-county employee would generally
73 include, but is not limited to, the following: outside experts (consultants, lawyers,
74 auditors, and the like), visiting dignitaries (state and local officials or members of
75 commissions, committees or boards) and interviewees.

76
77 ~~Under IRS guidelines, meal reimbursements for business meetings that include a third~~
78 ~~party or non-county employee as defined above, are not taxable to the individual if the~~
79 ~~request for reimbursement is submitted within 60 days of the date the expense is incurred.~~

80
81 ~~If the meal was not consumed in conjunction with a business meeting that included a~~
82 ~~third party or non-county employee as defined above and the meal was not consumed in~~
83 ~~conjunction with overnight travel, the meal is considered a fringe benefit and is taxable to~~
84 ~~the employee.~~

85
86 Claims for meals shall represent actual, reasonable, and necessary expenses. The
87 maximum daily amount permitted, including tax and tip, for all meal reimbursements
88 within the State of Wisconsin, is based upon the prevailing daily standard meal allowance
89 established by the IRS. The meal reimbursement for meals outside of the State of
90 Wisconsin will be based upon the IRS allowable rate for that particular region. The

91 amount allocated to each meal shall be based upon a percentage of the IRS standard daily
92 allowance rounded to the nearest dollar as follows:

93				
94	Breakfast	=	20%	
95	Lunch	=	30%	
96	Dinner	=	<u>50%</u>	
97			100%	
98				

99 ~~For example, the IRS daily standard meal allowance for meals reimbursed within the~~
100 ~~State of Wisconsin in 2011 is \$46.00. Therefore, maximum amounts for each meal are~~
101 ~~calculated as follows:~~

102				
103	Breakfast	=	20%	= \$ 9.00
104	Lunch	=	30%	= \$14.00
105	Dinner	=	50%	= \$23.00
106	Total	=	100%	= \$46.00
107				

108 When an employee claims reimbursement for two meals in a day and exceeds the
109 maximum on one meal, the claim may be divided between the allowable meals as
110 desired, as long as the total allowable for those particular meals is not exceeded. To
111 receive the full daily per diem rate the employee must request reimbursement for three
112 meals in a day. Each day is considered separately for application of this policy. If meal
113 maximums are not reached on one day, the savings do not accrue and cannot be applied
114 to expenses claimed on another day or for other costs such as lodging.

115
116 Expenditures for alcoholic beverages are not reimbursable. Meals included in the cost of
117 airfare or registration fees are not reimbursable, except to the extent that they are
118 included in the cost of airfare or registration fee; and

119
120 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors repeals
121 § 26.19 (Out of State Travel) of the Manitowoc County Employee Policy Manual in its entirety
122 and recreates § 26.19 to read as follows:

123
124 Out of State Travel

- 125
126 (1) All requests for out of state travel must be submitted to the County Executive for
127 his or her approval. If approved by the County Executive, the County Executive
128 will forward the request to the County Board Chairperson for his or her approval.
129
130 (2) Out of state travel requests denied by the County Board Chairperson may be
131 appealed to the Personnel Committee of County Board of Supervisors.
132
133 (3) The County Board Chair will provide a quarterly summary of out of state travel to
134 the County Board. This summary will not include personally identifiable
135 information or specific dates of travel.

Dated this 21st day of June 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke gave a brief report.

Planning and Park Commission: Supervisor Waack reported the next meeting will be July 27.

Public Safety Committee: Supervisor Nickels gave a brief report. The next meeting will be on July 13

Public Works Committee: Supervisor Weiss gave a brief report. The next meeting will be on July 14.

Transportation Coordinating Committee: Supervisor Weiss gave a brief report.

Announcements: A Committee of the Whole meeting is scheduled for June 27 at 5:30pm at the Heritage Center.

Supervisor Gauger moved to adjourn, seconded by Supervisor Hoffman, and the motion was adopted by acclamation. The meeting adjourned at 7:53 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, July 19, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 19th day of July 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Behnke gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present: Baumann, Behnke, Brey, Cavanaugh, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, and Williams. Supervisors Dyzak and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Holschbach the June 21, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Hoffman to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented a Proclamation Commending Clean Sweep Program Volunteers and Staff to Public Works Director Gerry Neuser. Director Jerry Neuser thanked the Board on behalf of the Clean Sweep volunteers.

Public Works Director Gerry Neuser, Comptroller Todd Reckelberg, and Expo Facility Manager Jennell Krizek presented an Expo Overview and 2015 results of operation. Gerry Neuser explained Expo operations is accounted for in a Special Revenue Fund comprised of four activity areas, and no tax levy dollars are used for the Expo. He also talked about the construction schedule of the new agricultural multi-purpose building that will be completed for the county fair. Jennell Krizek highlighted events that take place at the Expo and the economic impact on area hotels, restaurants, and businesses.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:22 p.m.

George and Angel Mueller, Town of Mishicot, addressed the Board regarding a goal to have epinephrine available to the public without a prescription. Their son Dillon was stung by a bee and died of a fatal allergic reaction. Angel Mueller explained that 2015 Wisconsin Act 35 allows an authorized entity to designate an employee or agent who has completed the required training

to be responsible for the storage, maintenance, control, and oversight of epinephrine auto-injectors. The first training session certified 17 individuals to recognize severe allergic reactions, administer epinephrine, and follow-up with emergency procedures after epinephrine is administered. Qualified instructors are needed to continue training sessions. They answered supervisors' questions.

William Street, Town of Schleswig, asked the Board to enact the rezone request on his property.

Mark Kornely, Town of Two Rivers, requested the Board to approve his rezone request.

Jeff Brandenburg, Realtor for the Wojta's property, spoke in favor of the proposed zone change.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:34 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Connie Gulash to the ADRC Board for a two year term expiring July 2018. Supervisor Waack moved, seconded by Supervisor Vogel to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Tim Nicholls to the Commission of Aging to complete a vacancy expiring in December of 2017. Supervisor Weiss moved, seconded by Supervisor Swade to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Theresa Becker to the Joint Dispatch Board for a two year term expiring August 2018. Supervisor Henrickson moved, seconded by Supervisor Hoffman to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner reported the next meeting will be July 26.

Board of Health: Supervisor Metzger reported the next meeting will be on August 11.

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report. The next meeting will be September 7.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report. The next meeting will be August 3.

Highway Committee: Supervisor Gerroll gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report. The next meeting will be August 29.

Lakeland Care District: Supervisor Brey gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Holschbach to adopt Resolution 1 (2016/2017-22) Accepting Department of Natural Resources Grant. Upon vote, the motion carried unanimously.

No. 2016/2017 - 22

**RESOLUTION ACCEPTING DEPARTMENT OF NATURAL
RESOURCES GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, contamination of surface water by feed storage leachate runoff is a public
2 health and safety concern; and

3
4 WHEREAS, the Wisconsin Department of Natural Resources is willing to provide
5 Manitowoc County a grant of \$30,000 to provide financial assistance to a landowner to install
6 best management practices that help eliminate contamination of surface water from feed storage
7 leachate runoff;

8
9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
10 Supervisors authorizes the Soil and Water Conservation Department Director to accept a grant
11 from the Wisconsin Department of Natural Resources in an amount not to exceed \$30,000; and

12
13 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors
14 designates the Soil and Water Conservation Department Director as Manitowoc County's
15 authorized representative for the grant; and

16
17 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in
18 the 2016 budget are amended by the amount of the grant funds received and that the
19 Comptroller/Auditor is directed to record such information in the official books of the County for
20 the year ending December 31, 2016 as may be required.

Dated this 19th day of July 2016.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts of up to \$30,000.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner reported the next LCC meeting will be on July 21 and the NREC meeting will be on August 11.

Personnel Committee: Supervisor Behnke gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Maresh to adopt Resolution 2 (2016/2017-23) Approving Settlement of 2011-2015 Collective Bargaining Agreement with Sheriff's Department Employees Represented by Wisconsin Professional Police Association. Upon discussion and vote, the motion was carried unanimously.

No. 2016/2017 - 23

**RESOLUTION APPROVING SETTLEMENT OF 2011 - 2015
COLLECTIVE BARGAINING AGREEMENT WITH SHERIFF'S
DEPARTMENT EMPLOYEES REPRESENTED BY WISCONSIN
PROFESSIONAL POLICE ASSOCIATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Sheriff's
2 Department employees represented by the Wisconsin Professional Police Association for a
3 2011 – 2015 collective bargaining agreement; and
4

5 WHEREAS, this voluntary settlement avoids the uncertainty, delay and expense of
6 interest arbitration and includes the following terms:
7

8 1. The Sheriff's Department employees represented by the Wisconsin
9 Professional Police Association have agreed to accept the County's calculation of the amount
10 owed for health savings account contributions for 2012 and 2013, and accordingly the parties
11 will jointly notify the Court of Appeals that a voluntary settlement has been reached;
12

13 2. Wage increase of 2.0% effective July 1, 2011;
14

15 3. Wage increase of 2.0% effective January 1, 2012;
16

17 4. Wage increase of 2.0% effective January 1, 2013;
18

19 5. Wage increase of 1.75% effective January 1, 2014;
20

21 6. Wage increase of 1.75% effective January 1, 2015;
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
24 Supervisors hereby approves the 2011 – 2015 collective bargaining agreement negotiated

25 between the Personnel Committee and the Sheriff's Department employees represented by the
26 Wisconsin Professional Policy Association; and

27
28 BE IT FURTHER RESOLVED that the collective bargaining agreement as negotiated is
29 ratified, confirmed, and approved with pay schedules and terms set forth; and

30
31 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair,
32 and Personnel Director are authorized to execute the collective bargaining agreement as
33 negotiated.

Dated this 19th day of July 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	2011	2012	2013	2014	2015	Total Cost
Wages	\$16,961.15	\$73,487.90	\$115,896.27	\$146,695.15	\$184,878.17	\$537,918.64
FICA	\$1,297.53	\$5,621.82	\$8,866.06	\$11,222.18	\$14,143.18	\$41,150.77
WRS	\$2,493.29	\$10,949.70	\$19,006.99	\$25,084.87	\$30,135.14	\$87,669.99
Total Cost	\$20,751.97	\$90,059.42	\$143,769.32	\$183,002.20	\$229,156.49	\$666,739.40

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Baumann to adopt Resolution 3 (2016/2017-24) Authorizing Restructuring of Economic Support Division Positions (Increase of .15 Full-Time Equivalent). Upon vote, the motion carried unanimously.

No. 2016/2017 - 24

**RESOLUTION AUTHORIZING RESTRUCTURING OF ECONOMIC
SUPPORT DIVISION POSITIONS
(Increase of .15 Full-Time Equivalent)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Economic Support Division of the Human Services Department is
2 responsible for assisting citizens in accessing child care payment assistance, Food Share,
3 Medicaid, and the Wisconsin Home Energy Assistance Program; and

4
5 WHEREAS, the 2016 budget authorized converting an existing Economic Support
6 Specialist position into an Economic Support Supervisor position; and

7
8 WHEREAS, the conversion of an existing Economic Support Specialist position into an
9 Economic Support Supervisor position has not been implemented due to the high demand for
10 services; and

11
12 WHEREAS, in lieu of converting an existing Economic Support Specialist position into
13 an Economic Support Supervisor position, the Human Services Department believes it would be
14 beneficial to convert the existing .85 full-time equivalent Economic Support Assistant position to
15 a 1.0 full-time equivalent Economic Support Specialist; and

16
17 WHEREAS, converting the existing .85 full-time equivalent Economic Support Assistant
18 position to a 1.0 full-time equivalent Economic Support Specialist position will assist the
19 Economic Support Division in meeting the demand for services; and

20
21 WHEREAS, there is no fiscal impact from converting the .85 full-time equivalent
22 Economic Support Assistant position into a 1.0 full-time equivalent Economic Support Specialist
23 position because the Human Services Department will forego converting an Economic Support
24 Specialist position into an Economic Support Supervisor position;

25
26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
27 Supervisors authorizes an increase of two (2) 1.0 full-time equivalent Economic Support
28 Specialist positions from that which is shown in the 2016 Full Time Equivalent Report (FTE) by
29 Department included in the 2016 Adopted Annual Budget Book for the Economic Support
30 Division of the Human Services Department; and

31
32 BE IT FURTHER RESOLVED that the 2016 Full Time Equivalent Report (FTE) by
33 Department included in the 2016 Adopted Annual Budget Book shall reduce the number of full-
34 time equivalent Economic Support Supervisor positions by one (1); and

35
36 BE IT FURTHER RESOLVED that the existing .85 full-time-equivalent Economic
37 Support Assistant position in the Human Services Department is eliminated; and

38
39 BE IT FURTHER RESOLVED that the 2016 Full Time Equivalent Report (FTE) by
40 Department included in the 2016 Adopted Annual Budget Book is amended accordingly and that
41 the Comptroller/Auditor is directed to record such information in the official books of the
42 County for the year ending December 31, 2016 as may be required; and

43
44 BE IT FURTHER RESOLVED that any position filled as authorized by this Resolution
45 will be filled in accordance with Manitowoc County's personnel policies; and

Dated this 19th day of July 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None. The conversion of an existing Economic Support Specialist to an Economic Support Supervisor has not been implemented and the pay differential included in the 2016 budget will fund the increase of .15 FTE.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Waack moved, seconded by Supervisor Vogel to enact Ordinance 4 (2016/2017-25) Amending Zoning Map (Daniel Messman). Upon vote, the motion carried unanimously.

No. 2016/2017 - 25

ORDINANCE AMENDING ZONING MAP
(Daniel Messman)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 27, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SE1/4, NW1/4 Section 24, T21N, R23E, Town of
12 Gibson, commencing at the Center of said Section 24; thence northerly
13 approximately 33 feet to the north r/w of Hillview Road which is the point of real
14 beginning; thence continue northerly approximately 835 feet; thence westerly
15 approximately 255 feet; thence southwesterly approximately 454.67 feet; thence
16 southerly approximately 439.22 feet; thence easterly along the north r/w of
17 Hillview Road approximately 491.03 feet to the point of real beginning, said
18 parcel containing approximately 8.19 acres of land and is hereby rezoned from
19 Large Estate (LE) to Rural Residential (RR).

Dated this 19th day of July 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Hoffman to enact Ordinance 5 (2016/2017-26) Amending Zoning Map (Daniel and Geraldine Wojta). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Daniel and Geraldine Wojta)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 27, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 10, T21N, R24E,
12 Town of Two Creeks, and will be divided into two parcels as described below:
13

14 the Eastern portion of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, T21N, R24E,
15 Town of Two Creeks, Manitowoc County, Wisconsin described as follows:
16 commencing at the E $\frac{1}{4}$ corner of said Section 10; thence S89°00'46"W along the
17 $\frac{1}{4}$ section line a distance of 200.00 feet to the SW corner of warranty deed
18 recorded in volume 308, page 289, the point of real beginning; thence continue
19 S89°00'46"W along said $\frac{1}{4}$ line a distance of 300 feet more or less; thence
20 northerly a distance of 661.9 feet more or less to the north line of said S $\frac{1}{2}$ of the
21 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence N88°54'32"E along said north line a distance of 500 feet
22 more or less to the East line of Section 10; thence S0°14'13"W along said East
23 line a distance of 462.79 feet to the NE corner of said warranty deed recorded in
24 volume 308, page 289; thence S44°37'39"W along the Northwesterly line of said
25 deed a distance of 285.85 feet to the point of real beginning, said lot 1 containing
26 7.14 acres more or less and is hereby rezoned from Exclusive Agriculture (EA) to
27 Large Estate (LE); and
28

29 the Western portion of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, T21N,
30 R24E, Town of Two Creeks, Manitowoc County, Wisconsin described as follows.
31 commencing at the E $\frac{1}{4}$ corner of said Section 10; thence S89°00'46"W along the
32 $\frac{1}{4}$ section line a distance of 500 feet more or less to the point of real beginning;
33 thence continue S89°00'46"W along said $\frac{1}{4}$ line a distance of 842.54 feet more or
34 less to the West line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence N0°11'03"E along said
35 West line a distance of 660.34 feet to the North line of said S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the
36 NE $\frac{1}{4}$; thence N88°54'32"E along said North line a distance of 843.21 feet more
37 or less; thence southerly a distance of 661.9 feet more or less to the point of real
38 beginning, said lot 2 containing 12.79 acres more or less and is hereby rezoned
39 from Exclusive Agriculture (EA) to General Agriculture (GA).

Dated this 19th day of July 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Cavanaugh to enact Ordinance 6 (2016/2017-27) Amending Zoning Map (Mark Kornely). Upon vote, the motion carried unanimously.

No. 2016/2017 - 27

ORDINANCE AMENDING ZONING MAP
(Mark Kornely)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 27, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the SE1/4, NW1/4, Section 19, T20N, R25E,
12 Town of Two Rivers, commencing at the West ¼ Corner of said Section 19;
13 thence East along the South Line of said NW1/4 a distance of 1450.60 feet to the
14 SW Corner of said existing Tract 1, the Point of Real Beginning; thence continue
15 East along said South Line a distance of 823.50 feet; thence North at right angles
16 to said South Line a distance of 372.00 feet; thence West a distance of 823.50
17 feet; thence South a distance of 372.00 feet to the Point of Real Beginning, said
18 parcel containing approximately 7.03 acres of land and is hereby rezoned from
19 Large Estate (LE) to Rural Residential (RR).

Dated this 19th day of July 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Baumann to enact Ordinance 7 (2016/2017-28) Amending Zoning Map (Pfister Land, LLC). Upon vote, the motion carried unanimously.

No. 2016/2017 - 28

ORDINANCE AMENDING ZONING MAP
(Pfister Land LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 27, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in a part of the SW1/4, NW1/4, Section 7, T17N, R21E,
12 Town of Schleswig, containing 3.45 acres of land and being described by
13 Commencing at the W¼ corner of said section 7; thence N00⁰-04'-00"E along the
14 West Line of the NW1/4 of said section 7 a distance of 287.14 feet to the Point of
15 Beginning; thence continuing N00⁰-04'-00"E along the West Line 372.02 feet;
16 thence S88⁰-03'-49"E 304.87 feet; thence S00⁰-04'-00"W 143.66 feet; thence
17 S61⁰-44'-16"E 213.27 feet; thence S14⁰-27'-42"E 140.37 feet; thence N88⁰-03'-
18 49"W 528.16 feet to the Point of Beginning, said parcel containing approximately
19 3.45 acres of land and is hereby rezoned from Natural Area (NA) to Commercial
20 Business (CB).

Dated this 19th day of July 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Baumann to enact Ordinance 8 (2016/2017-29) Amending Zoning Map (William and Debra Street). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING ZONING MAP
(William Street)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 27, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the W1/2, SW1/4, SE1/4, Section 26, T17N,
12 R21E, Town of Schleswig, said parcel containing approximately 20.0 acres of
13 land and is hereby rezoned from Natural Area (NA) to General Agriculture (GA).

Dated this 19th day of July 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Weiss gave a brief report. The next meeting will be on August 10.

Miscellaneous: Supervisor Weiss moved, seconded by Supervisor Falkowski to adopt Resolution 9 (2016/2017-30) Supporting Relocating County Board Room to the Heritage Center. Upon discussion and vote, the motion carried with 22 ayes and 1 no. Supervisor Metzger voted no; all other supervisors voted aye.

**RESOLUTION SUPPORTING RELOCATING COUNTY BOARD ROOM
TO THE HERITAGE CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns the property located at 1701 Michigan Avenue,
2 Manitowoc, Wisconsin, commonly known as the “Heritage Center”; and

3
4 WHEREAS, prior to 2016, the Heritage Center was occupied by the Manitowoc County
5 Historical Society; and

6
7 WHEREAS, as of 2016, the Manitowoc County Historical Society has vacated the
8 Heritage Center; and

9
10 WHEREAS, Manitowoc County is in the process of potentially relocating the certain
11 County offices to the Heritage Center, including the Aging and Disability Resource Center of the
12 Lakeshore (ADRC) and the Manitowoc County Veteran Services Office; and

13
14 WHEREAS, in addition to providing a potential location for the ADRC and Veteran
15 Services Office, the Heritage Center has space available that would be suitable for relocating the
16 County Board room from its current location at the University of Wisconsin Manitowoc campus;
17 and

18
19 WHEREAS, relocating the County Board room from its current location at the University
20 of Wisconsin Manitowoc campus would provide the University with additional space to fulfill its
21 academic mission to the residents of Manitowoc County; and

22
23 WHEREAS, relocating the ADRC, Veteran Services Office, and County Board room to
24 the Heritage Center would allow Manitowoc County to continue to conduct its business in a
25 location that is open and accessible to the public;

26
27 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of
28 Supervisors supports the concept of relocating the ADRC, Veteran Services Office, and County
29 Board room to the Heritage Center; and

30
31 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors
32 encourages the Manitowoc County Public Works Director to develop plans and specifications for
33 moving the ADRC, Veteran Services Office, and County Board room to the Heritage Center,
34 which may then be considered as part of a future County budget.

Dated this 19th day of July 2016.

Respectfully submitted by Jim Brey, Chairperson.

FISCAL IMPACT: None

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on issues relevant to the County Board. Therefore, it is my practice to neither approve nor veto a policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Supervisor Vogel moved, seconded by Supervisor Holschbach to adopt Resolution 10 (2016/2017-31) Approving Town of Newton Zoning Ordinance (Tom and Anne Hochkammer). Upon vote, the motion carried unanimously.

No. 2016/2017 - 31

**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE**

Tom and Anne Hochkammer

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton adopted a zoning ordinance pursuant to the authority
2 granted to towns under Wis. Stat. § 60.62; and
3

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

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

11 WHEREAS, the Town of Newton amended its zoning ordinance on July 13, 2016 by
12 rezoning that certain property owned by Tom and Anne Hochkammer from A-3 Farmland
13 Preservation to A-1 Agricultural/Rural Residential District in accordance with Wis. Stat. § 60.62;
14 and
15

16 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
17 Manitowoc County Board of Supervisors for approval and a copy of the amended zoning
18 ordinance has been provided to each member of the county board for review;
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
21 Supervisors approves the amended zoning ordinance of the Town of Newton that rezones that
22 certain property owned by Tom and Anne Hochkammer from A-3 Farmland Preservation to A-1
23 Agricultural/Rural Residential District and was adopted by the Town Board of the Town of
24 Newton on July 13, 2016.

Dated this 19th day of July 2016.

Respectfully submitted by Kevin Behnke, Supervisor.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Baumann moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 8:08 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, August 16, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 16th day of August 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Vogt gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gager, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisors Gerroll was excused.

On a motion by Supervisor Behnke, seconded by Supervisor Henrickson the July 19, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Baumann to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Chairperson Brey read a Proclamation Declaring September as Juror Appreciation Month.

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented a Proclamation Recognizing Fall Prevention Awareness Month to Kim Novak, the Business Service Manager for the Aging and Disability Resource Center. Ms. Novak thanked the Board for the recognition. She explained that the ADRC has been participating in the "Stepping Up" class, which helps the elderly retain muscle memory that could prevent future falls.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:08 p.m.

Ed Rappe, City of Manitowoc, addressed the Board regarding the closure of Manitowoc Cranes and the loss of jobs. Mr. Rappe asked the board to consider increasing the tax base and creating jobs by supporting wind energy in the northern part of Manitowoc County.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:15 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Mary Jo Barbeau to the ADRC Board to fill the vacancy for the term expiring December 2016. Supervisor Behnke moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Dean Dvorak, Jeff DeZeeuw, and Michelle Yanda to the Land Information Council for a two-year term expiring September 2018. As well as the appointment of Jamie Aulik for a term which ends when employment with Manitowoc County terminates. Supervisor Baumann moved, seconded by Supervisor Cavanaugh to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner gave a brief report. The next meeting will be September 27.

Board of Health: Supervisor Metzger gave a brief report. The next meeting will be on September 8.

Criminal Justice Coordinating Committee: Supervisor Falkowski reported the next meeting will be September 7.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report. The next meeting will be September 7.

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Behnke gave a brief report. The next meeting will be September 13.

Human Services Board: Supervisor Henrickson reported the next meeting will be August 29.

Land Conservation Committee: Supervisor Holschbach gave a brief report. The next meeting will be September 15.

Natural Resources & Education Committee: Supervisor Wagner gave a brief report. The next meeting will be October 13.

Personnel Committee: Supervisor Behnke reported the next meeting will be September 6.

Planning and Park Commission: Supervisor Waack reported the next meeting will be August 22.

Public Works Committee: Supervisor Weiss gave a brief report.

Miscellaneous-Supervisor Bob Cavanaugh: Supervisor Cavanaugh moved, seconded by Supervisor Holschbach to adopt Resolution 2 (2016/2017-32) Approving Town of Franklin Zoning Ordinance Amendment. Upon vote, the motion carried unanimously.

No. 2016/2017 - 32

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING
ORDINANCE**

(Michael Jannette and Michelle Waas)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin 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
9 amendments thereto, are subject to county board approval in counties that have adopted a zoning
10 ordinance under Wis. Stat. § 59.69; and
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on
13 August 10, 2016 by rezoning that certain property owned by Michael Jannette and Michelle
14 Waas from AG General Agricultural to R-1 Rural Residential in accordance with Wis. Stat. §
15 60.62; and
16

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

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
22 Supervisors approves the Town of Franklin's amended Unified Development Ordinance that
23 rezones that certain property owned by Michael Jannette and Michelle Waas from AG General
24 Agricultural to R-1 Rural Residential and was adopted by the Town Board of the Town of
25 Franklin on August 10, 2016.

Dated this 16th day of August 2016.

Respectfully submitted by Bob Cavanaugh, Supervisor.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Finance Committee and Highway Committee: Supervisor Behnke moved, seconded by Supervisor Hansen to adopt Resolution 3 (2016/2017-33) Appropriating \$115,000 in the Highway Special Revenue Fund for Repairing CTH CR Culvert Pipe. Upon vote, the motion carried unanimously.

No. 2016/2017 - 33

**RESOLUTION APPROPRIATING \$115,000 IN THE HIGHWAY
SPECIAL REVENUE FUND FOR REPAIRING CTH CR CULVERT PIPE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Highway Department conducted an inspection of a
2 60” diameter by 180’ lineal foot culvert pipe running under CTH CR (OLD USH 141) in the
3 Town of Newton; and
4

5 WHEREAS, that inspection revealed that the culvert is unstable and at risk of eminent
6 failure; and
7

8 WHEREAS, the Highway Department conducted a cost-effectiveness comparison to
9 determine the estimated construction costs to repair or replace the failing culvert; and
10

11 WHEREAS, that comparison shows that it is more cost effective to repair the culvert than
12 replace it; and
13

14 WHEREAS, repairing the culvert would be a multi-year project beginning in 2016 and
15 ending in 2017; and
16

17 WHEREAS, the Highway Department is requesting \$115,000.00 be appropriated from
18 the Highway Department Special Revenue Fund Reserves, which is an accumulation of prior
19 year’s excess funds, to repair the culvert beginning in 2016; and
20

21 WHEREAS, the Finance Committee has reviewed the requested \$115,000.00
22 appropriation and recommends that the project be approved;
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
25 Supervisors hereby authorizes and directs the Comptroller to appropriate \$115,000 from the
26 Highway Department Special Revenue Fund Reserves for the year ending December 31, 2016
27 for the purpose of repairing 60” diameter by 180’ lineal foot culvert pipe running under CTH CR
28 in the Town of Newton; and
29

30 BE IT FURTHER RESOLVED that any remaining project funds from 2016 be carried
31 over and reappropriated in the December 31, 2017 books of the County for completion of the
32 project.

Dated this 16th day of August 2016.

Respectfully submitted by the Highway Committee and Finance Committee.

FISCAL IMPACT: Increases budgeted expenditures by \$115,000.00 and reduces reserves in the Highway Department Special Revenue Fund Reserves by an equal amount (\$115,000.00).

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogel moved to adjourn, seconded by Supervisor Swade, and the motion was adopted by acclamation. The meeting adjourned at 7:40 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, September 20, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 20th day of September 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Wagner gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisors Gerroll was excused.

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the August 16, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Vogt to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented a Proclamation Honoring 4-H Week to Kevin Palmer, 4-H and Youth Development Educator. Mr. Palmer thanked the Board and invited everyone to the Open House on Saturday, October 1, 2016 from 6:30 p.m. to 8:00 p.m. Three individuals from the Tannery Star club presented crafts they won blue ribbons for at the Manitowoc County Fair. Each individual mentioned some workshops/crafts they enjoyed this year while in 4-H, such as wood working, cross-stitching, cooking and being able to interact with other people instead of playing on electronics to occupy their time.

County Executive Bob Ziegelbauer and Chairperson Jim Brey a Proclamation Declaring the Month of October Crime Prevention Month to Rob Herrmann, Manitowoc County Sheriff. Sheriff Herrmann explained that crime prevention is a partnership with the community. On behalf of law enforcement personnel, he thanked the Board for the recognition.

Chairperson Brey gave a brief presentation of the proposed 2017 County Board budget.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:18 p.m.

Kyle Bryntesen, spokesperson for the Salvation Army, requested the Board to support the Resolution Authorizing Participation in United Way Campaign by amending it to include the Salvation Army. He encouraged the concept for payroll deduction to be continued for United Way along with the option for employees to donate to the Salvation Army.

Joe Resch, Town of Kossuth, requested the Board support his property rezone request to Exclusive Agriculture.

Maura Yost, Town of Centerville, addressed the Board regarding the appointment of a single Human Services Director. For the past 4 years, she has been advocating for one Human Services Director. Now is the time to add this position into the 2017 budget. Ms. Yost asked the Board to take the necessary actions as directed by County Code to appoint a single Human Services Director.

Matt Goff, spokesperson for the United Way, requested the Board to support the resolution allowing payroll deduction for the employees of Manitowoc County. Payroll deduction is a major fundraiser for their campaign.

Tony Dick, spokesperson for the United Way, requested the Board to support the resolution as well. He has witnessed the good United Way has done in the community.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:30 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center of the Lakeshore Board: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger gave a brief report.

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Holschbach to adopt Resolution 1 Authorizing Participation in United Way Campaign. Discussion followed.

Supervisor Behnke moved, seconded by Supervisor Gauger to postpone until October 11, 2016 the Resolution Authorizing Participation in United Way Campaign. Upon discussion and vote, the motion failed with 9 ayes to 15 noes. Supervisors Vogel, Wagner, Weiss, Baumann, Metzger, Holschbach, Cavanaugh, Vogt, Hansen, Dyzak, Muench, Maresh, Swade, Nickels, and Brey voted no; all other supervisors voted aye.

Upon discussion and vote on Resolution 1 (2016/2017-34) Authorizing Participation in United Way Campaign the motion carried with 19 ayes and 5 noes. Supervisors Nasep, Zimmer, Williams, Gauger, and Henrickson voted no; all other supervisors voted aye.

No. 2016/2017 - 34

RESOLUTION AUTHORIZING PARTICIPATION IN UNITED WAY CAMPAIGN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County is committed to improving the quality of life for all of
2 its citizens and recognizes that private, not-for-profit organizations make a significant
3 contribution to the quality of life in Manitowoc County; and
4

5 WHEREAS, United Way Manitowoc County, Inc. conducts an annual campaign that
6 gives employees an opportunity to support charitable causes through a payroll giver's plan and to
7 support more than two dozen different organizations in Manitowoc County that insure basic
8 needs are met, increase self-sufficiency, nurture children and youth, promote health and healing,
9 and strengthen families; and
10

11 WHEREAS, Manitowoc County has historically participated in the United Way
12 campaign for many years; and
13

14 WHEREAS, Manitowoc County has determined that a single, combined campaign such
15 as the United Way is the most efficient and effective way to provide its employees with an
16 opportunity to contribute to charitable organizations;
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
19 Supervisors authorizes United Way Manitowoc County, Inc. to offer Manitowoc County
20 employees, officers, and officials an opportunity to enroll in a payroll giver's plan from now
21 through December 31, 2016, with payroll deductions to be made during the 2017 calendar year;
22 and
23

24 BE IT FURTHER RESOLVED that as a charity authorized to offer Manitowoc County
25 employees, officers, and officials an opportunity to enroll in a payroll giver's plan, United Way
26 Manitowoc County, Inc. shall comply with Manitowoc County's discrimination policy, where
27 applicable; and
28

29 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors
30 authorizes and encourages the voluntary participation of its employees, officers, and officials in
31 the United Way campaign.

Dated this 20th day of September 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Lakeland Care District: Chairperson Brey gave a brief report and answered supervisors' questions.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner gave a brief report.

Personnel Committee: Supervisor Behnke gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Baumann to adopt Resolution 2 (2016/2017-35) Amending Employee Policy Manual § 13.02(1), Adding §§ 13.02(6), (7) and (8), and Repealing Section 27. Upon vote the motion carried unanimously.

No. 2016/2017 - 35

**RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 13.02(1),
ADDING §§ 13.02(6), (7) AND (8), AND REPEALING SECTION 27**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Section 13.02 (Health Care Coverage) of the Employee Policy Manual
5 provides Manitowoc County's policy regarding certain health care coverage matters; and
6

7 WHEREAS, Section 27 (NOTICE OF PRIVACY PRACTICES) of the Employee Policy
8 Manual provides Manitowoc County's policy regarding its notice of privacy practices as to
9 certain medical information about employees; and
10

11 WHEREAS, updates must be made to the Employee Policy Manual from time-to-time to
12 keep policies current, reflect current practice, and address new issues and circumstances; and
13

14 WHEREAS, the proposed revision to § 13.02(1) updates and reflects Manitowoc
15 County's current practice of offering group health care coverage to certain employees and
16 elected officials without limiting the County's ability to provide such coverage; and
17

18 WHEREAS, the proposed addition of § 13.02(6) is intended to expressly provide
19 employees with the proper reference to the location of Manitowoc County's Privacy Practices;
20 and

21
22 WHEREAS, the proposed addition of § 13.02(7) is intended to provide the identity of
23 Manitowoc County's Privacy Officer; and

24
25 WHEREAS, the proposed addition of § 13.02(8) is intended to expressly provide
26 employees with the proper reference to the location of Manitowoc County's Complaint
27 Procedure; and

28
29 WHEREAS, repealing Section 27 (NOTICE OF PRIVACY PRACTICES) in its entirety
30 eliminates the confusion and potential conflict of maintaining a description of Privacy Practices
31 in two separate documents;

32
33 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
34 Supervisors hereby amends the Manitowoc County Employee Policy Manual §13.02(1) to read
35 as follows:

- 36
37 (1) Manitowoc County shall offer group health care coverage to its regular employees
38 and elected officials. ~~Coverage may be provided by insured plans offered by the~~
39 ~~County. Any health care plan offered by the County on a self-insured basis shall~~
40 ~~be administered in accordance with the requirements of s. INS 8.11, Wisconsin~~
41 ~~Administrative Code.~~

42
43 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
44 creates §§ 13.02(6), (7), and (8) of the Employee Policy Manual to read as follows:

45
46 13.02(6) Privacy Practices

47
48 Manitowoc County's Privacy Practices are included in the Health Plan Summary
49 Plan Description.

50
51 13.02(7) Designation of Privacy Officer

52
53 Manitowoc County's Corporation Counsel shall be designated as Manitowoc
54 County's Privacy Officer.

55
56 13.02(8) Complaint Procedure

57
58 The Complaint Procedure is as provided in the Health Plan Summary Plan
59 Description.

60
61 and

62
63 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
64 repeals Section 27 (Notice of Privacy Practices) of the Employee Policy Manual in its entirety.

Dated this 20th day of September 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Maresh to adopt Resolution 3 (2016/2017-36) Designating Manitowoc County HIPAA Hybrid Entity Status and Appointing a HIPAA Privacy Officer and a Security Office. Upon discussion and vote, the motion carried unanimously.

No. 2016/2017 - 36

**RESOLUTION DESIGNATING MANITOWOC COUNTY HIPAA
HYBRID ENTITY STATUS AND APPOINTING A HIPAA PRIVACY
OFFICER AND A SECURITY OFFICER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Health Information Portability and Accountability Act of 1996
2 (“HIPAA”) sets federal standards for the protection of personal health information collected by
3 entities covered under the act; and
4

5 WHEREAS, Manitowoc County is a covered entity under HIPAA due to the nature of
6 business conducted by certain County departments that collect personal health information
7 during the course of business; and
8

9 WHEREAS, HIPAA regulations define a “hybrid entity” as a single legal entity that is a
10 covered entity whose business activities include both covered and non-covered functions; and
11

12 WHEREAS, Manitowoc County is a single legal entity whose business activities include
13 both covered and non-covered functions; and
14

15 WHEREAS, Manitowoc County desires to be designated as a “hybrid entity” as
16 described in the HIPAA privacy rule at 45 C.F.R. §§ 164.103 and 164.105 because such a
17 designation will allow the County to more effectively and efficiently administer its HIPAA
18 compliance program; and
19

20 WHEREAS, Manitowoc County understands that as a “hybrid entity” most of the
21 provisions of the HIPAA privacy, security, and breach notification rules will apply only to its
22 “covered components,” but that Manitowoc County as a whole will continue to be the covered
23 entity obligated to comply with certain oversight, compliance, and enforcement obligations
24 pursuant to 45 C.F.R. § 164.105; and

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WHEREAS, HIPAA requires Manitowoc County to designate a privacy official who is responsible for the development and implementation of policies and procedures to ensure the privacy of protected health information, as well as a contact person who is responsible for receiving complaints about matters covered by the notice required under 45 C.F.R. § 164.520; and

WHEREAS, HIPAA also requires Manitowoc County to designate a security official who is responsible for the development and implementation of the policies and procedures required by the HIPAA Security Regulations;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby declares Manitowoc County as a “hybrid entity” under 45 C.F.R. §§ 164.103 and 164.105; and

BE IT FURTHER RESOLVED that the following departments are designated as health care components pursuant to 45 C.F.R. 164.504(c)(3) and must comply with all transaction, privacy, and security policies and procedures necessary to fulfill the intent of HIPAA: Health Department, Human Services Department, and the Personnel Department; and

BE IT FURTHER RESOLVED that all other Manitowoc County Departments not otherwise specified or designated as health care components are hereby designated as non-health care components; and

BE IT FURTHER RESOLVED that the Corporation Counsel is designated as the Manitowoc County Privacy Officer who shall be responsible for the development and implementation of policies and procedures to ensure the privacy of protected health information, as well as the contact person who is responsible for receiving complaints about matters covered by the notice required under 45 C.F.R. § 164.520; and

BE IT FURTHER RESOLVED that the Information Systems Department Director is designated as the Manitowoc County Security Officer who shall be responsible for the development and implementation of the policies and procedures required by the HIPAA Security Regulations.

Dated this 20th day of September 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Waack gave a brief report. Supervisor Waack moved, seconded by Supervisor Hoffman to adopt Resolution 4 (2016/2017-37) Adopting Manitowoc County Planning and Park Commission Fee Schedule. Upon discussion and vote, the motion carried unanimously.

No. 2016/2017 - 37

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND
PARK COMMISSION FEE SCHEDULE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 4.13(2) provides that the fees that the Planning
2 and Zoning Department is authorized to charge must be set by County Board resolution and
3 reviewed annually by the Planning and Park Commission; and
4

5 WHEREAS, the Manitowoc County Planning and Park Commission has reviewed the
6 Planning and Zoning Department fee schedule and recommends that it be adjusted; and
7

8 WHEREAS, a copy of the proposed Planning and Zoning Department fee schedule has
9 been provided to the County Board;
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
12 Supervisors approves the proposed Planning and Zoning Department Fee Schedule to be
13 effective January 1, 2017, and directs that a copy of the fee schedule be included as an appendix
14 to Manitowoc County Code Chapter 4 (Finance).

Dated this 20th day of September 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Baumann to enact Ordinance 5 (2016/2017-38) Repealing and Recreating Manitowoc County Code Chapter 9 (Shoreland Zoning). Upon discussion and vote, the motion carried with 19 ayes and 5 noes. Supervisors Metzger, Holschbach, Hansen, Falkowski, and Nickels voted no; all other supervisors voted aye.

No. 2016/2017 – 38

**ORDINANCE REPEALING AND RECREATING CHAPTER 9 (SHORELAND
ZONING) OF THE MANITOWOC COUNTY CODE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, uncontrolled use of shorelands and pollution of the navigable waters of
2 Manitowoc County will adversely affect the public health, safety, convenience, and general
3 welfare and impair the tax base of Manitowoc County; and
4

5 WHEREAS, the State of Wisconsin has delegated responsibility to the individual counties
6 to administer a shoreland zoning program with the intent to: further the maintenance of safe and
7 healthful living conditions; prevent and control water pollution; protect spawning grounds, fish
8 and aquatic life; control building sites, placement of structures, and land uses; and, preserve
9 shore cover and natural beauty; and
10

11 WHEREAS, this responsibility is hereby recognized by Manitowoc County, Wisconsin;
12 and
13

14 WHEREAS, Manitowoc County first adopted a shoreland zoning ordinance in 1967; and
15

16 WHEREAS, Wisconsin Admin. Code ch. NR 115 requires all counties to adopt a
17 shoreland zoning ordinance that meets certain minimum standards by October 1, 2016; and
18

19 WHEREAS, due to recent revisions in state law, Manitowoc County must make significant
20 amendments to its shoreland zoning ordinance; and
21

22 WHEREAS, 2015 Wisconsin Act 55 prohibits counties from regulating certain matters in a
23 shoreland zoning ordinance more restrictively than permitted by the State; and
24

25 WHEREAS, the Wisconsin Department of Natural Resources has promulgated a model
26 shoreland zoning ordinance that counties may follow; and
27

28 WHEREAS, the Manitowoc County Shoreland Zoning Ordinance is adopted pursuant to
29 Wis. Stat. § 59.692 to implement Wis. Stat. §§ 59.692 and 281.31; and
30

31 WHEREAS, the Planning and Park Commission, after providing the required notice, held a
32 hearing on August 22, 2016 to consider the proposed comprehensive revision to the Manitowoc
33 County Shoreland Zoning Ordinance; and
34

35 WHEREAS, the Planning and Park Commission, after careful consideration of the
36 testimony at the hearing and an examination of the facts, recommends that the following
37 comprehensive revision of the Manitowoc County Shoreland Zoning Ordinance be approved;
38

39 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
40 follows:
41

42 Manitowoc County Code Chapter 9, Shoreland Zoning Ordinance is repealed and
43 reenacted to read as follows:

44	
45	Part I. General Provisions
46	
47	9.01 Title
48	9.02 Findings of Fact
49	9.03 Statement of Purpose
50	9.04 Statutory Authorization
51	
52	Part II. Definitions
53	
54	9.05 Definitions
55	
56	Part III. Applicability and Compliance
57	
58	9.06 Areas to be Regulated
59	9.07 Shoreland – Wetland Maps
60	9.08 Compliance
61	9.09 Municipalities and State Agencies Regulated
62	9.10 Abrogation and Greater Restrictions
63	9.11 Interpretation
64	9.12 Severability
65	
66	Part IV. Shoreland – Wetland Zoning District
67	
68	9.13 Designation
69	9.14 Purpose
70	9.15 Permitted Uses
71	9.16 Prohibited Uses
72	9.17 Rezoning of Lands in the Shoreland-Wetland District
73	
74	Part V. Land Division Review and Sanitary Regulations
75	
76	9.18 Land Division Review
77	9.19 Planned Unit Development (PUD)
78	9.20 Sanitary Regulations
79	
80	Part VI. Minimum Lot Size
81	
82	9.21 Purpose
83	9.22 Sewered Lots
84	9.23 Unsewered Lots
85	9.24 Substandard Lots
86	
87	Part VII. Setbacks
88	

89	9.25	Shoreland Setback
90	9.26	Exempt Structures
91	9.27	Existing Exempt Structures
92	9.28	Reduced Principal Structure Setback
93	9.29	Lake Michigan Shoreline Protection Area
94	9.30	Floodplain Structures
95	9.31	Height
96		
97		Part VIII. Vegetation
98		
99	9.32	Purpose
100	9.33	Vegetative Buffer Zone
101		
102		Part IX. Filling, Grading, Lagooning, Dredging, Ditching and Excavating
103		
104	9.34	Purpose
105	9.35	General Standards
106	9.36	Permit Required
107	9.37	Artificial Waterways, Canals, Ditches, and Lagoons
108	9.38	Ponds and Wetland Scrapes Less Than Two (2) Acres in Area
109	9.39	Ponds and Wetland Scrapes Two (2) Acres and Greater in Area
110	9.40	Permit Stipulations
111	9.41	Soil Conservation Practices
112		
113		Part X. Impervious Surface Standards
114		
115	9.42	Purpose
116	9.43	Calculation of Impervious Surface
117	9.44	General Impervious Surfaces Standard
118	9.45	Maximum Impervious Surface
119	9.46	Treated Impervious Surfaces
120	9.47	Existing Impervious Surfaces
121	9.48	Other Ordinance Provisions Not Abrogated
122		
123		Part XI. Nonconforming Uses and Structures
124		
125	9.49	Purpose
126	9.50	Discontinued Nonconforming Use
127	9.51	Maintenance, Repair, Replacement or Vertical Expansion of Nonconforming Structures
128	9.52	Lateral Expansion of Nonconforming Principal Structure within the Setback
129	9.53	Expansion of a Nonconforming Principal Structure beyond Setback
130	9.54	Relocation of Nonconforming Principal Structure
131	9.55	Maintenance, Repair, Replacement or Vertical Expansion of Structures that were
132		Authorized by Variance
133	9.56	Wet Boathouses

134	
135	Part XII. Mitigation Options
136	
137	9.57 Mitigation
138	9.58 Mitigation Plan
139	9.59 Minimum Standard of a Vegetative Buffer
140	9.60 Types of Vegetation Buffer Establishment
141	9.61 Manitowoc County Native Plant List
142	9.62 Shoreland Buffer Restoration Plan Requirements
143	9.63 Implementation Schedule
144	9.64 Certification of Completion
145	9.65 Subsequent Development
146	
147	Part XIII. Administrative Provisions
148	
149	9.66 Department Director
150	9.67 Permits Required
151	9.68 Permit Application
152	9.69 Expiration of Permit
153	9.70 Reasonable Accommodation for Disabled or Handicapped Persons
154	9.71 Conditional Use Permit Application
155	9.72 Standards Applicable to All Conditional Use Permits
156	9.73 Conditions Attached to Conditional Use Permits
157	9.74 Recording
158	9.75 Conditional Use Permit Revocation
159	9.76 Variances
160	9.77 Board of Adjustment
161	9.78 Powers and Duties
162	9.79 Appeals to the Board
163	9.80 Hearing Appeals and Application for Variances and Conditional Use Permits
164	9.81 Amendments and Changes
165	9.82 Violations and Penalties
166	9.83 Effective Date
167	
168	PART I. GENERAL PROVISIONS.
169	
170	9.01 Title.
171	
172	This ordinance may be referred to as the Manitowoc County Shoreland Zoning Ordinance
173	or the Shoreland Zoning Ordinance.
174	
175	9.02 Findings of Fact.
176	
177	Uncontrolled use of shorelands and pollution of the navigable waters of Manitowoc
178	County will adversely affect the public health, safety, convenience, and general welfare

179 and impair the tax base. The legislature of Wisconsin has delegated responsibility to the
180 counties to further the maintenance of safe and healthful conditions; prevent and control
181 water pollution; protect spawning grounds, fish and aquatic life; control building sites,
182 placement of structures and land uses; and to preserve shore cover and natural beauty.
183 This responsibility is hereby recognized by Manitowoc County, Wisconsin.

184
185 9.03 Statement of Purpose.

186
187 For the purpose of promoting the public health, safety, convenience and welfare, and
188 promote and protect the public trust in navigable waters this Shoreland Zoning Ordinance
189 has been established to:

- 190
191 (1) Further the maintenance of safe and healthful conditions and prevent and
192 control water pollution through:
193
194 (a) Limiting structures to those areas where soil and geological
195 conditions will provide a safe foundation.
196
197 (b) Establishing minimum lot sizes to provide adequate area for
198 private on-site waste treatment systems.
199
200 (c) Controlling filling and grading to prevent soil erosion problems.
201
202 (d) Limiting impervious surfaces to control runoff which carries
203 pollutants.
204
205 (2) Protect spawning grounds, fish and aquatic life through:
206
207 (a) Preserving wetlands and other fish and aquatic habitat.
208
209 (b) Regulating pollution sources.
210
211 (c) Controlling shoreline alterations, dredging and lagooning.
212
213 (3) Control building sites, placement of structures and land uses through:
214
215 (a) Prohibiting certain uses detrimental to Shoreland-Wetlands.
216
217 (b) Setting minimum lot sizes and widths.
218
219 (c) Setting minimum building setbacks from waterways.
220
221 (d) Setting the maximum height of near shore structures.
222

- 223 (4) Preserve and restore shoreland vegetation and natural scenic beauty
224 through:
225
226 (a) Restricting the removal of natural shoreland cover.
227
228 (b) Preventing shoreline encroachment by structures.
229
230 (c) Controlling shoreland excavation and other earth moving activities.
231
232 (d) Regulating the use and placement of boathouses and other
233 structures.
234

235 9.04 Statutory Authorization.

236
237 This Shoreland Zoning Ordinance is adopted pursuant to the authorization in Wis. Stat. §
238 59.692 to implement Wis. Stats. §§ 59.692 and 281.31.
239

240 PART II. DEFINITIONS.

241
242 9.05 Definitions.

243
244 For the purpose of administering and enforcing this Shoreland Zoning Ordinance, the
245 terms or words used herein shall be interpreted as follows: Words used in the present
246 tense include the future; words in the singular number include the plural number; and
247 words in the plural number include the singular number. The word “shall” is mandatory,
248 not permissive. All distances unless otherwise specified shall be measured horizontally.
249

250 The following terms used in this Shoreland Zoning Ordinance mean:

- 251
252 (1) “Access and viewing corridor” means a strip of vegetated land that allows safe
253 pedestrian access to the shore through the vegetative buffer zone provided in
254 Section 9.33(2) of this Shoreland Zoning Ordinance.
255
256 (2) “Accessory Structure” means a detached subordinate structure that is clearly
257 incidental to, and customarily found in connection with, the principal structure or
258 use to which it is related, and which is located on the same lot as the principal
259 structure or use.
260
261 (3) “Bluff” means the lakeward edge of land, generally greater than 10 feet high, that
262 is high enough to contain complex, multiple layers of soil and groundwater.
263
264 (4) “Boathouse” means a permanent structure used for the storage of watercraft and
265 associated materials and includes all structures which are totally enclosed, have
266 roofs or walls or any combination of these structural parts.
267

- 268 (5) “Building” means a structure.
269
- 270 (6) “Building envelope” means the three dimensional space within which a structure
271 is built.
272
- 273 (7) “County Board” means the Manitowoc County Board of Supervisors.
274
- 275 (8) “Conditional use” means a use which is permitted by this Shoreland Zoning
276 Ordinance provided that certain conditions specified in the Shoreland Zoning
277 Ordinance are met and that a permit is granted by the Board of Adjustment.
278
- 279 (9) “County zoning agency” means the Manitowoc County Planning and Zoning
280 Department.
281
- 282 (10) “Department” means the Department of Natural Resources.
283
- 284 (11) “Department Director” means the director of the Manitowoc County Planning and
285 Zoning Department or the Department Director’s designee. Any reference in the
286 county code to a code administrator or a zoning administrator is deemed a
287 reference to the Department Director.
288
- 289 (12) “Development” means any artificial change to improved or unimproved real
290 estate, including but not limited to, the construction of buildings, structures or
291 accessory structures; the construction of additions or substantial improvements to
292 buildings, structures or accessory structures; the placement of buildings or
293 structures; mining, dredging, filling, grading, paving, excavation, or drilling
294 operations; and the storage, deposition or extraction of materials.
295
- 296 (13) “Drainage System” means one or more artificial ditches, tile drains or similar
297 devices that collect surface runoff or groundwater and convey it to a point of
298 discharge.
299
- 300 (14) “Existing development pattern” means that principal structures exist within 250
301 feet of a proposed principal structure in both directions along the shoreline.
302
- 303 (15) “Facility” means any property or equipment of a public utility, as defined in Wis.
304 Stat. § 196.01(5), or a cooperative association organized under Wis. Stat. ch. 185
305 for the purpose of producing or furnishing heat, light, or power to its members
306 only, that is used for the transmission, delivery, or furnishing of natural gas, heat,
307 light, or power.
308
- 309 (16) “Floodplain” means the land that has been or may be hereafter covered by flood
310 water during the regional flood. The floodplain includes the floodway and the
311 flood fringe as those terms are defined in Wis. Admin. Code ch. NR 116.
312

313 (17) “Footprint” means the land area covered by a structure at ground level measured
314 on a horizontal plane. The footprint of a residence or building includes the
315 horizontal plane bounded by the furthest exterior wall and eave if present,
316 projected to natural grade. For structures without walls (decks, stairways, patios,
317 carports) – a single horizontal plane bounded by the furthest portion of the
318 structure projected to natural grade.

319
320 Note: For the purposes of replacing or reconstructing a nonconforming building
321 with walls, the footprint shall not be expanded by enclosing the area that is
322 located within the horizontal plane from the exterior wall to the eaves projected to
323 natural grade. This constitutes a lateral expansion under Wis. Admin. Code ch.
324 NR 115 and would need to follow Wis. Admin. Code § NR 115.05(1)(g)5.

325
326 (18) “Generally accepted forestry management practices” means forestry management
327 practices that promote sound management of a forest. Generally accepted forestry
328 management practices include those practices contained in the most recent version
329 of the department publication known as Wisconsin Forest Management
330 Guidelines and identified as PUB FR-226.

331
332 (19) “Habitable Rooms” means any room or portion thereof used or designed for
333 living, sleeping, eating or cooking or combinations thereof. Bathrooms, toilet
334 compartments, closets, halls, storage rooms, laundry and utility spaces, basement
335 recreation rooms, and similar areas shall not be used as habitable rooms.

336
337 (20) “Habitable Structure” means any structure or portion thereof used or designed for
338 human habitation.

339
340 (21) “Human Habitation” means the use of a structure for living for any period of time,
341 for activities such as sleeping, eating or cooking, or combinations thereof.

342
343 (22) “Impervious surface” means an area that releases as runoff all or a majority of the
344 precipitation that falls on it. “Impervious surface” excludes frozen soil but
345 includes rooftops, sidewalks, driveways, parking lots, and streets unless
346 specifically designed, constructed, and maintained to be pervious. Roadways as
347 defined in Wis. Admin. Code § 340.01(54), or sidewalks as defined in Wis.
348 Admin. Code § 340.01(58), are not considered impervious surfaces.

349
350 (23) “Lot” means a continuous parcel of land, not divided by a public right-of-way,
351 and sufficient in size to meet the lot width and lot area provisions of this
352 Shoreland Zoning Ordinance.

353
354 (24) “Lot area” means the area of a horizontal plane bounded by the front, side, and
355 rear lot lines of a lot, but not including the area of any land below the ordinary
356 high water mark of lake or pond.

357

- 358 (25) “Lot of Record” means any lot, the description of which is properly recorded with
359 the Register of Deeds, which at the time of its recordation complied with all
360 applicable laws, ordinances, and regulations.
361
- 362 (26) “Maintenance and repair” includes such activities as interior remodeling, painting,
363 decorating, paneling, plumbing, insulation, and replacement of windows, doors,
364 wiring, siding, roof and other nonstructural components; and the repair of cracks
365 in foundations, sidewalks, walkways and the application of waterproof coatings to
366 foundations.
367
- 368 (27) “Mitigation” means balancing measures that are designed, implemented and
369 function to restore natural functions and values that are otherwise lost through
370 development and human activities.
371
- 372 (28) “Navigable waters” means Lake Superior, Lake Michigan, all natural inland lakes
373 within Wisconsin and all streams, ponds, sloughs, flowages and other waters
374 within the territorial limits of this state, including the Wisconsin portion of
375 boundary waters, which are navigable under the laws of this state. Under Wis.
376 Stat. § 281.31(2)(d) notwithstanding any other provision of law or administrative
377 rule promulgated thereunder, shoreland ordinances required under Wis. Stat.
378 § 59.692 and Wis. Admin. Code ch. NR 115 do not apply to lands adjacent to:
379
- 380 (1) Farm drainage ditches where such lands are not adjacent to a
381 natural navigable stream or river and such lands were not
382 navigable streams before ditching; and
383
- 384 (2) Artificially constructed drainage ditches, ponds or storm water
385 retention basins that are not hydrologically connected to a natural
386 navigable water body.
387
- 388 (29) “Nonconforming structure” means a building or other structure whose
389 dimensions, location, or other physical characteristics do not conform to the
390 requirements of this Shoreland Zoning Ordinance, but that conformed to the
391 requirements of the ordinance in effect at the time it was constructed or placed in
392 its current location.
393
- 394 (30) “Nonconforming use” means a current use of land or a structure that does not
395 conform to the use regulations for the zoning district in which it is located, but
396 that conformed to the use requirements of the ordinance in effect at the time that
397 the current use began.
398
- 399 (31) “Ordinary high water mark” or “OHWM” means the point on the bank or shore
400 up to which the presence and action of surface water is so continuous as to leave a
401 distinctive mark such as by erosion, destruction or prevention of terrestrial

- 402 vegetation, predominance of aquatic vegetation, or other easily recognized
403 characteristics.
- 404
- 405 (32) “Principal structure” means the main structure on a lot, intended for primary use
406 as permitted by the regulations of the district in which it is located, including any
407 functional appurtenances, such as decks, stairways, and balconies, which are
408 attached to said building.
- 409
- 410 (33) “Recession” means the landward movement of a shoreline caused primarily by
411 erosion of the shore.
- 412
- 413 (34) “Regional Flood” means a flood determined to be representative of large floods
414 known to have generally occurred in Wisconsin and which may be expected to
415 occur on a particular stream because of like physical characteristics, once in every
416 100 years.
- 417
- 418 (35) “Routine maintenance of vegetation” means normally accepted horticultural
419 practices that do not result in the loss of any layer of existing vegetation and do
420 not require earth disturbance.
- 421
- 422 (36) “Shoreland” means lands within the following distances from the ordinary high
423 water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300
424 feet from a river or stream or to the landward side of the floodplain, whichever
425 distance is greater.
- 426
- 427 (37) “Shoreland setback” also known as the “Shoreland setback area” in Wis. Stat.
428 § 59.692(1)(bn), means an area in a shoreland that is within a certain distance of
429 the ordinary high water mark in which the construction or placement of structures
430 has been limited or prohibited under an ordinance enacted pursuant to Wis. Stat.
431 § 59.692.
- 432
- 433 (38) “Shoreland-Wetland district” means the zoning district, created as a part of this
434 Shoreland Zoning Ordinance, comprised of shorelands that are designated as
435 wetlands on the Wisconsin Wetland Inventory maps which have been adopted and
436 made a part of this Shoreland Zoning Ordinance.
- 437
- 438 (39) “Stable Slope” means the natural angle to which a coastal bluff or bank will erode
439 even when unaffected by other forces, such as shoreline recession or heavy loads
440 like buildings.
- 441
- 442 (40) “Structure” means a principal structure or any accessory structure including a
443 garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or
444 fire pit.
- 445

- 446 (41) “Substandard Lots” means a legally created lot or parcel that met minimum area
447 and minimum average width requirements when created, but does not meet
448 current lot size requirements for a new lot.
449
- 450 (42) “Toe” means the lake-level base of a bluff, bank or shore protection structure.
451
- 452 (43) “Unnecessary hardship” means that circumstance where special conditions, which
453 were not self-created, affect a particular property and make strict conformity with
454 restrictions governing area, setbacks, frontage, height or density unnecessarily
455 burdensome or unreasonable in light of the purposes of this Shoreland Zoning
456 Ordinance.
457
- 458 (44) “Variance” means an authorization granted by the Board of Adjustment to
459 construct, alter or use a building or structure in a manner that deviates from the
460 dimensional standards of this Shoreland Zoning Ordinance.
461
- 462 (45) “Wetlands” means those areas where water is at, near or above the land surface
463 long enough to be capable of supporting aquatic or hydrophytic vegetation and
464 which have soils indicative of wet conditions.
465

466 PART III. APPLICABILITY AND COMPLIANCE.

467 9.06 Areas to be Regulated.

468 Areas to be regulated by this Shoreland Zoning Ordinance shall include all the lands
469 (referred to herein as shorelands) in the unincorporated areas of Manitowoc County
470 which are:
471
472

- 473
- 474 (1) Within one thousand (1,000) feet of the ordinary high water mark of
475 navigable lakes, ponds or flowages. Lakes, ponds or flowages in
476 Manitowoc County shall be presumed to be navigable if they are listed in
477 the Wisconsin Department of Natural Resources publication FH-800 2009
478 “Wisconsin Lakes” book available electronically at the following web site:
479 <http://dnr.wi.gov/org/water/fhp/lakes/lakemap/>; they are shown on the
480 United States Geological Survey quadrangle maps (1:24,000 scale); or
481 they are shown on other zoning base maps.
482
- 483 (2) Within three hundred (300) feet of the ordinary high water mark of
484 navigable rivers or streams, or to the landward side of the floodplain,
485 whichever distance is greater. Rivers and streams in Manitowoc County
486 shall be presumed to be navigable if they are designated as perennial
487 waterways or intermittent waterways on United States Geological Survey
488 quadrangle maps (1:24,000). Flood hazard boundary maps, flood
489 insurance rate maps, flood boundary floodway maps, county soil survey

490 maps or other existing county Floodplain zoning maps shall be used to
491 delineate floodplain areas.

492
493 (3) The provisions of this chapter apply to regulation of the use and
494 development of unincorporated shoreland areas unless specifically
495 exempted by law, all cities, villages, towns, counties and, when Wis. Stat.
496 § 13.48(13) applies, state agencies are required to comply with, and obtain
497 all necessary permits under, local shoreland ordinances. The construction,
498 reconstruction, maintenance or repair of state highways and bridges
499 carried out under the direction and supervision of the Wisconsin
500 Department of Transportation is not subject to the Shoreland Zoning
501 Ordinance if Wis. Stat. § 30.2022(1) applies. Shoreland zoning
502 requirements in annexed or incorporated areas are as provided in Wis.
503 Stat. §§ 61.353 and 62.233.

504
505 (4) Determinations of navigability and ordinary high water mark location
506 shall initially be made by the Department Director. When questions arise,
507 the Department Director shall contact the appropriate office of the
508 Department for a final determination of navigability or ordinary high
509 water mark.

510
511 (5) Under Wis. Stat. § 281.31(2m), notwithstanding any other provision of
512 law or administrative rule promulgated thereunder, this Manitowoc
513 County Shoreland Zoning Ordinance does not apply to:

- 514
515 (a) Lands adjacent to farm drainage ditches if:
- 516
517 1. Such lands are not adjacent to a natural navigable stream or
518 river.
 - 519
520 2. Those parts of such drainage ditches adjacent to such lands
521 were not navigable streams before ditching.

522
523 (b) Lands adjacent to artificially constructed drainage ditches, ponds
524 or storm water retention basins that are not hydrologically
525 connected to a natural navigable water body.

526
527 9.07 Shoreland–Wetland Maps.

528
529 The most recent version of the Wisconsin Wetland Inventory as depicted on the
530 Department of Natural Resources Surface Water Data Viewer is hereby made part of this
531 ordinance. The maps can be viewed at:
532 <http://dnrmaps.wi.gov/SL/Viewer.html?Viewer=SWDV&runWorkflow=Wetland>.

533
534 9.08 Compliance.

535
536 The use of any land, the size, shape and placement of lots, the use, size, type and location
537 of structures on lots, the installation and maintenance of water supply and waste disposal
538 facilities, the filling, grading, lagooning, dredging of any lands, the cutting of shoreland
539 vegetation, the subdivision of lots, shall be in full compliance with the terms of this
540 Shoreland Zoning Ordinance and other applicable local, state or federal regulations.
541 Buildings and other structures shall require a zoning permit unless otherwise expressly
542 excluded by a provision of this Shoreland Zoning Ordinance. Property owners, builders
543 and contractors are responsible for compliance with the terms of this Shoreland Zoning
544 Ordinance.

545
546 9.09 Municipalities and State Agencies Regulated.

547
548 Unless specifically exempted by law, all cities, villages, towns, and counties are required
549 to comply with this Shoreland Zoning Ordinance and obtain all necessary permits. State
550 agencies are required to comply when Wis. Stat. § 13.48(13) applies. The construction,
551 reconstruction, maintenance and repair of state highways and bridges by the Wisconsin
552 Department of Transportation are exempt when Wis. Stat. § 30.2022(1) applies.

553
554 9.10 Abrogation and Greater Restrictions.

555
556 The provisions of this Shoreland Zoning Ordinance supersede any provisions in a county
557 zoning ordinance that solely relate to shorelands. In other words, if a zoning standard
558 only applies to lands that lie within the shoreland and applies because the lands are in
559 shoreland, then this Shoreland Zoning Ordinance supersedes those provisions. However,
560 where an ordinance adopted under a statute other than Wis. Stat. § 59.692 does not solely
561 relate to shorelands and is more restrictive than this Shoreland Zoning Ordinance, for
562 example a floodplain ordinance, that ordinance shall continue in full force and effect to
563 the extent of the greater restrictions.

564
565 (1) This Shoreland Zoning Ordinance shall not require approval or be subject to
566 disapproval by any town or town board.

567
568 (2) If an existing town ordinance relating to shorelands is more restrictive than this
569 Shoreland Zoning Ordinance or any amendments thereto, the town ordinance
570 continues in all respects to the extent of the greater restrictions but not otherwise.

571
572 (3) This Shoreland Zoning Ordinance is not intended to repeal, abrogate or impair
573 any existing deed restrictions, covenants or easements. However, where this
574 Shoreland Zoning Ordinance imposes greater restrictions, the provisions of this
575 Shoreland Zoning Ordinance shall prevail.

576
577 (4) This Shoreland Zoning Ordinance may establish standards to regulate matters that
578 are not otherwise regulated in Wis. Admin. Code ch. NR 115, but that further the

579 purposes of shoreland zoning as described in Section 9.03 of this Shoreland
580 Zoning Ordinance.

581
582 (5) This Shoreland Zoning Ordinance shall not be construed to require any of the
583 following:

584
585 (a) Approval to install or maintain outdoor lighting in shorelands, impose any
586 fee or mitigation requirement to install or maintain outdoor lighting in
587 shorelands, or otherwise prohibits or regulates outdoor lighting in
588 shorelands if the lighting is designed or intended for residential use.

589
590 (b) Any inspection or upgrade of a structure before the sale or other transfer
591 of the structure may be made.

592
593 (6) Structures that require authorization or permits from the DNR pursuant to Wis.
594 Stat. chs. 30 and 31 and structures that are to be located below the ordinary high
595 water mark, namely bridges, dams, culverts, piers, wharves, navigational aids, and
596 waterway crossings of transmission lines, shall comply with all applicable federal,
597 state, county, and local regulations.

598
599 (7) The construction and maintenance of a facility is considered to satisfy the
600 requirements of the Manitowoc County Shoreland Zoning Ordinance if the
601 Department has issued all required permits or approvals authorizing the
602 construction or maintenance under Wis. Stat. chs. 30, 31, 281, or 283.

603
604 9.11 Interpretation.

605
606 In their interpretation and application, the provisions of this Shoreland Zoning Ordinance
607 shall be held to be minimum requirements and shall be liberally construed in favor of
608 Manitowoc County and shall not be deemed a limitation or repeal of any other powers
609 granted by Wisconsin Statutes. Where a provision of this Shoreland Zoning Ordinance is
610 required by statute and a standard in Wis. Admin. Code ch. NR 115, and where the
611 ordinance provision is unclear, the provision shall be interpreted in light of the statute and
612 Wis. Admin. Code ch. NR 115 standards in effect on the date of the adoption of this
613 Shoreland Zoning Ordinance or in effect on the date of the most recent text amendment
614 to this Shoreland Zoning Ordinance.

615
616 9.12 Severability.

617
618 If any portion of this Shoreland Zoning Ordinance is adjudged unconstitutional or invalid
619 by a court of competent jurisdiction, the remainder of this Shoreland Zoning Ordinance
620 shall not be affected.

621
622 PART IV. SHORELAND - WETLAND ZONING DISTRICT

623

624 9.13 Designation.

625
626 This district shall include all shorelands within the jurisdiction of this Shoreland Zoning
627 Ordinance that are designated as wetlands on the most recent version of the Wisconsin
628 Wetland Inventory as depicted on the Department of Natural Resources Surface Water
629 Data Viewer. Where an apparent discrepancy exists between the Shoreland-Wetland
630 district boundary shown on the Wisconsin Wetland Inventory maps and actual field
631 conditions, Manitowoc County shall contact the Department to determine if the map is in
632 error. If the Department determines that a particular area was incorrectly mapped as
633 wetland or meets the wetland definition but was not shown as wetland on the map,
634 Manitowoc County shall have the authority to immediately grant or deny a zoning permit
635 in accordance with the applicable regulations based on the Department determination as
636 to whether the area is wetland. In order to correct wetland mapping errors on the official
637 zoning map, an official zoning map amendment must be initiated within a reasonable
638 period of time.

639
640 9.14 Purpose.

641
642 This district is created to maintain safe and healthful conditions, to prevent water
643 pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover
644 and natural beauty and to control building and development in wetlands whenever
645 possible. When development is permitted in a wetland, the development should occur in a
646 manner that minimizes adverse impacts upon the wetland.

647
648 9.15 Permitted Uses.

649
650 The following uses shall be allowed, subject to general shoreland zoning regulations
651 contained in this Shoreland Zoning Ordinance, the provisions of Wis. Stat. chs. 30 and
652 31, and Wis. Stats. §§ 281.36 and 281.37 and the provisions of other applicable local,
653 state and federal laws:

- 654
655 (1) Activities and uses that do not require the issuance of a zoning permit, but
656 which must be carried out without any filling, flooding, draining,
657 dredging, ditching, tiling or excavating.
658
659 (a) Hiking, fishing, trapping, hunting, swimming, and boating.
660
661 (b) The harvesting of wild crops, such as marsh hay, ferns,
662 moss, wild rice, berries, tree fruits, and tree seeds, in a
663 manner that is not injurious to the natural reproduction of
664 such crops.
665
666 (c) The pasturing of livestock.
667
668 (d) The cultivation of agricultural crops.

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- (e) The practice of silviculture, including the planting, thinning, and harvesting of timber.
 - (f) The construction or maintenance of duck blinds.
- (2) Uses that do not require the issuance of a zoning permit and may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
- (a) Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected.
 - (b) The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries.
 - (c) The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible.
 - (d) The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance.
 - (e) The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance.
 - (f) The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
- (3) Uses that require the issuance of a zoning permit and may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below:

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- (a) The construction and maintenance of roads that are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
 - 1. The road cannot as a practical matter be located outside the wetland.
 - 2. The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in Section 9.17(2) of this Shoreland Zoning Ordinance.
 - 3. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use.
 - 4. Road construction activities are carried out in the immediate area of the roadbed only.
 - (b) The construction or maintenance of nonresidential buildings, provided that:
 - 1. The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the Shoreland-Wetland district.
 - 2. The building cannot, as a practical matter, be located outside the wetland.
 - 3. Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area.
 - 4. Only limited filling or excavating necessary to provide structural support for the building is authorized.
 - (c) The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
 - 1. Any private development is used exclusively for the permitted use and the applicant has received a permit or license under Wis. Stat. ch. 29, where applicable.

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2. Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in Sections 9.15(3)(a)1-4 of this Shoreland Zoning Ordinance.
 3. Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
- (d) The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines provided that:
1. The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland.
 2. Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in Section 9.17(2)~~(a)~~~~(g)~~ of this Shoreland Zoning Ordinance.

788 9.16 Prohibited Uses.

789
790 Any use not listed in Section 9.15(1), 9.15(2) or 9.15(3) is prohibited, unless the wetland
791 or portion of the wetland has been rezoned in accordance with Section 9.17 of this
792 Shoreland Zoning Ordinance and Wis. Stat. § 59.69(5)(e).
793

794 9.17 Rezoning of Lands in the Shoreland–Wetland District.

- 795
796 (1) For all proposed text and map amendments to the Shoreland-Wetland
797 provisions of this Shoreland Zoning Ordinance, the appropriate office with
798 the Department shall be provided with the following:
799

- 800 (a) A copy of every petition for a text or map amendment to the
801 Shoreland-Wetland provisions of this Shoreland Zoning
802 Ordinance, within five (5) days of the filing of such petition with

803 the Manitowoc County Clerk. Such petition shall include a copy of
804 the Wisconsin Wetland Inventory map adopted as part of this
805 Shoreland Zoning Ordinance describing any proposed rezoning of
806 a Shoreland-Wetland.

807
808 (b) Written notice of the public hearing to be held on a proposed
809 amendment at least 10 days prior to such hearing.

810
811 (c) A copy of the county zoning agency's findings and
812 recommendations on each proposed amendment within 10 days
813 after the submission of those findings and recommendations to the
814 County Board.

815
816 (d) Written notice of the County Board's decision on the proposed
817 amendment within 10 days after it is issued.

818
819 (2) A wetland, or a portion thereof, in the Shoreland-Wetland district shall not
820 be rezoned if the proposed rezoning may result in a significant adverse
821 impact upon any of the following:

822
823 (a) Storm and flood water storage capacity.

824
825 (b) Maintenance of dry season stream flow, the discharge of
826 groundwater to a wetland, the recharge of groundwater from a
827 wetland to another area, or the flow of groundwater through a
828 wetland.

829
830 (c) Filtering or storage of sediments, nutrients, heavy metals or
831 organic compounds that would otherwise drain into navigable
832 waters.

833
834 (d) Shoreline protection against soil erosion.

835
836 (e) Fish spawning, breeding, nursery or feeding grounds.

837
838 (f) Wildlife habitat.

839
840 (g) Wetlands both within the boundary of designated areas of special
841 natural resource interest and those wetlands which are in proximity
842 to or have a direct hydrologic connection to such designated areas
843 as defined in Wis. Admin. Code § NR 103.04 which can be
844 accessed at the following web site:
845 <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.

846

847 (3) If the Department notifies the county zoning agency that a proposed text
848 or map amendment to the Shoreland-Wetland provisions of this Shoreland
849 Zoning Ordinance may have a significant adverse impact upon any of the
850 criteria listed in Section 9.17(2)(~~a~~)-(g) of this Shoreland Zoning
851 Ordinance, that amendment, if approved by the County Board, shall
852 contain the following provision:

853
854 “This amendment shall not take effect until more than 30 days have
855 elapsed after written notice of the County Board’s approval of this
856 amendment is mailed to the Department of Natural Resources. During
857 that 30-day period the Department of Natural Resources may notify the
858 County Board that it will adopt a superseding shoreland zoning ordinance
859 for Manitowoc County under Wis. Stat. § 59.692(6), Wis. Stats. If the
860 Department does so notify the County Board, the effect of this amendment
861 shall be stayed until the Wis. Stat. § 59.692(6) adoption procedure is
862 completed or otherwise terminated.”

863 864 PART V. LAND DIVISION REVIEW AND SANITARY REGULATIONS

865 866 9.18 Land Division Review.

867
868 (1) Manitowoc County shall review, pursuant to Wis. Stat. § 236.45, all land
869 divisions in shoreland areas that create three (3) or more parcels or
870 building sites of five (5) acres each or less within a 5-year period. In such
871 review, all of the following factors shall be considered:

- 872 (a) Hazards to the health, safety, or welfare of future residents.
- 873 (b) Proper relationship to adjoining areas.
- 874 (c) Public access to navigable waters, as required by law.
- 875 (d) Adequate storm water drainage facilities.
- 876 (e) Conformity to state law and administrative code provisions.

877 878 879 880 881 882 9.19 Planned Unit Development (PUD).

883
884 (1) Purpose. The Planned Unit Development is intended to permit smaller
885 non-riparian lots where the physical layout of the lots is so arranged as to
886 better assure the control of pollution and preservation of ground cover
887 than would be expected if the lots were developed with the normal lot
888 sizes and setbacks and without special conditions placed upon the Planned
889 Unit Development at the time of its approval. A condition of all Planned
890

891 Unit Development is the preservation of certain open space, preferably on
892 the shoreland, in perpetuity.

893
894 (2) Requirements for Planned Unit Development. The County Board may at
895 its discretion, upon its own motion or upon petition, approve a Planned
896 Unit Development Overlay District upon finding, after a public hearing,
897 that all of the following facts exist:

898
899 (a) Area. The area proposed for the Planned Unit Development shall
900 be at least 2 acres in size or have a minimum of 200 feet of
901 frontage on a navigable water.

902
903 (b) Lots. Any proposed lot in the Planned Unit Development that does
904 not meet the minimum size standards of Section 9.22 or 9.23 of
905 this Shoreland Zoning Ordinance shall be a non-riparian lot.

906
907 (c) Lot sizes, widths, setbacks, and vegetation removal. When
908 considering approval of a Planned Unit Development the
909 governing body shall consider whether proposed lot sizes, widths,
910 and setbacks are of adequate size and distance to prevent pollution
911 or erosion along streets or other public ways and waterways.
912 Increased shoreland setbacks shall be a condition of approval as a
913 way of minimizing adverse impacts of development. Shore cover
914 provisions in Section 9.33 of this Shoreland Zoning Ordinance
915 shall apply except that maximum width of a lake frontage opening
916 shall be 100 feet and minimum vegetative buffer depth shall be
917 increased to offset the impact of the proposed development.

918
919 (3) Procedure for Establishing a Planned Unit Development District. The
920 procedure for establishing a Planned Residential Unit Development
921 district shall be as follows:

922
923 (a) Petition. A petition setting forth all of the facts required in Section
924 9.19(2) of this Shoreland Zoning Ordinance shall be submitted to
925 the Manitowoc County Clerk with sufficient copies to provide for
926 distribution by the Manitowoc County Clerk as required by ~~Section~~
927 ~~9.81(3)~~ of this Shoreland Zoning Ordinance.

928
929 (b) Review and Hearing: The petition shall be submitted to the county
930 zoning agency. The Planning and Parks Commission shall hold a
931 public hearing and report to the County Board as required by law.
932 Copies of the petition and notice of the hearing shall also be sent to
933 the appropriate office of the Department as described in Section
934 9.81(3) of this Shoreland Zoning Ordinance. The county zoning
935 agency's report to the County Board shall reflect the

936 recommendations of any federal, state or local agency with which
937 the county zoning agency consults.

938
939 (c) Findings and Conditions of Approval. The County Board shall
940 make written findings as to the compliance or noncompliance of
941 the proposed overlay district with each of the applicable
942 requirements set forth in Section 9.19(2) of this Shoreland Zoning
943 Ordinance. If the petition is granted in whole or part, the County
944 Board shall attach such written conditions to the approval as are
945 required by and consistent with Section 9.19(2) of this Shoreland
946 Zoning Ordinance. The conditions of approval shall in all cases
947 establish the specific restrictions applicable with regard to
948 minimum lot sizes, width, setbacks, dimensions of vegetative
949 buffer zone, and open space requirements.

950
951 (d) Planning Studies. A landowner or petitioner may at his or her own
952 expense develop the facts required to establish compliance with the
953 provisions of Section 9.19(2) of this Shoreland Zoning Ordinance
954 or may be required to contribute funds to Manitowoc County to
955 defray all or part of the cost of such studies being undertaken by
956 Manitowoc County or any agency or person with whom
957 Manitowoc County contracts for such work.

958
959 9.20 Sanitary Regulations.

960
961 (1) Where public water supply systems are not available, private well
962 construction shall conform to Wis. Admin. Code ch. NR 812.

963
964 (2) Where a public sewage collection and treatment system is not available,
965 design and construction of private on-site waste treatment systems shall,
966 comply with Chapter 13 (Private Sewage System) of the Manitowoc
967 County Code.

968
969 PART VI. MINIMUM LOT SIZE

970
971 9.21 Purpose.

972
973 The purpose of establishing minimum lot sizes in the shoreland area is to afford
974 protection against danger to health, safety and welfare, and protection against pollution of
975 the adjacent body of water.

976
977 9.22 Sewered Lots.

978

979 The minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be
980 65 feet for sewerred lots. The width shall be measured at the ordinary high water mark and
981 building setback line.

982
983 9.23 Unsewered Lots.

984
985 The minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be
986 100 feet for unsewered lots. The width shall be measured at the ordinary high water mark
987 and building setback line.

988
989 9.24 Substandard Lots.

990
991 (1) A legally created lot or parcel that met minimum area and minimum
992 average width requirements when created, but does not meet current lot
993 size requirements, may be used as a building site if all of the following
994 apply:

995
996 (a) The substandard lot or parcel was never reconfigured or combined
997 with another lot or parcel by plat, survey, or consolidation by the
998 owner into one property tax parcel.

999
1000 (b) The substandard lot or parcel has never been developed with one
1001 or more of its structures placed partly upon an adjacent lot or
1002 parcel.

1003
1004 (c) The substandard lot or parcel is developed to comply with all other
1005 ordinance requirements.

1006
1007 (2) Other substandard lots. Except for lots that meet the requirements of
1008 Section 9.24(1) of this Shoreland Zoning Ordinance, a zoning permit for
1009 the improvement of a lot having lesser dimensions than those stated in
1010 Section 9.22 or 9.23 of this Shoreland Zoning Ordinance shall be issued
1011 only if a variance is granted by the Board of Adjustment.

1012
1013 PART VII. SETBACKS

1014
1015 9.25 Shoreland Setback.

1016
1017 All buildings and structures shall be setback a distance of 75 feet from the ordinary high
1018 water mark of any navigable waters to the nearest part of a structure unless exempt under
1019 Section 9.26 of this Shoreland Zoning Ordinance, or reduced under Section 9.28 of this
1020 Shoreland Zoning Ordinance.

1021
1022 9.26 Exempt Structures.

1023

1024 All of the following structures are exempt from the shoreland setback standards in
1025 Section 9.25 of this Shoreland Zoning Ordinance:

1026
1027 (1) Boathouses according to the following standards:

1028
1029 (a) A boathouse shall be designed and constructed solely for the
1030 storage of boats and related equipment.

1031
1032 (b) A boathouse shall not extend forward of the ordinary high water
1033 mark of the adjacent navigable water.

1034
1035 (c) A boathouse shall have its largest door or opening facing the water
1036 and such door or opening shall be adequate in size to accommodate
1037 a boat directly from the water.

1038
1039 (d) A boathouse constructed after the effective date of this Shoreland
1040 Zoning Ordinance shall have a pitched roof of three (3) horizontal
1041 to one (1) vertical or steeper.

1042
1043 (e) A boathouse shall be located entirely within the access and
1044 viewing corridor allowed by Section 9.33(2) of this Shoreland
1045 Zoning Ordinance.

1046
1047 (f) A boathouse shall not contain plumbing.

1048
1049 (g) A boathouse shall not be used for human habitation.

1050
1051 (h) A boathouse shall have a maximum of two (2) windows not to
1052 exceed nine (9) square feet per window.

1053
1054 (i) A boathouse shall have a maximum size of 400 square feet in floor
1055 area with sidewalls no higher than 10 feet.

1056
1057 (j) Only one boathouse shall be allowed per lot.

1058
1059 (k) Boathouses which existed prior to the adoption of this Shoreland
1060 Zoning Ordinance that have a flat roof may be used as a deck
1061 provided:

1062
1063 1. The roof has no walls or screens.

1064
1065 2. The roof has no railing other than those that meet the
1066 Department of Safety and Professional Services standards.
1067

- 1068 (2) Open sided and screened structures such as gazebos, decks, patios and
1069 screen houses in the shoreland setback area that satisfy the following
1070 requirements pursuant to Wis. Stat. § 59.692(1v).
1071
- 1072 (a) The part of the structure that is nearest to the water is located at
1073 least 35 feet landward from the ordinary high water mark.
1074
- 1075 (b) The floor area of all the structures in the shoreland setback area
1076 does not exceed 200 square feet.
1077
- 1078 (c) The structure that is the subject of the request for permission
1079 pursuant to this section has no sides or has open or screened sides.
1080
- 1081 (d) The county zoning agency must approve a mitigation plan that will
1082 be implemented by the owner of the property to preserve or
1083 establish a vegetative buffer zone that covers at least 70% of the
1084 half of the shoreland setback area that is nearest to the water.
1085
- 1086 (e) An enforceable affidavit must be filed with the Manitowoc County
1087 Register of Deeds prior to construction acknowledging the
1088 limitations on vegetation removal pursuant to Section 9.26(2)(d) of
1089 this Shoreland Zoning Ordinance.
1090
- 1091 (3) Broadcast signal receivers, including satellite dishes or antennas that are
1092 one meter or less in diameter and satellite earth station antennas that are
1093 two (2) meters or less in diameter.
1094
- 1095 (4) Utility transmission and distribution lines, poles, towers, water towers,
1096 pumping stations, well pump house covers, private on-site wastewater
1097 treatment systems that comply with Wis. Admin. Code ch. SPS 383, and
1098 other utility structures that have no feasible alternative location outside of
1099 the minimum setback and that employ best management practices to
1100 infiltrate or otherwise control storm water runoff from the structure.
1101
- 1102 (5) Walkways, stairways or rail systems that are necessary to provide
1103 pedestrian access to the shoreline, provided the walkway, stairway or rail
1104 system meets the following standards:
1105
- 1106 (a) The walkway, stairway or rail system shall be located so as to
1107 minimize earth disturbing activities and shoreland vegetation
1108 removal during construction and to be visually inconspicuous as
1109 viewed from the adjacent waterway and public roads;
1110
- 1111 (b) The walkway, stairway or rail system shall be located entirely
1112 within the access and viewing corridor.

- 1113
1114 (c) The walkway, stairway or rail system shall be no more than sixty
1115 inches (60”) wide.
1116
1117 (d) Open railings not exceeding forty-two inches (42”) in height are
1118 permitted only where required by safety concerns.
1119
1120 (e) Canopies, roofs, and closed railings/walls on walkways, stairways
1121 and rail systems are prohibited.
1122
1123 (f) Stairways shall be supported on piles or footings rather than being
1124 excavated from erodible soils on steep slopes or bluff faces.
1125
1126 (g) Landings for stairways are permitted only where required by safety
1127 concerns and shall not exceed twenty-five (25) square feet in area.
1128
1129 (6) Devices or systems used to treat runoff from impervious surfaces.
1130

1131 9.27 Existing Exempt Structures.
1132

1133 Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt and
1134 remodeled provided the activity does not expand the footprint and does not go beyond the
1135 three-dimensional building envelope of the existing structure. Expansion of a structure
1136 beyond the existing footprint may be allowed if the expansion is necessary to comply
1137 with applicable state or federal requirements.
1138

1139 9.28 Reduced Principal Structure Setback.
1140

1141 A setback less than the 75’ required setback from the ordinary high water mark shall be
1142 permitted for a proposed principal structure pursuant to following:
1143

- 1144 (1) Where there are existing principal structures in both directions, the setback
1145 shall equal the average of the distances the two existing adjacent principal
1146 structures are set back from the ordinary high water mark provided all of
1147 the following are met:
1148
1149 (a) Both of the existing principal structures are located on lots directly
1150 adjacent to the proposed principal structure.
1151
1152 (b) Both of the existing principal structures are located within 250’ of
1153 the proposed principal structure.
1154
1155 (c) Both of the existing principal structures are located less than 75’
1156 from the ordinary high water mark.
1157

- 1158 (d) The average setback shall not be reduced to less than 35' from the
1159 ordinary high water mark of any navigable water.
1160
- 1161 (2) Where there is an existing principal structure in only one direction, the
1162 setback shall equal the distance the existing adjacent principal structure is
1163 set back from the ordinary high water mark and the required setback of
1164 75' from the ordinary high water mark provided all of the following are
1165 met:
1166
- 1167 (a) The existing principal structure is located on a lot adjacent to the
1168 proposed principal structure.
1169
- 1170 (b) The existing principal structure is located within 250' of the
1171 proposed principal structure.
1172
- 1173 (c) The existing principal structure is located less than 75' from the
1174 ordinary high water mark.
1175
- 1176 (d) The average setback shall not be reduced to less than 35' from the
1177 ordinary high water mark of any navigable water.
1178

1179 9.29 Lake Michigan Shoreline Protection Area.
1180

1181 Bluff erosion and shore recession are natural processes that exist along the Lake
1182 Michigan shoreline caused by bluff instability, wave action and fluctuating water levels.
1183 These unique ecological characteristics require additional consideration in the siting of
1184 coastal buildings and structures. To protect life and property and reduce costly damages,
1185 the following procedures shall be used for development along Lake Michigan.
1186

- 1187 (1) The setback line shall be established by use of the following procedure in
1188 areas where bluffs of ten feet (10') or more in height that rise ten feet (10')
1189 or more vertically for every twenty-five feet (25') of horizontal distance:
1190

1191 A stable slope angle setback shall be established for bluffs at a ratio of 2.5
1192 feet of horizontal distance for every one (1) foot of vertical distance. There
1193 shall be two (2) such measurements made for every one hundred feet
1194 (100') of shoreline at points not less than fifty feet (50') apart. The stable
1195 slope angle setback shall be a line connecting these two (2) points or such
1196 line extended. In cases of highly irregular shoreline, more than two (2)
1197 measurement points per one hundred feet (100') feet may be required by
1198 the Department Director. The measurement shall be made horizontally
1199 from the toe of the bluff.
1200

1201 (2) The average annual long term recession rate along Lake Michigan is two
1202 (2) feet per year. A recession rate setback shall be established by use of
1203 the following procedure:

1204
1205 The average annual long term recession rate is multiplied by a structural
1206 design life of fifty (50) years for principal or conditional uses or a
1207 structural design life of twenty-five (25) years for accessory uses. The
1208 recession rate setback measurement shall be made horizontally from the
1209 toe of the bluff.

1210
1211 (3) In areas where both shoreline recession and bluffs exist, the stable slope
1212 angle setback shall be added to the recession rate setback to arrive at the
1213 required setback. In areas where only one condition exists, either
1214 shoreline recession in areas without bluff, or a bluff along the shoreline
1215 which is not receding, only the applicable setback shall apply.

1216
1217 (4) This section shall not apply to those structures listed in Section 9.26 of this
1218 Shoreland Zoning Ordinance.

1219
1220 9.30 Floodplain Structures.
1221
1222 Buildings and structures to be constructed or placed in a floodplain shall comply with the
1223 Manitowoc County Floodplain Zoning Ordinance.

1224
1225 9.31 Height.
1226
1227 No structure taller than 35 feet that is located within 75 feet of the ordinary high water
1228 mark of any navigable waters may be constructed, placed, located, expanded, rebuilt,
1229 reconstructed, replaced or relocated. Height when used with respect to a building means
1230 the vertical distance from the finished grade to the highest point of the coping of a flat
1231 roof, the deck line of a mansard roof, or the highest gable of a gambrel, hip, or pitched
1232 roof.

1233
1234 PART VIII. VEGETATION
1235
1236 9.32 Purpose.
1237
1238 To protect natural scenic beauty, fish and wildlife habitat, and water quality, Manitowoc
1239 County regulates removal of vegetation in shoreland areas consistent with sound forestry
1240 and soil conservation practices and the effect of vegetation removal on water quality,
1241 including soil erosion, and the flow of effluents, sediments and nutrients.

1242
1243 9.33 Vegetative Buffer Zone.
1244

1245 To protect water quality, fish and wildlife habitat and natural scenic beauty, and to
1246 promote preservation and restoration of native vegetation, the Manitowoc County
1247 Shoreland Zoning Ordinance hereby designates land that extends from the ordinary high
1248 water mark to a minimum of 35 feet inland as a vegetative buffer zone and prohibits
1249 removal of vegetation in the vegetative buffer zone except as follows.

- 1250
- 1251 (1) Routine maintenance of vegetation.
 - 1252
 - 1253 (2) Removal of trees and shrubs in the vegetative buffer zone to create an
1254 access and viewing corridor. The access and viewing corridor may be 35
1255 feet wide for every 100 feet of shoreline frontage. The access and viewing
1256 corridor may run contiguously for the for the entire maximum width of
1257 shoreline frontage owned.
 - 1258
 - 1259 (3) Removal of trees and shrubs in the vegetative buffer zone on a parcel with
1260 10 or more acres of forested land consistent with “generally accepted
1261 forestry management practices” as defined in Wis. Admin. Code § NR
1262 1.25(2)(b), and described in Department publication “Wisconsin Forest
1263 Management Guidelines” (publication FR-226), provided that vegetation
1264 removal is consistent with those practices.
 - 1265
 - 1266 (4) Removal of vegetation within the vegetative buffer zone to manage exotic
1267 or invasive species, damaged vegetation, vegetation that must be removed
1268 to control disease, or vegetation creating an imminent safety hazard,
1269 provided that any vegetation removed under a zoning permit is replaced
1270 by replanting in the same area as soon as practicable.
 - 1271
 - 1272 (5) Additional vegetation management activities in the vegetative buffer zone.
1273 A zoning permit issued under this section shall require that all
1274 management activities comply with detailed plans approved by
1275 Manitowoc County and designed to control erosion by limiting
1276 sedimentation into the waterbody, to improve the plant community by
1277 replanting in the same area, and to maintain and monitor the newly
1278 restored area. The zoning permit also shall require an enforceable
1279 restriction to preserve the newly restored area.

1280
1281 PART IX. FILLING, GRADING, LAGOONING, DREDGING, DITCHING AND
1282 EXCAVATING.

1283
1284 9.34 Purpose.

1285
1286 To minimize erosion, sedimentation and impairment of fish and wildlife habitat and
1287 natural scenic beauty filling, grading, lagooning, dredging, ditching and excavating may
1288 be permitted only in accordance with the provisions of Wis. Admin. Code § NR 115.04,
1289 the requirements of Wis. Stat. ch. 30 and other state and federal laws where applicable.

1290
1291 9.35 General Standards.
1292
1293 Filling, grading, lagooning, dredging, ditching, and excavating that does not require a
1294 conditional use permit under Section 9.36 of this Shoreland Zoning Ordinance may be
1295 permitted in the shoreland area provided:
1296
1297 (1) Any filling, grading, lagooning, dredging, ditching, or excavating is done
1298 in a manner designed to minimize erosion, sedimentation and impairment
1299 of fish and wildlife habitat.
1300
1301 (2) Any filling, grading, lagooning, dredging, ditching, or excavating in a
1302 Shoreland-Wetland district meets the requirements of Sections 9.15(2) and
1303 (3) of this Shoreland Zoning Ordinance.
1304
1305 (3) All applicable federal, state and local permits are obtained in addition to a
1306 zoning permit under this Shoreland Zoning Ordinance.
1307
1308 (4) Any fill placed in the shoreland area is protected against erosion by the
1309 use of riprap, vegetative cover or bulkhead.
1310
1311 9.36 Permit Required.
1312
1313 Filling and Grading. A conditional use permit is required for any filling or grading of any
1314 area that is within 300 feet landward of the ordinary high water mark of navigable water
1315 body and has surface drainage toward the water and where there is either:
1316
1317 (1) Filling or grading on slopes of 20 percent or more.
1318
1319 (2) Filling or grading of more than 1,000 square feet on slopes greater than 12
1320 percent and less than 20 percent.
1321
1322 (3) Filling or grading of more than 2,000 square feet on slopes of 12 percent
1323 or less.
1324
1325 9.37 Artificial Waterways, Canals, Ditches, and Lagoons
1326
1327 A conditional use permit is required for any construction or dredging commenced on any
1328 artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway that is within 300
1329 feet landward of the ordinary high water mark of a navigable body of water and where
1330 the purpose is the ultimate connection with a navigable body of water.
1331
1332 9.38 Ponds and Wetland Scrapes Less Than Two (2) Acres in Area.
1333

1334 A zoning permit is required for the construction and maintenance of ponds and wetland
1335 scrapes less than two (2) acres in area that are located within the Shoreland – Wetland
1336 Zoning District. Such a zoning permit may be issued provided that:

- 1337
- 1338 (1) All spoil materials are removed to an upland area outside of the Shoreland
1339 - Wetland Zoning District.
- 1340
- 1341 (2) The pond or wetland scrape is not connected to a navigable body of water
1342 or a waterway or a ditch that ultimately is connected to a navigable body
1343 of water or waterway.
- 1344
- 1345 (3) The project(s) does not create an increase in the height of the regional
1346 flood.
- 1347
- 1348 (4) The side slopes of the ponds or wetland scrapes shall not be steeper than
1349 eight feet horizontal to one foot vertical.
- 1350
- 1351 (5) All disturbed upland areas are leveled, graded and seeded to permanent
1352 vegetation as soon as possible to prevent erosion of silt into the pond or
1353 scrape.
- 1354
- 1355 (6) The pond and wetland scrape shall be for the purpose of improving
1356 wildlife or fish habitat or for recreational opportunities and may not be
1357 associated with a commercial use.
- 1358
- 1359 (7) Ponds shall be no more than five (5) feet deep.
- 1360
- 1361 (8) All Department general permit conditions for wetland scrapes and wildlife
1362 ponds shall be followed.
- 1363

1364 9.39 Ponds and Wetland Scrapes Two (2) Acres and Greater in Area.

1365
1366 A conditional use permit is required for ponds and wetland scrapes that are two (2) acres
1367 and greater in area.

1368
1369 9.40 Permit Stipulations.

1370
1371 In granting a conditional use permit under Section 9.36 of this Shoreland Zoning
1372 Ordinance, the following stipulations shall be met, in addition to ~~those~~all other
1373 provisions specified in ~~Sections 9.67 or 9.73 of~~ this Shoreland Zoning Ordinance.

- 1374
- 1375 (1) The smallest amount of bare ground shall be exposed for the as short a
1376 time as feasible.
- 1377

- 1378 (2) Temporary ground cover (such as mulch or jute netting) shall be used and
1379 permanent vegetation cover shall be established.
1380
1381 (3) Diversion berms or bales, silting basin, terraces, filter fabric fencing, and
1382 other methods shall be used to prevent erosion.
1383
1384 (4) Lagoons shall be constructed to avoid fish trap conditions.
1385
1386 (5) Fill shall be stabilized according to accepted engineering standards.
1387
1388 (6) Filling shall comply with any local floodplain zoning ordinance and shall
1389 not restrict a floodway or destroy the flood storage capacity of a
1390 floodplain.
1391
1392 (7) Channels or artificial watercourses shall be constructed with side slopes of
1393 two (2) units horizontal distance to one (1) unit vertical distance or flatter
1394 which shall be promptly vegetated, unless bulkheads or riprap are
1395 provided.
1396

1397 9.41 Soil Conservation Practices.
1398

1399 Soil conservation practices such as tiled terraces, runoff diversions and grassed
1400 waterways used for erosion control shall not require a conditional use permit under
1401 Section 9.36 of this Shoreland Zoning Ordinance when designed and constructed to Soil
1402 Conservation Service technical standards.
1403

1404 Part X. IMPERVIOUS SURFACE STANDARDS
1405

1406 9.42 Purpose.
1407

1408 These impervious surface standards are established to protect water quality and fish and
1409 wildlife habitat and to protect against pollution of navigable waters. Manitowoc County
1410 impervious surface standards shall apply to the construction, reconstruction, expansion,
1411 replacement or relocation of any impervious surface on a riparian lot or parcel and any
1412 nonriparian lot or parcel that is located entirely within 300 feet of the ordinary high water
1413 mark of any navigable waterway.
1414

1415 9.43 Calculation of Impervious Surface.
1416

1417 The percentage of impervious surface shall be calculated by dividing the surface area of
1418 the existing and proposed impervious surfaces on the portion of a lot or parcel that is
1419 within 300 feet of the ordinary high water mark by the total surface area of that lot or
1420 parcel, and multiplied by 100. Treated impervious surfaces described in Section 9.46 of
1421 this Shoreland Zoning Ordinance shall be excluded from the calculation of impervious
1422 surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the

1423 developable lot or parcel and both are in common ownership, the lot or parcel and the
1424 outlot shall be considered one lot or parcel for the purposes of calculating the percentage
1425 of impervious surface. Calculations shall be completed by an engineer, landscape
1426 architect, surveyor or other licensed contractor acceptable by the Department Director.
1427

1428 9.44 General Impervious Surface Standard.
1429

1430 Except as permitted in Sections 9.45 and 9.46 of this Shoreland Zoning Ordinance, no
1431 more than 15% impervious surface is permitted on the portion of a lot or parcel that is
1432 within 300 feet of the ordinary high water mark.
1433

1434 9.45 Maximum Impervious Surface.
1435

1436 A property may exceed the impervious surface standard under Section 9.44 of this
1437 Shoreland Zoning Ordinance provided the following standards are met:
1438

1439 (1) For properties where the general impervious surface standard applies
1440 under Section 9.44 of this Shoreland Zoning Ordinance, a property owner
1441 may have more than 15% impervious surface but not more than 30%
1442 impervious surface on the portion of a lot or parcel that is within 300 feet
1443 of the ordinary high water mark.
1444

1445 (2) For properties that exceed the standard under Section 9.44 of this
1446 Shoreland Zoning Ordinance but do not exceed the maximum standard
1447 under Section 9.45(1) of this Shoreland Zoning Ordinance, a zoning
1448 permit can be issued for development with a mitigation plan that meets the
1449 standards found in Part XII of this Shoreland Zoning Ordinance.
1450

1451 9.46 Treated Impervious Surfaces.
1452

1453 Impervious surfaces that can be documented to show they meet either of the following
1454 standards shall be excluded from the impervious surface calculations under Section 9.43
1455 of this Shoreland Zoning Ordinance.
1456

1457 (1) The impervious surface is treated by devices such as storm water ponds,
1458 constructed wetlands, infiltration basins, rain gardens, bio-swales or other
1459 engineered systems.
1460

1461 (2) The runoff from the impervious surface discharges to an internally drained
1462 pervious area that retains the runoff on or off the parcel and allows
1463 infiltration into the soil.
1464

1465 (3) To qualify for this exemption, a property owner shall submit a complete
1466 zoning permit application that is reviewed and approved by the county
1467 zoning agency. The application shall include the following:

- 1468
1469 (a) Calculations showing how much runoff is coming from the
1470 impervious surface area.
1471
1472 (b) Documentation that the runoff from the impervious surface is
1473 being treated by a proposed treatment system, treatment device or
1474 internally drained area.
1475
1476 (c) An implementation schedule and enforceable obligation on the
1477 property owner to establish and maintain the treatment system,
1478 treatment devices or internally drained area. The enforceable
1479 obligations shall be evidenced by an instrument recorded in the
1480 office of the Register of Deeds prior to the issuance of the zoning
1481 permit.
1482

1483 9.47 Existing Impervious Surface.
1484

1485 For existing impervious surfaces that were lawfully placed when constructed but do not
1486 comply with the general impervious surface standard in Section 9.4~~4~~5 of this Shoreland
1487 Zoning Ordinance or the maximum impervious surface standard in Section 9.4~~5~~6 of this
1488 Shoreland Zoning Ordinance, the property owner may do any of the following:
1489

- 1490 (1) Maintain and repair the existing impervious surfaces.
1491
1492 (2) Replace existing impervious surfaces with similar surfaces within the
1493 existing building envelope.
1494
1495 (3) Relocate or modify an existing impervious surface with similar or
1496 different impervious surface, provided that the relocation or modification
1497 does not result in an increase in the percentage of impervious surface that
1498 existed on the effective date of this Shoreland Zoning Ordinance, and the
1499 impervious surface meets the applicable setback requirements in Wis.
1500 Admin. Code § NR 115.05(1)(b).
1501

1502 9.48 Other Ordinance Provisions Not Abrogated.
1503

1504 The provisions of this Part X (Impervious Surface Standards), inclusive of Sections 9.42
1505 to 9.48 of this Shoreland Zoning Ordinance, shall not be construed to supersede any other
1506 provision in this Shoreland Zoning Ordinance.
1507

1508 PART XI. NONCONFORMING USES AND STRUCTURES.
1509

1510 9.49 Purpose.
1511

1512 To protect water quality, fish and wildlife habitat, and natural scenic beauty, some control
1513 is needed over the modification and reconstruction of nonconforming structures and uses.

1514
1515 9.50 Discontinued Nonconforming Use.

1516
1517 If a nonconforming use is discontinued for a period of 12 months, any future use of the
1518 building, structure or property shall conform to this Shoreland Zoning Ordinance.

1519
1520 9.51 Maintenance, Repair, Replacement or Vertical Expansion of Nonconforming Structures.

1521
1522 An existing structure that was lawfully placed when constructed but that does not comply
1523 with the required shoreland setback may be maintained, repaired, replaced, restored,
1524 rebuilt or remodeled if the activity does not expand the footprint of the nonconforming
1525 structure. Further, an existing structure that was lawfully placed when constructed but
1526 that does not comply with the required shoreland setback may be vertically expanded
1527 unless the vertical expansion would extend more than 35 feet above grade level.
1528 Expansion of a structure beyond the existing footprint is permitted if the expansion is
1529 necessary to comply with applicable state or federal laws.

1530
1531 9.52 Lateral Expansion of Nonconforming Principal Structure Within the Setback.

1532
1533 An existing principal structure that was lawfully placed when constructed but that does
1534 not comply with the required building setback in Section 9.25 of this Shoreland Zoning
1535 Ordinance may be expanded laterally, provided that all of the following requirements are
1536 met:

- 1537
- 1538 (1) The use of the structure has not been discontinued for a period of 12
1539 months or more if a nonconforming use.
 - 1540
 - 1541 (2) The existing principal structure is at least 35 feet from the ordinary high
1542 water mark.
 - 1543
 - 1544 (3) No portion of the expansion is any closer to the ordinary high water mark
1545 than the closest point of the existing principal structure.
 - 1546
 - 1547 (4) The lateral expansion does not exceed a maximum of 200 square feet over
1548 the life of the structure
 - 1549
 - 1550 (5) The county zoning agency issues a zoning permit that requires a
1551 mitigation plan that complies with Section 9.58 of this Shoreland Zoning
1552 Ordinance. The mitigation plan shall be approved by the county zoning
1553 agency and implemented by the property owner by the date specified in
1554 the zoning permit. The mitigation plan shall include mitigation practices
1555 that meet the standards found in Section 9.57 of this Shoreland Zoning
1556 Ordinance, and shall include enforceable obligations of the property owner

1557 to establish or maintain measures that the county zoning agency
1558 determines are adequate to offset the impacts of the permitted expansion
1559 on water quality, near-shore aquatic habitat, upland wildlife habitat and
1560 natural scenic beauty. The obligations of the property owner under the
1561 mitigation plan shall be evidenced by an instrument recorded in the office
1562 of the Manitowoc County Register of Deeds.

1563
1564 (6) All other provisions of this Shoreland Zoning Ordinance shall be met.
1565

1566 9.53 Expansion of a Nonconforming Principal Structure Beyond Setback.
1567

1568 An existing principal structure that was lawfully placed when constructed but that does
1569 not comply with the required shoreland setback under Section 9.25 of this Shoreland
1570 Zoning Ordinance, may be expanded horizontally, landward or vertically provided that
1571 the expanded area meets the shoreland setback requirements under Section 9.25 of this
1572 Shoreland Zoning Ordinance and that all other provisions of this Shoreland Zoning
1573 Ordinance are met. A mitigation plan is not required solely for expansion under this
1574 paragraph, but may be otherwise required under other sections of this Shoreland Zoning
1575 Ordinance, including Sections 9.26(2), 9.45(2), ~~and 9.52,~~ and 9.54.
1576

1577 9.54 Relocation of Nonconforming Principal Structure.
1578

1579 An existing principal structure that was lawfully placed when constructed but does not
1580 comply with the required shoreland setback under Section 9.25 of this Shoreland Zoning
1581 Ordinance may be replaced or relocated on the property provided all of the following
1582 requirements are met:
1583

- 1584 (1) The use of the structure has not been discontinued for a period of 12
1585 months or more.
- 1586 (2) The existing principal structure is at least 35 feet from the ordinary high
1587 water mark.
- 1588 (3) No portion of the replaced or relocated structure is located any closer to
1589 the ordinary high water mark than the closest point of the existing
1590 principal structure.
- 1591 (4) Manitowoc County determines that no other location is available on the
1592 property to build a principal structure of a comparable size to the structure
1593 proposed for replacement or relocation that will result in compliance with
1594 the shoreland setback requirement under Section 9.25 of this Shoreland
1595 Zoning Ordinance.
- 1596 (5) The county zoning agency issues a zoning permit that requires a
1597 mitigation plan that complies with Section 9.58 of this Shoreland Zoning
1598 Ordinance.
- 1599 (6) All other provisions of this Shoreland Zoning Ordinance shall be met.
1600
1601

1602 Ordinance. The mitigation plan shall be approved by the county zoning
1603 agency and implemented by the property owner by the date specified in
1604 the zoning permit. The mitigation plan shall include mitigation practices
1605 that meet the standards found in Section 9.57 of this Shoreland Zoning
1606 Ordinance, and shall include enforceable obligations of the property owner
1607 to establish or maintain measures that the county zoning agency
1608 determines are adequate to offset the impacts of the permitted expansion
1609 on water quality, near-shore aquatic habitat, upland wildlife habitat and
1610 natural scenic beauty. The mitigation measures shall be proportional to the
1611 amount and impacts of the replaced or relocated structure being permitted.
1612 The obligations of the property owner under the mitigation plan shall be
1613 evidenced by an instrument recorded in the office of the Manitowoc
1614 County Register of Deeds.

1615
1616 (6) All other provisions of this Shoreland Zoning Ordinance shall be met.
1617

1618 9.55 Maintenance, Repair, Replacement or Vertical Expansion of Structures That Were
1619 Authorized by Variance.

1620
1621 A structure of which any part has been authorized to be located within the shoreland
1622 setback area by a variance granted before July 15, 2015 may be maintained, repaired,
1623 replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the
1624 authorized structure. Additionally, the structure may be vertically expanded unless the
1625 vertical expansion would extend more than 35 feet above grade level. Expansion beyond
1626 the existing footprint may be permitted if the expansion is necessary to comply with
1627 applicable state or federal laws.

1628
1629 9.56 Wet Boathouses.

1630
1631 The maintenance and repair of any nonconforming boathouse that extends beyond the
1632 ordinary high water mark of any navigable waters shall comply with Wis. Stat. § 30.121.
1633

1634 PART XII. MITIGATION OPTIONS

1635
1636 9.57 Mitigation.

1637
1638 When the county zoning agency issues a zoning permit requiring mitigation under
1639 Section 9.26(2), 9.45, 9.52, or 9.54 of this Shoreland Zoning Ordinance, the property
1640 owner must submit a mitigation plan application that is to be reviewed and approved by
1641 the county zoning agency. Existing buffer zones may be used to meet the mitigation
1642 point totals. The following mitigation practices may be used to obtain a minimum of
1643 three points.

1644
1645 (1) Maintenance of Existing or Establishment of Buffer Options.
1646

- 1647 (a) Primary Active Buffer Zone – Shore buffer zone within 35 feet of
1648 the ordinary high water mark, including trees, shrubbery, ground
1649 cover and other natural vegetation, subject to the conditions in
1650 Section 9.57(2) of this Shoreland Zoning Ordinance. Three points.
1651
- 1652 (b) Secondary Active Buffer Zone – An additional 15 feet of buffer
1653 zone depth inland from the ordinary high water mark beyond the
1654 35 feet of buffer zone already established, providing a total of 50
1655 feet of buffer zone depth, subject to the conditions in Section
1656 9.57(2) of this Shoreland Zoning Ordinance. Two points.
1657
- 1658 (c) Recreational Area Buffer Zone – Shore buffer zone within 15 feet
1659 of the ordinary high water mark, including within the space that
1660 may otherwise have been occupied by the recreational area, except
1661 that a foot path of no more than four (4) feet in width may be
1662 maintained, subject to the conditions in Section 9.57(2) of this
1663 Shoreland Zoning Ordinance. Two points.
1664
- 1665 (d) Passive Buffer Zone – Shoreland vegetation buffer area within 35
1666 feet of the ordinary high water mark, including unmowed grass or
1667 other ground cover vegetation, but without the tree and shrub
1668 layers required to meet the (3) point mitigation standard of Section
1669 9.57(1)(a) of this Shoreland Zoning Ordinance. Two points.
1670
- 1671 (e) Side Lot Buffer Zone – A 10 foot wide side lot buffer zone
1672 including trees, shrubbery, ground cover and other natural
1673 vegetation extending along a side lot line for a depth of at least 75
1674 feet from the ordinary high water mark. One point. The side lot
1675 buffer area is subject to the conditions in Section 9.57(2) of this
1676 Shoreland Zoning Ordinance. Points for side lot line buffers may
1677 be additive, for a maximum of two (2) points, if buffer areas exist
1678 and are maintained along both side lot lines.
1679
- 1680 (2) Conditions.
1681
- 1682 1. No mowing is permitted in the buffer zone.
1683
- 1684 2. The establishment of buffer zones, except under Section 9.57(1)(d)
1685 of this Shoreland Zoning Ordinance, are subject to a density of at
1686 least one tree per 200 square feet and two (2) shrubs per 100
1687 square feet of buffer zone area. Ground cover shall be established
1688 to provide an adequate number of ground cover plants to establish
1689 complete coverage of exposed soil in one growing season. This
1690 density must be maintained through the maturity of the species.
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1736
- (3) Removal of Structures. Points may be obtained for the removal of structures as set forth below:
 - (a) Removal of an existing principal structure or parts of a principal structure located within the required shoreland setback to a site that meets the shoreland setback requirements for new development on that waterbody. Three points.
 - (b) Removal of all existing accessory structures located within 35 feet of the ordinary high water mark, with the result that all such structures, including boathouses, meet the setback required for the waterbody. Two points.
 - (c) Removal of any existing accessory structures located between 35 feet and the required setback from the ordinary high water mark, with the result that all such structures, including boathouses, are located to meet the required setback from the ordinary high water mark. One point.
 - (d) No accessory structures are located less than the required setback from the ordinary high water mark. This point is not additive to points awarded for removal of structures pursuant to Sections 9.5~~78~~(3)(b) and (c) of this Shoreland Zoning Ordinance. One point.
 - (4) Other Practices.
 - (a) At the discretion of the Department Director, up to three (3) additional mitigation points may be approved for restoration or protection activities that are likely to provide significant benefits to meet the objectives of this Shoreland Zoning Ordinance. Examples may include, but are not limited to, construction of a storm water detention basin or implementation of other storm water management plan activities, replacement of seawalls with bio-engineered structures, or removal of artificial sand beaches in compliance with all applicable statutes and provisions set forth in Wisconsin Administrative Codes.
 - (b) Factors to be considered in making the determination of number of points and approval of alternative mitigation practices include, but are not limited to:
 1. Runoff diversion and/or retention.
 2. Lot configuration.

- 1737 3. Parcel size.
- 1738
- 1739 4. Location of impervious areas.
- 1740
- 1741 5. Sensitivity and level of development of the waterbody.
- 1742
- 1743 6. Significance toward meeting ordinance objectives.
- 1744
- 1745 7. Type, density and filtering capacity of vegetation/ground
- 1746 cover.
- 1747
- 1748 8. Replacement of a private on-site wastewater treatment
- 1749 system with a code compliant system.
- 1750
- 1751 9. Removal of existing impervious areas.
- 1752

1753 9.58 Mitigation Plan.

1754

- 1755 (1) A property owner must submit a mitigation plan that describes the
- 1756 proposed mitigation measures. The mitigation plan shall be designed and
- 1757 implemented to restore natural functions lost through development and
- 1758 human activities. The mitigation measures shall be proportional in scope
- 1759 to the impacts on water quality, near-shore aquatic habitat, upland wildlife
- 1760 habitat and natural scenic beauty.
- 1761
- 1762 (2) Mitigation plans shall be completed by an engineer, landscape architect,
- 1763 surveyor or other licensed contractor acceptable by the Department
- 1764 Director.
- 1765
- 1766 (3) An implementation schedule and enforceable obligation on the property
- 1767 owner to establish and maintain the mitigation measures shall be recorded
- 1768 in the office of the Register of Deeds.
- 1769

1770 9.59 Minimum Standard of a Vegetative Buffer.

1771

1772 Planting Densities. The table below describes planting standards for two major shoreland

1773 types: woodland, and barrens/dry prairie/wet prairie. The woodland has a nearly complete

1774 canopy of trees while the barrens/prairie and wetland are more open. Plant numbers are to

1775 be calculated based on the area in square feet to be reestablished and the appropriate

1776 density. The area to be reestablished shall be calculated for each layer.

1777

1778 (Table 1) Shoreland Buffer Planting Standards

1779

1780 Woodland Buffer

Wetland / Prairie Buffer

1781

1782	Layer	Minimum	Density per	Minimum	Density per
1783		number of	100 square	number	100 square
1784		species	feet	species	feet
1785					
1786	Tree Canopy*	3	1	1	0.2
1787					
1788	Shrub				
1789	Understory**	4	2	2	0.5
1790					
1791	Groundcover	1	50	5	70
1792	Plant Plugs***		Must be		Must be
1793			Mulched		Mulched
1794					
1795	Groundcover	1	Varies	5	Varies
1796			Grass		Grass
1797					
1798	Seeding		4oz./1000sqft.		4oz./1000sqft.
1799			Forbs 3oz./1000sqft.		Forbs
1800					3oz./1000sqft.

1802 * Tree must be ≥ 2 years old and 18" tall or taller

1803 ** Shrubs must be 1 Liter container size or larger

1804 *** Plugs must be 3" tall or 1" dia.

1805

1806 9.60 Types of Vegetation Buffer Establishment.

1807

1808 (1) Avoidance - The buffer may be totally intact or undisturbed. If that is the
 1809 case, the affidavit will state that a property will not disturb the area and
 1810 will remain compliant with placement of a access and viewing corridor.
 1811 The area designated as Vegetative Buffer must meet the density
 1812 requirements of (Table 1).

1813

1814 (2) Accelerated Recovery (enhancement) - This method entails installing
 1815 some plant materials to achieve proper vegetation density as outlined in
 1816 (Table 1). Under this establishment method, a property owner will be
 1817 filling in areas that are too thin or where vegetation is missing.

1818

1819 (3) Accelerated Recovery (creation) - This method is used when no buffer
 1820 exists. The area in question may have been graded to bare soil or the site
 1821 may have been mowed for many years. This establishment method will
 1822 involve planting groundcover, shrubs and trees after removal of existing
 1823 vegetation.

1824

1825 9.61 Manitowoc County Native Plant List.

1826

1827 Species of plants must be selected from the Manitowoc County Native Plant List and
1828 approved for shoreline buffers by the Department Director. Substitutions must be
1829 approved by the Department Director. Substitutions to the list will be allowed in the
1830 event of lack of plant stock or seed availability on a case-by-case basis. All plants may be
1831 transplanted from areas outside of the buffer zone. The following link to the Wisconsin
1832 Botanical Information System shall be used to determine Manitowoc County native
1833 plants. County: Manitowoc, Origin: Native.
1834 <http://www.botany.wisc.edu/herb/Countysearch.html>

1835
1836 9.62 Shoreland Buffer Restoration Plan Requirements.

- 1837
1838 (1) When restoration of a shoreland buffer is chosen as a mitigation option, a
1839 Shoreland Buffer Restoration Plan shall be completed by an engineer,
1840 landscape architect, surveyor or other licensed contractor acceptable by
1841 the Department Director. Plans must be approved by the county zoning
1842 agency and must include:
- 1843 (a) Name and address of property owner.
 - 1844 (b) Property address and legal description.
 - 1845 (c) Extent of the shoreland buffer.
 - 1846 (d) Scale (e.g. 1 inch = 10 feet).
 - 1847 (e) North arrow.
 - 1848 (f) Ordinary high water mark location.
 - 1849 (g) Location of all structures in the shoreland buffer zone.
 - 1850 (h) Access and viewing corridor.
 - 1851 (i) Boundary of the shoreland buffer zone.
 - 1852 (j) Existing trees, shrubs, and native ground cover.
 - 1853 (k) Areas to be planted with trees, shrubs, and groundcovers.
 - 1854 (l) Implementation schedule.
 - 1855 (m) A plant species list including a list of any substitutions
1856 from the authorized native plant list.
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- 1871 (n) Erosion control practices (to be installed prior to and during
1872 buffer establishment).
1873
1874 (o) Water diversions and channelized flow areas.
1875
1876 (p) Buffer maintenance (weeding, replanting).
1877

1878 9.63 Implementation Schedule.
1879

1880 The approved Shoreland Buffer Restoration Plan must be started within one year from
1881 the issue date of applicable zoning permit. All plantings and any other required activities
1882 in the Shoreland Buffer Restoration Site Plan must be completed within two years of the
1883 zoning permit issue date.
1884

1885 9.64 Certification of Completion.
1886

1887 Within one (1) year of issuance of the zoning permit, the property owner shall complete
1888 the mitigation practices and shall certify in writing to the Department Director that the
1889 required mitigation has been completed. As part of the certification, the property owner
1890 shall submit photos documenting the mitigation measures and the county zoning agency
1891 may conduct an on-site compliance inspection.
1892

1893 9.65 Subsequent Development.
1894

1895 Subsequent zoning permit applications shall require additional mitigation and will be
1896 dependent on the scope of the project.
1897

1898 PART XIII. ADMINISTRATIVE PROVISIONS.
1899

1900 9.66 Department Director.
1901

1902 The Department Director shall have the following duties and powers:
1903

- 1904 (1) Establishing a system of zoning permits for new construction,
1905 development, reconstruction, structural alteration or moving of buildings
1906 and structures. A copy of applications shall be required to be filed in the
1907 office of the Department Director.
1908
1909 (2) Performing regular inspection of permitted work in progress to insure
1910 conformity of the finished structures with the terms of this Shoreland
1911 Zoning Ordinance.
1912
1913 (3) Establishing a variance procedure that authorizes the Board of Adjustment
1914 to grant such variance from the terms of this Shoreland Zoning Ordinance
1915 as will not be contrary to the public interest where, owing to special

1916 conditions and the adoption of this Shoreland Zoning Ordinance, a literal
1917 enforcement of the provisions of the Shoreland Zoning Ordinance will
1918 result in unnecessary hardship.

1919
1920 (4) Establishing a conditional use procedure.

1921
1922 (5) Maintain complete records of all proceedings before the Board of
1923 Adjustment, county zoning agency, and planning agency.

1924
1925 (6) Providing written notice to the appropriate office of the Department at
1926 least 10 days prior to any hearing on a proposed variance, conditional use
1927 permit, appeal for a map or text interpretation, map or text amendment,
1928 and providing copies of all proposed land divisions submitted to the
1929 county zoning agency for review under Section 9.18 of this Shoreland
1930 Zoning Ordinance. Upon request of the Department Manitowoc County
1931 shall provide to the appropriate office a copy of any zoning permit issued
1932 under Section 9.67 of this Shoreland Zoning Ordinance.

1933
1934 (7) Submitting to the appropriate office of the Department, within 10 days
1935 after grant or denial, of copies of any zoning permit, any decision on a
1936 variance, or conditional use permit, or appeal for a map or text
1937 interpretation, and any decision to amend a map or text of the Shoreland
1938 Zoning Ordinance.

1939
1940 (8) Mapping zoning districts and the recording, on an official copy of such
1941 map, of all district boundary amendments.

1942
1943 (9) Establishing appropriate penalties for violations of various provisions of
1944 this Shoreland Zoning Ordinance, including forfeitures. Compliance with
1945 this Shoreland Zoning Ordinance shall be enforceable by the use of
1946 injunctions to prevent or abate a violation, as provided in Wis. Stat.
1947 § 59.69(11).

1948
1949 (10) The prosecution of violations of this Shoreland Zoning Ordinance.

1950
1951 9.67 Permits Required.

1952
1953 Except where another section of this Shoreland Zoning Ordinance specifically exempts
1954 certain types of development from this requirement, a zoning permit shall be obtained
1955 from the county zoning agency, or a conditional use permit from the Board of
1956 Adjustment if applicable, before any new development.

1957
1958 9.68 Permit Application.

1959

1960 An application for a zoning permit shall be made to the Department Director upon forms
1961 furnished by the county zoning agency and shall include the following information:

- 1962
- 1963 (1) Name and address of applicant and property owner.
 - 1964
 - 1965 (2) Legal description of the property and type of proposed use.
 - 1966
 - 1967 (3) A to scale drawing of the dimensions of the lot and location of all existing
1968 and proposed structures and impervious surfaces relative to the lot lines,
1969 center line of abutting highways and the ordinary high water mark of any
1970 abutting waterways.
 - 1971
 - 1972 (4) Location and description of any existing private water supply or sewage
1973 system or notification of plans for any such installation.
 - 1974
 - 1975 (5) Plans for appropriate mitigation when required.
 - 1976
 - 1977 (6) Payment of the appropriate fee.
 - 1978
 - 1979 (7) Additional information required by the Department Director.
 - 1980

1981 9.69 Expiration of Permit.

1982

1983 Zoning permits shall expire 24 months from date issued if no substantial work has
1984 commenced.

1985

1986 9.70 Reasonable Accommodation for Disabled or Handicapped Persons.

- 1987
- 1988 (1) Manitowoc County will, upon receipt of a written request, issue a zoning
1989 permit that waives one or more specific zoning requirements if it
1990 determines that all of the following conditions have been met:
 - 1991
 - 1992 (a) The requested waiver is necessary to afford a handicapped or
1993 disabled person equal housing opportunity or equal access to
1994 public accommodations.
 - 1995
 - 1996 (b) The requested waiver is the minimum deviation from the terms of
1997 this Shoreland Zoning Ordinance necessary to provide the
1998 handicapped or disabled person equal housing opportunity or equal
1999 access to public accommodations.
 - 2000
 - 2001 (c) The requested waiver will not unreasonably undermine the basic
2002 purposes this Shoreland Zoning Ordinance.
 - 2003

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- (2) A zoning permit issued pursuant to this section must state the provisions of this Shoreland Zoning Ordinance that are waived and describe with reasonable particularity the deviation from the terms of this Shoreland Zoning Ordinance that are authorized.
 - (3) A zoning permit issued pursuant to this section must state that the permit is issued pursuant to the requirements of the Americans with Disabilities Act, the Fair Housing Act, the Rehabilitation Act, the Wisconsin Open Housing Law, a local ordinance, or a combination of these acts, laws, and ordinances in order to provide the reasonable accommodation necessary to avoid discrimination on the basis of disability or handicap.
 - (4) A zoning permit issued pursuant to this section must include a provision stating that the permit is valid only for so long as the waiver is necessary for a disabled or handicapped person to occupy or use the premises and that the permit holder must notify the county zoning agency within 30 days of the date that the disabled or handicapped person no longer occupies or uses the premises.
 - (5) A zoning permit issued pursuant to this section must include a provision stating that any addition or external structural change allowed by the waiver must be constructed, insofar as is practicable, in such a way that it can be removed when the disabled or handicapped person no longer occupies or uses the premises, unless Manitowoc County determines that removal will not be required and includes a written statement of the reason that removal is not required as part of the permit.
 - (6) A zoning permit issued pursuant to this section that requires the removal of any addition or external structural change will not become effective until the permit holder:
 - (a) Signs an affidavit that contains the legal description of the property, acknowledges that the waiver granted by the zoning permit is authorized only for so long a disabled or handicapped person uses the premises, agrees to notify the county zoning agency within 30 days of the date that the premises are no longer occupied or used by a disabled or handicapped person, and agrees to remove any addition or external structural change authorized by the zoning permit within 30 days of the date that the premises are no longer occupied or used by a disabled or handicapped person; and
 - (b) Records the affidavit with the Register of Deeds and provides a copy of the recorded affidavit to the county zoning agency.

2049 9.71 Conditional Use Permit Application.

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Any use listed as a conditional use in this Shoreland Zoning Ordinance shall be permitted only after an application has been submitted to the Department Director and a conditional use permit has been granted by the Board of Adjustment. To secure information upon which to base its determination, the Board of Adjustment may require the applicant to furnish, in addition to the information required for a zoning permit, the following information:

- (1) A plan of the area showing surface contours, soil types, ordinary high water mark, ground water conditions, subsurface geology and vegetative cover.
- (2) Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space and landscaping.
- (3) Plans of buildings, sewage disposal facilities, water supply systems and arrangement of operations.
- (4) Specifications for areas of proposed filling, grading, lagooning or dredging.
- (5) Other pertinent information necessary to determine if the proposed use meets the requirements of this Shoreland Zoning Ordinance.
- (6) Rationale for why the proposed conditional use meets all of the conditional use criteria listed in this Shoreland Zoning Ordinance.

9.72 Standards Application to All Conditional Use Permits.

In deciding a conditional use application, the Board of Adjustment shall evaluate the effect of the proposed use upon:

- (1) The maintenance of safe and healthful conditions.
- (2) The prevention and control of water pollution including sedimentation.
- (3) Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.
- (4) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
- (5) The location of the site with respect to existing or future access roads.

- 2094 (6) The need of the proposed use for a shoreland location.
- 2095
- 2096 (7) The compatibility of the proposed use with uses on adjacent land.
- 2097
- 2098 (8) The amount of liquid and solid wastes to be generated and the adequacy of
- 2099 the proposed disposal systems.
- 2100
- 2101 (9) Location factors under which:
- 2102
- 2103 (a) Domestic uses shall be generally preferred.
- 2104
- 2105 (b) Uses not inherently a source of pollution within an area shall be
- 2106 preferred over uses that are or may be a pollution source.
- 2107
- 2108 (c) Use locations within an area tending to minimize the possibility of
- 2109 pollution shall be preferred over use locations tending to increase
- 2110 that possibility.
- 2111

2112 9.73 Conditions Attached to Conditional Use Permits.

2113

2114 Conditions attached to conditional use permits may include, but are not limited to, the

2115 following specifications: type of shore cover; specific sewage disposal and water supply

2116 facilities; landscaping and planting screens; period of operation; operational control;

2117 sureties; deed restrictions; location of piers, docks, parking and signs; and type of

2118 construction. Upon consideration of the factors listed above, the Board of Adjustment

2119 shall attach such conditions, in addition to those required elsewhere in this Shoreland

2120 Zoning Ordinance, as are necessary to further the purposes of this Shoreland Zoning

2121 Ordinance. Violations of any of these conditions shall be deemed a violation of this

2122 Shoreland Zoning Ordinance. In granting a conditional use permit, the Board of

2123 Adjustment may not impose conditions which are more restrictive than any of the

2124 specific standards in this Shoreland Zoning Ordinance. Where this Shoreland Zoning

2125 Ordinance is silent as to the extent of restriction, the Board of Adjustment may impose

2126 any reasonable permit conditions to affect the purpose of this Shoreland Zoning

2127 Ordinance.

2128

2129 9.74 Recording.

2130

2131 When a conditional use permit is approved, an appropriate record shall be made of the

2132 land use and structures permitted. Such permit shall be applicable solely to the structures,

2133 use and property so described.

2134

2135 9.75 Conditional Use Permit Revocation.

2136

2137 Where the conditions of a conditional use permit are violated, the conditional use permit

2138 shall be revoked.

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9.76 Variances.

The Board of Adjustment may grant upon appeal a variance from the standards of this Shoreland Zoning Ordinance where an applicant convincingly demonstrates that:

- (1) Literal enforcement of the provisions of this Shoreland Zoning Ordinance will result in unnecessary hardship on the applicant.
- (2) The hardship is due to special conditions unique to the property.
- (3) The variance is not contrary to the public interest.

9.77 Board of Adjustment.

The County Executive shall appoint, subject to County Board approval, a Board of Adjustment consisting of five (5) members under Wis. Stat. § 59.694. The County Board shall adopt such rules for the conduct of the business of the Board of Adjustment as required by Wis. Stat. § 59.694(3).

9.78 Powers and Duties.

- (1) The Board of Adjustment shall adopt such additional rules as it deems necessary and may exercise all of the powers conferred on such boards by Wis. Stat. § 59.694.
- (2) The Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an the Department Director in the enforcement or administration of this Shoreland Zoning Ordinance.
- (3) The Board of Adjustment shall hear and decide applications for conditional use permits.
- (4) The Board of Adjustment may grant a variance from the standards of this Shoreland Zoning Ordinance pursuant to Section 9.76 of this Shoreland Zoning Ordinance. In granting a variance, the Board of Adjustment may not impose conditions which are more restrictive than any of the specific standards in this Shoreland Zoning Ordinance. Where this Shoreland Zoning Ordinance is silent as to the extent of restriction, the Board of Adjustment may impose any reasonable permit conditions to effect the purpose of this Shoreland Zoning Ordinance.

9.79 Appeals to the Board.

2184 Appeals to the Board of Adjustment may be made by any person aggrieved or by an
2185 officer, department, board or bureau of Manitowoc County affected by any decision of
2186 the Department Director. Such appeal must be made within 30 days of the date of the
2187 decision by filing with the Department Director, and with the Board of Adjustment, a
2188 notice of appeal specifying the reasons for the appeal. The Department Director shall
2189 promptly transmit to the Board of Adjustment all the papers constituting the record
2190 concerning the matter appealed.

2191

2192 9.80 Hearing Appeals and Applications for Variances and Conditional Use Permits.

2193

2194 (1) The Board of Adjustment shall fix a reasonable time for a hearing on the
2195 appeal or application. The Board of Adjustment shall give public notice
2196 thereof by publishing a Class 2 notice under Wis. Stat. ch. 985 specifying
2197 the date, time and place of the hearing and the matters to come before the
2198 Board of Adjustment. Notice shall be mailed to the parties in interest.
2199 Written notice shall be given to the appropriate office of the Department at
2200 least 10 days prior to hearings on proposed shoreland variances,
2201 conditional uses, and appeals for map or text interpretations.

2202

2203 (2) A decision regarding the appeal or application shall be made as soon as
2204 practical. Copies of all decisions on shoreland variances, conditional uses,
2205 and appeals for map or text interpretations shall be submitted to the
2206 appropriate office of the Department within 10 days after they are granted
2207 or denied.

2208

2209 (3) The final disposition of an appeal or application to the Board of
2210 Adjustment shall be in the form of a written resolution or order signed by
2211 the chairman and secretary of the Board of Adjustment. Such resolution
2212 shall state the specific facts which are the basis of the Board of
2213 Adjustment's determination and shall either affirm, reverse, vary or
2214 modify the order, requirement, decision or determination appealed, in
2215 whole or in part, dismiss the appeal for lack of jurisdiction or prosecution
2216 or grant the application.

2217

2218 (4) At the public hearing, any party may appear in person or by agent or by
2219 attorney.

2220

2221 9.81 Amendments and Changes.

2222

2223 (1) The County Board may from time to time amend, supplement, or repeal
2224 the regulations or change the district boundaries of this Shoreland Zoning
2225 Ordinance in accordance with the procedure provided in Wis. Stats.
2226 § 59.69(5)(e), as amended and Wis. Admin. Code ch. NR115.
2227 Amendments may be made upon petition by any interested party in
2228 accordance with the appropriate provisions of Wis. Stat. § 59.69. Actions

2229 that require an amendment include, but are not limited to any upgrading of
2230 the Shoreland Zoning Ordinance in accordance with Wis. Admin. Code
2231 ch. NR 115.

2232
2233 (2) Map Amendments to the Shoreland-Wetland District.

2234
2235 A wetland, or portion thereof in a Shoreland-Wetland District, shall not be
2236 rezoned if the proposed rezoning may result in a significant adverse
2237 impact upon any of the following:

2238
2239 (a) Storm and flood water storage capacity.

2240
2241 (b) Maintenance of dry season stream flow, the discharge of
2242 groundwater to a wetland, the recharge of groundwater from a
2243 wetland to another area, or the flow of groundwater through a
2244 wetland.

2245
2246 (c) Filtering or storage of sediments, nutrients, heavy metals, or
2247 organic compounds that would otherwise drain into navigable
2248 waters.

2249
2250 (d) Shoreline protection against soil erosion.

2251
2252 (e) Fish spawning, breeding, nursery, or feeding grounds.

2253
2254 (f) Wildlife habitat.

2255
2256 (g) Areas of special recreational, scenic, or scientific interest;
2257 including scarce wetland types.

2258
2259 (3) For all proposed text and map amendments to the Shoreland-Wetland
2260 District the appropriate district office of the Department shall be provided
2261 with the following:

2262
2263 (a) A copy of every petition for text or map amendment to the
2264 Shoreland-Wetland District within five (5) days of the filing of
2265 such petition with the Manitowoc County Clerk.

2266
2267 (b) A written notice of the public hearing to be held on a proposed
2268 amendment at least ten (10) days prior to such hearing.

2269
2270 (c) A copy of the Planning and Park Commission's findings and
2271 recommendations on each proposed amendment within ten (10)
2272 days after the submission of those findings and recommendations
2273 to the County Board.

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(d) Written notice of the County Board’s decision on the proposed amendment within ten (10) days after it is issued.

(4) If the Department notifies the Planning and Park Commission that a proposed text or map amendment to the Shoreland-Wetland provisions of this Shoreland Zoning Ordinance may have a significant adverse impact upon any of the criteria listed in Section 9.81(2) of this Shoreland Zoning Ordinance, that amendment if approved by the County Board shall not take effect until more than thirty (30) days have elapsed after written notice of the County Board’s approval of the amendment is mailed to the Department. During that thirty (30) day period the Department may notify the County Board that it will adopt a superseding shoreland zoning ordinance for Manitowoc County under Wis. Stat. § 59.692(6). If the Department does so notify the County Board, the effect of this amendment shall be stayed until Wis. Stat. § 59.692(6) adoption procedure is completed or otherwise terminated.

9.82 Violations and Penalties.

(1) Any person, firm, or corporation who violates, disobeys neglects, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of this Shoreland Zoning Ordinance shall, upon conviction, remove the building, structure, or part thereof or discontinue the use thereof which violates the terms of this Shoreland Zoning Ordinance, within ninety (90) days of such conviction. Upon failure to do so, the County Board may order the removal of such building, structure, use, or part thereof which violates the terms of this Shoreland Zoning Ordinance. Such removal may be performed by an agent or by contract arrangement with private persons and the cost of such removal shall become a lien upon the property, collectible as permitted by law.

(2) Such person, firm, or corporation may also be required, upon conviction, to forfeit not less than twenty dollars (\$20) nor more than two thousand dollars (\$2000) for each offense, together with the costs of prosecution, and in default of the payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail of Manitowoc County until such forfeiture and costs are paid, but not to exceed thirty (30) days. Each day that a violation continues to exist shall constitute a separate offense. Every violation of this Shoreland Zoning Ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated by action at suit of Manitowoc County, any municipality, the State of Wisconsin, or any citizen thereof pursuant to Wis. Stat. § 87.30.

2318 (3) Statute of Limitations. Under Wis. Stat. § 59.692(1t), where a building or
2319 structure violates the dimensional or use standards of this Shoreland
2320 Zoning Ordinance and such building or structure has been in place for
2321 more than 10 years, no enforcement action may be commenced by
2322 Manitowoc County. A property owner claiming immunity from an
2323 enforcement action under this provision shall establish:

2324
2325 (a) That the noncompliant features or use of the building or structure
2326 have been in place for more than 10 years before commencement
2327 of an enforcement action.

2328
2329 (b) That use of such building or structure has been active and
2330 continuous for the 10 years prior to commencement of an
2331 enforcement action. If use of the structure was discontinued for
2332 more than 12 months, such use shall be deemed abandoned and
2333 this exemption from enforcement forfeit.

2334
2335 9.83 Effective Date.

2336
2337 This Shoreland Zoning Ordinance, upon passage and publication by the County Board
2338 shall be effective in all of the unincorporated areas within Manitowoc County and shall not
2339 require approval or be subject to disapproval by any town or town board as provided by
2340 Wis. Stats. §§ 59.692 and 87.30.

2341

Dated this 20th day of September 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Vogel to enact Ordinance 6 (2016/2017-39) Amending Zoning Map (Town of Manitowoc Rapids). Upon vote, the motion carried unanimously.

No. 2016/2017 - 39

ORDINANCE AMENDING ZONING MAP

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment by the Town of Manitowoc
3 Rapids to rezone multiple parcels to Exclusive Agriculture (EA) on August 22, 2016; and
4

5 WHEREAS, the Planning and Park Commission, after a careful consideration of
6 testimony and an examination of the facts, recommends that the petition be approved for the
7 reasons stated in the attached report;
8

9 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain that the
10 Town Zoning Map of the Town of Manitowoc Rapids shall be amended to reflect the rezoning of
11 the following parcels of land located in T19N, R23E, Town of Manitowoc Rapids, to the
12 Exclusive Agriculture (EA) zoning district in order to implement changes to the town's land use
13 plan and to better represent current and future land use:
14

15 Property Owners and Parcels Numbers:

16
17 *James & Jane Lepich:* 010-003-015-001.00; 010-003-016-001.00; 010-010-005-002.00;
18 and 010-010-008-001.00;
19

20 *Twin Cities Vue Dairy:* 010-011-010-001.00; 010-011-011-000.00; 010-011-009-001.00;
21 010-011-012-001.00; 010-011-014-002.00; and 010-010-016-002.00;
22

23 *David & Emily Kluenker:* 010-011-007-004.00; 010-009-007-001.00; and 010-009-006-
24 000.00 (the southern portion is RR);
25

26 *David & Debra Kluenker:* 010-010-004-001.00;
27

28 *Donald Shimon:* 010-010-001-002.00; 010-010-002-002.00; 010-010-003-001.01; 010-
29 010-014-001.00; 010-011-006-002.00; and 010-010-003-001.00;
30

31 *David Grotegut:* 010-003-001-001.00; and 010-003-002-000.00;
32

33 *Soaring Eagle Daily LLC:* 010-022-003-000.00; 010-022-004-002.00; 010-022-001-
34 007.00; 010-011-002-001.00; 010-011-001-000.00; 010-011-004-004.00; 010-012-007-001.00;
35 010-012-008-004.00; 010-012-007-002.00; 010-012-008-002.00; 010-012-003-001.00; and 010-
36 012-010-001.00.

Dated this 20th day of September 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Falkowski to enact Ordinance 7 (2016/2017-40) Amending Zoning Map (Fredrick and Hannah Beachy). Upon vote, the motion carried unanimously.

No. 2016/2017 - 40

ORDINANCE AMENDING ZONING MAP
(Joseph and Susan Resch)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 22, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 19, T20N, R23E, Town of Kossuth,
12 commencing at the E $\frac{1}{4}$ Corner of said Section 19 which is the point of real beginning;
13 thence northerly approximately 1320 feet; thence westerly approximately 1320 feet
14 thence southerly approximately 1320 feet; thence easterly approximately 1320 feet to the
15 point of real beginning, excepting therefrom Lot 1 of a Certified Survey Map recorded in
16 the Manitowoc County Register of Deeds Office in Volume 31 Page 253 of Certified
17 Survey Maps (Document No. 1151029), said parcel containing approximately 38.50 acres
18 of land and is hereby rezoned from Natural Area (NA) to Exclusive Agriculture (EA);
19 and
20

21 A parcel of land located in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 19, T20N, R23E, Town of Kossuth,
22 commencing at the Center of said Section 19 which is the point of real beginning; thence
23 northerly approximately 1320 feet; thence easterly approximately 1320 feet thence
24 southerly approximately 1320 feet; thence westerly approximately 1320 feet to the point
25 of real beginning, said parcel containing approximately 40.0 acres of land and is hereby
26 rezoned from General Agriculture (GA) to Exclusive Agriculture (EA); and
27

28 A parcel of land located in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 19, T20N, R23E, Town of Kossuth,
29 commencing at the E $\frac{1}{4}$ Corner of said Section 19; thence westerly approximately 809
30 feet which is the point of real beginning; thence continue westerly approximately 518
31 feet; thence southerly along the centerline of Honey Bee Lane approximately 1251 feet;
32 thence easterly approximately 518.93 feet; thence northerly approximately 1272.6 to the

33 point of real beginning, said parcel containing approximately 14.95 acres of land and is
34 hereby rezoned General Agriculture (GA) to Exclusive Agriculture (EA).

Dated this 20th day of September 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Maresh to enact Ordinance 8 (2016/2017-41) Amending Zoning Map (Joseph and Susan Resch). Upon vote, the motion carried unanimously.

No. 2016/2017 - 41

ORDINANCE AMENDING ZONING MAP
(Fredrick and Hannah Beachy)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 22, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the NW¼, SE¼, Section 28, T21N, R24E, Town of
12 Mishicot, commencing at the Center of said Section 28; thence southerly approximately
13 33 feet to the south r/w of Assman Road; thence easterly along the south r/w of Assman
14 Road approximately 131.28 feet which is the point of real beginning; thence continue
15 easterly approximately 565.48 feet; thence southerly approximately 169.48 feet; thence
16 westerly approximately 558.32 feet; thence northerly approximately 171.50 feet to the
17 point of real beginning, said parcel containing approximately 2.55 acres of land and is
18 hereby rezoned from Small Estate (SE) to Rural Residential (RR).

Dated this 20th day of September 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Hendrickson gave a brief report.

Public Works Committee: Supervisor Weiss gave a brief report.

Supervisor Weiss moved, seconded by Supervisor Dyzak to adopt Resolution 9 (2016/2017-42) Approving Certified Survey Map of Expo Drive Property. Upon vote, the motion carried with 20 ayes and 4 noes. Supervisors Hoffman, Vogel, Wagner, and Metzger voted no; all other supervisors voted aye.

No. 2016/2017 - 42

**RESOLUTION APPROVING CERTIFIED SURVEY MAP OF EXPO
DRIVE PROPERTY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS in January of 2016, Manitowoc County entered into a Real Estate Option
2 Contract with Meijer Stores Limited Partnership for the sale of certain property at the Manitowoc
3 County Expo Center grounds; and
4

5 WHEREAS pursuant to that Real Estate Option Contract, a certified survey map was to
6 be completed of the property to be purchased by Meijer Stores Limited Partnership; and
7

8 WHEREAS a certified survey map has now been completed that subdivides 28.40 acres
9 from Manitowoc County Expo Center property; and
10

11 WHEREAS, in addition to creating three developable lots, the certified survey map also
12 dedicates certain land to the City of Manitowoc for the extension of Dewey Street and the
13 creation of Meijer Drive; and
14

15 WHEREAS, the Public Works Committee has reviewed the certified survey map, and
16 recommends its approval;
17

18 NOW THEREFORE BE IT RESOLVED the Manitowoc County Board of Supervisors
19 hereby approves the certified survey map subdividing 28.40 acres of property from the
20 Manitowoc County Expo Center grounds, including the street dedications contained therein, and
21 authorizes appropriate Manitowoc County Officials to execute the papers necessary to formalize
22 the approval and carry out the terms and conditions thereof.

Dated this 20th day of September 2016.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Safety Net Accountability Panel: Supervisor Henrickson gave a brief report.

Supervisor Weiss moved to adjourn, seconded by Supervisor Zimmer, and the motion was adopted by acclamation. The meeting adjourned at 9:08 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, October 11, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 11th day of October 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:02 p.m.

Supervisor Zimmer gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage. A moment of silence was held for the Town of Franklin Clerk Charles Nate.

Roll call: 24 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisors Nickels was excused.

On a motion by Supervisor Behnke, seconded by Supervisor Baumann the September 20, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Maresh to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented a Proclamation Declaring Manitowoc Recycles Day 2016 to Public Works Director Gerry Neuser. Mr. Neuser explained that in 2015 the Recycling Center took in 6,500,000 pounds of paper and 453,000 labels of plastic. Neuser thanked the Board for the recognition.

Chairperson Brey, and Supervisors Metzger and Vogt each gave a brief report regarding the 2016 Wisconsin Counties Association Conference where they attended various informational business meetings and workshops.

County Executive Bob Ziegelbauer presented the proposed 2017 budget. Executive Ziegelbauer commented that this will be the 11th year that a typical property owner will see a slight decrease in the taxes they pay for Manitowoc County government. County Government is in strong financial shape. Mr. Ziegelbauer explained that while maintaining low debt, the county is preparing for big projects that include renovation of the University of Wisconsin facility, and major modifications to the Heritage Center where Aging and Disabilities Resource Center and Veterans Services departments will be located in 2017. He answered supervisors' questions.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:24 p.m.

Maura Yost, Town of Centerville, addressed the Board regarding the appointment of a single Human Services Director. For the past 4 years, she has been advocating for one Human Services Director. Now is the time to add this position into the 2017 budget. Ms. Yost asked the Board to take the necessary actions as directed by County Code to appoint a single Human Services Director.

Mark Bittner, City of Two Rivers, spoke on behalf and in support of MARCO. Mr. Bittner invited everyone to the October 13, 2016 meeting where discussion of how crime and drug use is ground in the community and how MARCO helps fight the drug epidemic.

Erin Schultz, City of Manitowoc, spoke on behalf and in support of MARCO. MARCO is funded within the Human Services budget. The 2017 budget proposal would cut MARCO's funding by \$100,000, which would be a huge finance setback. Ms. Schultz presented a counter-proposal requesting the County to maintain its current support through March 2017 to allow MARCO time to seek and secure other revenue necessary for MARCO's financial survival.

James Modl, City of Two Rivers, spoke on behalf and in support of MARCO as a previous resident and now an upstanding citizen in the community.

Charles Denor, City of Manitowoc, spoke in support of treatment facilities in our community.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:40 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Gerroll gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Public Safety Committee: Supervisor Henrickson moved, seconded by Supervisor Vogel to adopt Resolution 1 (2016/2017-43) Supporting Request for Additional Assistant District Attorney. Upon vote the motion carried unanimously.

**RESOLUTION SUPPORTING REQUEST FOR ADDITIONAL
ASSISTANT DISTRICT ATTORNEY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County currently is allotted a total of five (5) full-time
2 equivalent prosecutor positions, including the District Attorney, to cover all criminal, juvenile,
3 and traffic cases in Manitowoc County, and
4

5 WHEREAS, a caseload analysis completed by the Legislative Audit Bureau shows that
6 Manitowoc County needs an additional 2.73 prosecutors in the District Attorney's office to meet
7 the existing workload, and
8

9 WHEREAS, the District Attorney has included funding for an additional two (2)
10 Assistant District Attorney positions in her office as part of her state budget request for 2017-
11 2019;
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
14 Supervisors supports the District Attorney's request for funding for an additional two (2)
15 Assistant District Attorney prosecutor positions and directs the County Clerk to send a copy of
16 this resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate,
17 the Speaker of the Wisconsin Assembly, and each legislator in the Wisconsin Senate and
18 Assembly who represents constituents from Manitowoc County.

Dated this 11th day of October 2016.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Safety Net Accountability Panel: Supervisor Henrickson gave a brief report.

Transportation Coordinating Committee: Supervisor Weiss gave a brief report.

Announcement: Chairperson Brey reminded supervisors that the next meeting will be Monday, October 31.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Baumann, and the motion was adopted by acclamation. The meeting adjourned at 7:59 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Monday, October 31, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 31st day of October 2016, for the purpose of conducting the Annual Meeting and Public Hearing on the Budget as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Chairperson Brey gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 22 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, and Williams. Supervisors Maresh, Weiss, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Henrickson the October 11, 2016 meeting minutes were approved on a unanimous vote with a clerk's correction to change the date from October 31, 2016 to October 11, 2016 on the agenda.

There were no changes to the agenda. Supervisor Baumann moved, seconded by Supervisor Vogt to approve the agenda. Upon vote, the motion carried unanimously.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open on the 2017 proposed budget open at 7:04 p.m.

Peter Willis, Executive Director for Progress Lakeshore, requested the County Board to consider adding funds to the 2017 budget to help support Progress Lakeshore. Progress Lakeshore brings support to the community when big companies leave, such as Manitowoc Company has done. Please help support us in return.

Darlene Wellner, Town of Kossuth, spoke on behalf of the RUTH Group that works with individuals who struggle with criminal behavior and drug addiction. Through treatment and hard work the individual can be made whole again. She thanked the County Board for the continued funding in the 2017 budget for the RUTH Group.

Dean Halverson, Progress Lakeshore Board Vice President and CEO of Leede Research, informed the County Board that through Progress Lakeshore, both private and public development have come together to work for a common good. He requested the County Board to consider adding funds to the 2017 budget to help support Progress Lakeshore.

Maura Yost, Town of Centerville, asked questions of the Board in regards to various proposed 2017 budget departmental line items.

No one else present wished to speak at the public hearing on the 2017 proposed budget, subsequently Chairperson Brey closed public comment at 7:20 p.m. and opened public comment on any non-budget items.

Terri Olson, representative of the Salvation Army, requested the County Board support the resolution for payroll deduction for the Salvation Army. The funds that would be donated by the employees would benefit their program and help the many people who are in need.

Maura Yost, Town of Centerville, informed the County Board that this is her fourth year for her advocacy of a single Human Services director. Even though the budget has been created, she has requested the funding for this position be entered into the 2017 budget.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:28 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Chuck Hoffman to the Board of Adjustment to fill a vacancy in which the term expires July 2018. Supervisor Vogel moved, seconded by Supervisor Holschbach to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of David Dyzak to the Planning and Park Commission to fill a vacancy in which the term expires July 2019. Supervisor Waack moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Finance Committee: Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution 1 (2016/17-44) Authorizing Automatic Employee Payroll Deduction for Salvation Army Charitable Contributions. Upon discussion and vote, the motion carried with 17 ayes, 3 noes, and 2 abstains. Supervisors Muench, Vogel, and Vogt voted no; Supervisors Hansen and Metzger abstained; all other supervisors voted aye.

No. 2016/2017 - 44

RESOLUTION AUTHORIZING AUTOMATIC EMPLOYEE PAYROLL DEDUCTION FOR SALVATION ARMY CHARITABLE CONTRIBUTIONS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County is committed to improving the quality of life for all of
2 its citizens and recognizes that private, not-for-profit organizations make a significant
3 contribution to the quality of life in Manitowoc County; and
4

5 WHEREAS, the Salvation Army is requesting that Manitowoc County give its employees
6 an opportunity to support its charitable actions through an automatic payroll deduction; and

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WHEREAS, Manitowoc County has determined that allowing its employees to automatically have charitable contributions to the Salvation Army deducted from an employee's paycheck is an efficient and effective way to provide its employees with an opportunity to contribute to a charitable organization;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes employees to have charitable contributions to the Salvation Army automatically deducted from an employee's paycheck by notifying the Comptroller's Office of such a deduction between now and December 31, 2016, with payroll deductions to be made during the 2017 calendar year; and

BE IT FURTHER RESOLVED that as a charity authorized to offer Manitowoc County employees, officers, and officials an opportunity to enroll in a payroll giver's plan, Salvation Army shall comply with Manitowoc County's discrimination policy, where applicable; and

BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes and encourages the voluntary participation of its employees, officers, and officials in contributing to the Salvation Army.

Dated this 31st day of October 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Dyzak gave a brief report.

ANNOUNCEMENTS: Chairperson Brey reminded Supervisors the next County Board meeting will be Thursday, November 10, 2016 at 7pm.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Henrickson, and the motion was adopted by acclamation. The meeting adjourned at 7:52 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Thursday, November 10, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 10th day of November 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Gerroll gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Chairperson Brey acknowledged supervisors and attendees who had served or are currently serving in the military.

Roll call: 25 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer.

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the October 31, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Hoffman to approve the agenda. Upon vote, the motion carried unanimously.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:06 p.m.

Maura Yost, Town of Centerville, asked supervisors to create and fund a single Human Services Director in the 2017 budget. Ms. Yost questioned the resolutions for the bond that would extend county's indebtedness additional years.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:09 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Mary Jo Barbeau to the ADRC and Lakeshore Board for a two-year term expiring December 31, 2018. Supervisor Maresh moved, seconded by Supervisor Wagner to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Michelle Bratt, Tonya Dvorak, Joe Janowski, Dick Pollen, Michelle Sleik, and Lisa Taylor to the Expo-Ice Center Board for a three-year term expiring December 31, 2019. Supervisor Cavanaugh moved, seconded by Supervisor Gauger to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Scott Luchterhand to the Joint Dispatch Board for a two-year term expiring December 2018. Supervisor Henrickson moved, seconded by Supervisor Vogel to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Andrew Hyer and Karen Elsenpeter-alternate to the Traffic Safety Commission. Supervisor Henrickson moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Allen Karl to the Veterans Service Commission for a three-year term expiring December 2019. Supervisor Vogt moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Board of Health: Supervisor Metzger moved, seconded by Supervisor Vogel to adopt Resolution 1 (2016/17-45) Health Department Fee Schedule. Upon vote, the motion carried unanimously.

No. 2016/2017 - 45

RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE
(Effective 07/01/2017)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

- 1 WHEREAS, the Manitowoc County Health Department issues certain licenses and
- 2 permits as an agent of various departments the State of Wisconsin; and
- 3
- 4 WHEREAS, the Manitowoc County Board of Supervisors has authorized the Health
- 5 Department to charge fees to defray the costs of providing these various licenses and permits;
- 6 and
- 7
- 8 WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than
- 9 animal licenses) and permits issued by the Health Department must be set by County Board
- 10 resolution; and
- 11

12 WHEREAS, the Board of Health believes that the Health Department Fee Schedule
13 should be revised beginning July 1, 2017 and has provided a copy of the proposed Health
14 Department Fee Schedule to the County Board;

15
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
17 Supervisors approves the proposed Health Department Fee Schedule, a copy of which is to be
18 included as an appendix to Manitowoc County Code Chapter 7, Public Health.

Dated this 10th day of November 2016.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Expo-Ice Center Board: Supervisor Behnke gave a brief report.

Finance Committee: Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 2 (2016/17-46) Adopting 2017 Budget and Property Levy. Upon discussion and vote, the motion carried with 22 ayes to 3 noes. Supervisors Metzger, Nickels, and Swade voted no; all other supervisors voted aye.

No. 2016/2017 - 46

RESOLUTION ADOPTING 2017 BUDGET AND PROPERTY LEVY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive's proposed 2017 annual budget has
2 been made available to each county supervisor and to the general public; and

3
4 WHEREAS, the proposed 2017 annual budget was presented to the Manitowoc County
5 Board of Supervisors at its meeting on October 11, 2016; and

6
7 WHEREAS, formal publication of a budget summary and announcement of a public
8 hearing was made in accordance with Wis. Stat. § 65.90 and Wis. Stat. ch. 985 in the Manitowoc
9 Herald Times Reporter on October 9, 2016; and

10
11 WHEREAS, a public hearing on the proposed 2017 annual budget was held for the
12 purpose of obtaining public input and the proposed 2017 annual budget was reviewed by the
13 Manitowoc County Board of Supervisors at its annual meeting on October 31, 2016; and

14

15 WHEREAS, the proposed 2017 annual budget includes performance based increases for
16 the Manitowoc County pay plan pursuant to Manitowoc County Code §§ 5.02(3) (c), (d) and (e);
17 and

18
19 WHEREAS, employees below midpoint who meet or exceed job requirements (*i.e.* receive
20 a cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step
21 increase; and

22
23 WHEREAS, employees at or above midpoint who exceed job requirements (*i.e.* receive a
24 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%
25 increase; and

26
27 WHEREAS, employees at or above midpoint whose performance exceeds the proficient
28 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee
29 evaluation) will receive a 2.0% increase; and

30
31 WHEREAS, employees at or above maximum who exceed job requirements (*i.e.* receive a
32 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%
33 increase, paid to them per pay period for the following year; and

34
35 WHEREAS, employees at or above maximum whose performance exceeds the proficient
36 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee
37 evaluation) will receive a 2.0% increase, paid to them per pay period for the following year;

38
39 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
40 Supervisors hereby adopts a Governmental Funds Budget and a service delivery Proprietary
41 Fund Budget for the calendar year beginning January 1, 2017 as indicated in the attached 2017
42 annual budget for Manitowoc County and any attachments or addenda thereto; and

43
44 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
45 authorizes that the following sums of money be raised for the ensuing year:

46

47	State Special Charges - Charitable & Penal	\$	1,911.04
48	County Aid Bridges (Wis. Stat. § 82.08)	\$	110,627.00
49	Illegal Real Estate Taxes Charged Back (Prior Year)	\$	13,578.72
50	<u>All Other County Taxes</u>	<u>\$</u>	<u>29,328,802.00</u>
51	Gross County Tax Levy	\$	29,454,918.76;

52

53 and

54
55 BE IT FURTHER RESOLVED that Manitowoc County shall apportion the tax for Bridges
56 under Wis. Stat. § 82.08 on the taxable property of the participating districts; and

57
58 BE IT FURTHER RESOLVED that Manitowoc County shall enter in the Tax
59 Apportionment State Taxes for Forestry Mill Tax, Wis. Stat. § 70.58(2), the amount of
60 \$895,324.02; and

61
62 BE IT FURTHER RESOLVED that Manitowoc County shall enter in the Tax
63 Apportionment, State Special Charges for Charitable and Penal purposes, as follows:

64

65 <u>Court Related Proceedings – Competancy (6-hearings)</u>	\$1,911.04
66 Total	\$1,911.04;

67

68 and

69
70 BE IT FURTHER RESOLVED that Manitowoc County Officials are hereby directed to
71 reapportion the illegal real estate taxes charged back in the amount of \$13,578.72; and

72
73 BE IT FURTHER RESOLVED that the 2016 annual budget in detail hereto attached shall
74 be made a part of the Tax Levy; and

75
76 BE IT FURTHER RESOLVED that the performance based increases included in the 2017
77 annual budget will be granted pursuant to Manitowoc County Code §§ 5.02(3) (c), (d) and (e)
78 as follows:

- 79
- 80 (1) Employees below midpoint who meet or exceed job requirements (*i.e.* receive a
81 cumulative score of 1.75 or greater on their employee evaluation) are eligible for
82 a step increase; and
 - 83
 - 84 (2) Employees at or above midpoint who exceed job requirements (*i.e.* receive a
85 cumulative score of between 2.01 and 2.74 on their employee evaluation) will
86 receive a 1.0% increase; and
 - 87
 - 88 (3) Employees at or above midpoint whose performance exceeds the proficient
89 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their
90 employee evaluation) will receive a 2.0% increase; and
 - 91
 - 92 (4) Employees at or above maximum who exceed job requirements (*i.e.* receive a
93 cumulative score of between 2.01 and 2.74 on their employee evaluation) will
94 receive a 1.0% increase, paid to them per pay period for the following year; and
 - 95
 - 96 (5) Employees at or above maximum whose performance exceeds the proficient
97 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their
98 employee evaluation) will receive a 2.0% increase, paid to them per pay period
99 for the following year;

100
101 and

102
103 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make any
104 technical corrections to the budget that are necessary.

105
Dated this 10th day of November 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Requires a composite tax levy and rate, based upon the budget book as printed, as follows:

Tax Levy of \$29,454,918.76
Composite Tax Rate of \$5.785281 per \$1,000 of equalized value.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Weiss to adopt Resolution 3 (2016/2017-47) Initial Resolution Authorizing General Obligation Promissory Notes Not to Exceed \$7,110,000 for Capital Projects. Upon discussion and vote, the motion carried with 22 ayes to 3 noes. Supervisors Metzger, Nickels, and Vogel voted no; all other supervisors voted aye.

No. 2016/2017 - 47

**INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION
PROMISSORY NOTES NOT TO EXCEED \$7,110,000 FOR CAPITAL
PROJECTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, Wisconsin is in need of an amount not to exceed
2 \$7,110,000 for the public purpose of financing the County's 2017 capital projects; and
3

4 WHEREAS, it is desirable to authorize the issuance of general obligation promissory
5 notes for such purpose pursuant to Wis. Stat. ch. 67 of the Wisconsin Statutes;
6

7 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
8 Supervisors that Manitowoc County borrow an amount not to exceed \$7,110,000 by issuing its
9 general obligation promissory notes for the public purpose of financing the County's 2017
10 capital projects; and
11

12 BE IT FURTHER RESOLVED, that there be and there hereby is levied on all the taxable
13 property in Manitowoc County a direct, annual tax in such years and in such amounts as are
14 sufficient to pay when due the principal and interest on such bonds or notes authorized by this
15 Resolution.

Dated this 10th day of November 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No fiscal impact. This resolution authorizes the issuance of promissory notes, but has no fiscal impact until the county board adopts a resolution

for the sale of the promissory notes. That resolution will contain a fiscal note.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 4 (2016/2017-48) Providing for the Sale of \$7,110,000 Note Anticipation Notes. Upon discussion and vote, the motion carried with 22 ayes to 3 noes. Supervisors Metzger, Nickels, and Vogel voted no; all other supervisors voted aye.

No. 2016/2017 - 48

**RESOLUTION PROVIDING FOR THE SALE OF \$7,110,000 NOTE
ANTICIPATION NOTES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Board of Supervisors of Manitowoc County, Wisconsin has, by
2 a vote of at least 3/4 of the members-elect, adopted an initial resolution authorizing general
3 obligation promissory notes in an amount not to exceed \$7,110,000 to finance the County's 2017
4 capital projects; and

5
6 WHEREAS, Manitowoc County intends to issue general obligation promissory notes for
7 such purpose pursuant to Wis. Stat. ch. 67; and

8
9 WHEREAS, it is desirable to anticipate the issuance of such notes through the issuance
10 of note anticipation notes pursuant to Wis. Stat. § 67.12(1)(b);

11
12 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
13 Supervisors that:

14
15 Section 1. The Notes. Manitowoc County shall issue \$7,110,000 in principal amount of
16 its Note Anticipation Notes (the "Notes") for the purpose above specified.

17
18 Section 2. Sale of Notes. The Manitowoc County Board of Supervisors hereby
19 authorizes and directs the officers of Manitowoc County to take all actions necessary to negotiate
20 the sale of the Notes with Robert W. Baird & Co. Incorporated. The Manitowoc County Board
21 of Supervisors shall take further action to approve the details of the Notes and authorize the sale
22 of the Notes at a subsequent meeting.

23
24 Section 3. Official Statement. The Manitowoc County Clerk shall cause an Official
25 Statement concerning this issue to be prepared by Robert W. Baird & Co. Incorporated. The
26 appropriate Manitowoc County officials shall determine when the Official Statement is final for
27 purposes of Securities and Exchange Commission Rule 15c2 12 and shall certify said Statement,
28 such certification to constitute full authorization of such Statement under this resolution.

Dated this 10th day of November 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No fiscal impact. A fiscal impact will be available when the Award resolution for the \$7,110,000 Note Anticipation Note comes to the County Board for approval in January 2017.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Hoffman to adopt Resolution 5 (2016/2017-49) Providing for the Sale of Approximately \$9,995,000 General Obligation Refunding Bonds. Upon discussion and vote, the motion carried with 22 ayes to 3 noes. Supervisors Metzger, Nickels, and Vogel voted no; all other supervisors voted aye.

No. 2016/2017 - 49

**RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY
\$9,995,000 GENERAL OBLIGATION REFUNDING BONDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, Wisconsin is in need of funds for the public purpose of
2 refunding obligations of Manitowoc County, including interest on them, specifically, Manitowoc
3 County's General Obligation Refunding Bonds, dated April 10, 2007, maturing in the years 2018
4 through 2021; and

5
6 WHEREAS, Manitowoc County also intends to refund note anticipation notes issued to
7 finance 2017 capital projects in order to provide long term financing for those projects; and

8
9 WHEREAS, it is desirable to borrow funds for those purposes in the amount of
10 approximately \$9,995,000 through the issuance of general obligation refunding bonds pursuant
11 to Wis. Stat. § 67.04;

12
13 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
14 Supervisors that:

15
16 Section 1. The Bonds. Manitowoc County shall issue approximately \$9,995,000 in
17 principal amount of its General Obligation Refunding Bonds (the "Bonds") for the purposes
18 above specified.

19
20 Section 2. Sale of Bonds. The Manitowoc County Board of Supervisors hereby
21 authorizes and directs the officers of Manitowoc County to take all actions necessary to negotiate
22 the sale of the Bonds with Robert W. Baird & Co. Incorporated. The Manitowoc County Board
23 of Supervisors shall take further action to approve the details of the Bonds and authorize the sale
24 of the Bonds at a subsequent meeting.

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Section 3. Official Statement. The Manitowoc County Clerk shall cause an Official Statement concerning this issue to be prepared by Robert W. Baird & Co. Incorporated. The appropriate Manitowoc County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2 12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Dated this 10th day of November 2016.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No fiscal impact. This resolution only authorizes the County to proceed with putting together the terms and conditions of the bonds and negotiating for the sale there of. The award resolution that will come to the County Board in 2017 for approval is when the fiscal impact will be known.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson moved, seconded by Supervisor Williams to adopt Resolution 6 (2016/2017-50) in Support of Increase Funding in the Wisconsin Children and Family Aids Allocation. Upon discussion and vote, the motion carried with 23 ayes to 2 noes. Supervisor Dyzak and Muench voted no; all other supervisors voted aye.

No. 2016/2017 - 50

RESOLUTION IN SUPPORT OF INCREASED FUNDING IN THE WISCONSIN CHILDREN AND FAMILY AIDS ALLOCATION

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Children and Families provides funding to
2 counties through the Children and Family Aids allocation for the provision of child abuse and
3 neglect services, including prevention, investigation, treatment, and out-of-home placement
4 costs; and

5
6 WHEREAS, base funding for child welfare services has not increased since the
7 Wisconsin Department of Children and Families was created in 2009; and

8
9 WHEREAS, over the past few years, the child welfare workload has increased in all
10 counties across the state; and

11
12 WHEREAS, the number of child protective services (CPS) referrals in Wisconsin has
13 increased by 30 percent since 2007 – from 55,895 referrals in 2007 to 72,698 in 2014; and

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WHEREAS, the number of children in out-of-home care in the state has increased from 7,653 in 2011 to 8,258 in 2015; and

WHEREAS, the number of screened-in CPS reports in the state has increased from 18,706 in 2011 to 20,384 in 2015; and

WHEREAS, the number of Children in Need of Protection and Services (CHIPS) petitions filed in the state with the court has increased 12.5 percent in the state from 2008 to 2015; and

WHEREAS, Manitowoc County’s experience has been consistent with the foregoing state trends; and

WHEREAS, the leading cause of these increases is the use of heroin, opiates, and methamphetamines by caregivers; and

WHEREAS, it is critical that counties have the resources necessary to ensure the safety of children in every corner of the state; and

WHEREAS, counties are struggling to recruit and retain child welfare workers; and

WHEREAS, the stress of increasing caseloads is taking its toll on CPS workers, causing many experienced child welfare workers to leave the profession; and

WHEREAS, counties are struggling to identify resources to increase child welfare staff, especially given the significant overmatch counties already contribute to the human services system;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors does hereby request that the state of Wisconsin, in its 2017-19 state biennial budget, increase funding to counties in the Children and Family Aids allocation to assist counties in serving the increasing number of children and families in the child welfare system; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Scott Walker, Department of Children and Families Secretary Eloise Anderson, Department of Administration Secretary Scott Neitzel, area legislators, and the Wisconsin Counties Association.

Dated this 10th day of November 2016.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Behnke gave a brief report.

Planning and Park Commission: Supervisor Waack moved, seconded by Supervisor Cavanaugh to enact Ordinance 7 (2016/2017-51) Amending Zoning Map (Brian & Michelle Bilke). Upon vote, the motion carried unanimously.

No. 2016/2017 - 51

ORDINANCE AMENDING ZONING MAP
(Brian and Michelle Bilke)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on October 24, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A tract of land located in the NE¼, NW¼, Section 15, T19N, R21E, Town of Rockland,
12 Manitowoc County, Wisconsin and further described as follows: Commencing at the
13 North ¼ corner of said Section 15 and the point of real beginning; thence S00°30'25"E
14 along the ¼ section line a distance of 1,287.39 feet; thence N88°30'22"W along the
15 1/16th section line a distance of 218.12 feet; thence N00°30'25"W a distance of 604.32
16 feet; thence S88°51'50"E a distance of 38.02 feet; thence N00°30'25"W a distance of
17 135.00 feet; thence S88°51'50"E a distance of 142.06 feet; thence N00°30'25"W a
18 distance of 546.48 feet; thence S89°13'14"E along the section line to the said N¼ corner
19 of Section 15 and the point of real beginning, a distance of 38.00 feet, said parcel
20 containing 4.06 acres of land more or less and is hereby rezoned from Exclusive
21 Agriculture (EA) and General Agriculture (GA) to Small Estate (SE).

Dated this 10th day of November 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Vogt to enact Ordinance 8 (2016/2017-52) Amending Zoning Map (Philip & Mary Franz). Upon vote, the motion carried unanimously.

No. 2016/2017 - 52

ORDINANCE AMENDING ZONING MAP
(Philip and Mary Franz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on October 24, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SW¼, SE¼, Section 11, T19N, R22E, Town of Cato,
12 commencing at the S¼ Corner of said Section 11; thence easterly 679.21 feet; thence
13 northerly approximately 33 feet to the north r/w of Hilltop Road which is the point of real
14 beginning; thence continue northerly approximately 695 feet; thence easterly
15 approximately 627 feet; thence southerly approximately 695 feet; thence westerly along
16 the north r/w of Hilltop Road approximately 627 feet to the point of real beginning, said
17 parcel containing approximately 10.0 acres of land and is hereby rezoned from Exclusive
18 Agriculture (EA) to General Agriculture (GA).

Dated this 10th day of November 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Gauger to enact Ordinance 9 (2016/2017-53) Amending Zoning Map (Tom & Carol Metz). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Tom and Carol Metz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on October 24, 2016; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the SE¼, NE¼, Section 12, T21N, R22E, Town of
12 Cooperstown, commencing at the East ¼ Corner of said Section 12 which is the point of
13 real beginning; thence westerly approximately 302 feet; thence northerly approximately
14 335 feet; thence easterly approximately 275 feet; thence northerly approximately 450
15 feet; thence easterly approximately 27 feet; thence southerly approximately 785 feet to
16 the point of real beginning, said parcel containing approximately 2.39 acres of land and is
17 hereby rezoned from Exclusive Agriculture (EA) to Small Estate (SE).

Dated this 10th day of November 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Weiss gave a brief report.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Behnke, and the motion was adopted by acclamation. The meeting adjourned at 7:59 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, December 20, 2016

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 20th day of December 2016, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Dyzak gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauer, Gerroll, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Nickels, Swade, Vogel, Vogt, Waack, Wagner, Weiss, Williams, and Zimmer. Supervisors Hansen and Nasep were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Holschbach the November 10, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Henrickson moved, seconded by Supervisor Gerroll to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Preston Jones in recognition of his retirement along with his many years of service to the county. Mr. Jones thanked the Board for the honor.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:10 p.m.

Bob DesJarlais, 17624 Kasmer Rd, Mishicot, Town Board Supervisor for Mishicot-Mr. DesJarlais asked the County Board support the Resolution Requesting the State of Wisconsin to Fund a Study on the Impact of Wind Turbines on Human Health. He expressed concern that the wind towers do have an effect on human and animal health.

Dean Anhalt, 1900 East Tapawingo Rd, Mishicot, Town Board Supervisor for Mishicot-Mr. Anhalt asked the County Board to support the Resolution Requesting the State of Wisconsin to Fund a Study on the Impact of Wind Turbines on Human Health. He informed the Board that the towers being built may not be supplied by Tower Tech which is a business in the community. The company that manufactures the motors determine which company will supply the towers. So the towers could come from an outside community, not a Manitowoc business. He is concerned for the health of his Town's people as well. He believes the wind towers truly have an effect on human health.

Lee Stefaniak, 10534 Division Dr, Two Rivers, Town Board Chairperson for Mishicot-Mr. Stefaniak requested the County Board to support the Resolution Requesting the State of Wisconsin to Fund a Study on the Impact of Wind Turbines on Human Health. He referred to a 55 page study on the Levels of Low Frequency Noise produced by the Wind Towers. He believes a new study will help determine a level at which the towers will need to operate under and how the noise produced by the towers truly effect human and animal health.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:21 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Connie Gulash to the Commission of Aging for a three-year term expiring December 31, 2019. Supervisor Wagner moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Rani Beckner, Michelle Krajnik, and Cheryl Kjelstrup to the Manitowoc-Calumet Library System Board of Trustees for a three-year term expiring January 2020. Supervisor Henrickson moved, seconded by Supervisor Maresh to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging & Disability Resource Center Board: Supervisor Wagner moved, seconded by Supervisor Swade to adopt Resolution 1 (2016/2017-54) Amending 2016 Budget. Upon vote, the motion carried unanimously.

No. 2016/2017 - 54

RESOLUTION AMENDING 2016 BUDGET

Aging & Disability Resource Center

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Greater Wisconsin Agency on Aging Resources, Inc. and the Department
2 of Health Services have changed their formulas to allocate Older Americans Act grant funds and
3 state funds to the Aging and Disability Resource Center (ADRC); and
4

5 WHEREAS, the ADRC Board recommends that Manitowoc County amend the 2016
6 budget to reflect the following changes in revenue and expenditures for the Title III programs,
7 the Nutrition Services Incentive Program (NSIP), the Alzheimer's Family Caregiver Support
8 Program (AFCSP), and the ADRC programs to reflect the following changes:
9

10	Revenue or	Account		
11	Expense	Number	Description	Amount
12				
13	Revenue	46475.43566.05	IIIB Information & Assistance	(\$1,288)
14	Expenses	46475.51100	Contracted Services	(\$1,288)
15				
16	Revenue	46100.43566.01	IIIC1 Congregate Meals	\$4,800
17	Expenses	46100.52940	Contracted Food	\$4,800
18				
19	Revenue	46250.43566.03	IIIC2 Home Delivered Meals	\$1,655
20	Expenses	46250.52940	Contracted Food	\$1,655
21				
22	Revenue	46325.43566.12	IIID Prevention Health	\$7
23	Expenses	46325.52108	Public Health	\$7
24				
25	Revenue	46430.43566.14	IIIE Family Caregiver	\$518
26	Expenses	46430.52999	Contracted Services	\$518
27				
28	Revenue	46250.43566.04	NSIP IIIC2	\$183
29	Expenses	46250.52940	Contracted Food IIIC2	\$183

31 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
 32 Supervisors that the 2016 Budget is amended by the amounts stated above; and

33
 34 BE IT FURTHER RESOLVED, that any funds remaining at the end of 2016 be carried
 35 over to 2017 and applied accordingly; and

36
 37 BE IT FURTHER RESOLVED, that the Comptroller/Auditor is directed to record such
 38 information in the official books of the County for the year ending December 31, 2016, as may
 39 be required.

Dated this 20th day of December 2016.

Respectfully submitted by the Aging & Disability Resource Governing Board.

FISCAL IMPACT: No tax levy impact. Increased budgeted revenue and expenses by \$5,875.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Metzger moved, seconded by Supervisor Vogel to adopt Resolution 2 (2016/17-55) Approving 2016 Health Department Budget Adjustment. Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING 2016 HEALTH DEPARTMENT BUDGET
ADJUSTMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department provides numerous public health
2 services to the residents of Manitowoc County that are funded by the return of our federal and
3 state tax dollars through grants, and
4

5 WHEREAS, when preparing its annual budget, the Health Department can only include
6 grant funds that it has been scheduled or contracted to receive during the calendar year covered
7 by the budget; and
8

9 WHEREAS, the Health Department learns of changes in grant funding after the budget
10 has been approved because various federal and state grants are administered on a state or federal
11 fiscal, rather than calendar, year basis; and
12

13 WHEREAS, the following changes in grant funding have taken place since the 2016
14 Annual Budget was approved:
15

16	Childhood Lead Poisoning Prevention	\$ 41;
17	Immunization	\$ 53;
18	Adult Immunization	\$ 5,922;
19	HPV Immunization	\$ 10,000;
20	MCH Block Grant	\$ 1,507;
21	Prevention Block Grant	\$ 379;
22	Public Health Preparedness: Ebola Supplement	\$ 7,624;
23	WIC	(\$12,720);
24	MIECHV Family Foundations	\$ 48,676;
25		

26 and
27

28 WHEREAS, the Manitowoc County Board of Health recommends that the Manitowoc
29 County Board of Supervisors amend the 2016 Annual Budget to incorporate these changes;
30

31 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
32 Supervisors that the appropriate revenue and expense line items in the 2016 Annual Budget are
33 hereby amended to incorporate the changes shown above and that the Comptroller/Auditor is
34 hereby directed to record such information in the official books of Manitowoc County for the
35 year ended December 31, 2016, as may be required.

Dated this 20th day of December 2016.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No Tax Levy Impact. Increases revenue and expenses by equal amounts for the program areas listed.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey moved to adjourn for short recess at 7:25 p.m. and reconvened at 7:30 p.m.

Supervisor Metzger moved, seconded by Supervisor Williams to adopt Resolution 3 (2016/17-56) Supporting Secure State Funding to Support Communicable Disease Control for Population Health. Upon discussion and vote, motion passed with 22 ayes and 1 no. Supervisor Dyzak voted no; all other supervisors voted aye.

No. 2016/2017 - 56

RESOLUTION SUPPORTING SECURE STATE FUNDING TO SUPPORT COMMUNICABLE DISEASE CONTROL FOR POPULATION HEALTH

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin has no dedicated, stable federal or state funding sources for
2 communicable disease control and prevention efforts; and

3
4 WHEREAS, a strong public health infrastructure is paramount to the health of all
5 citizens; and

6
7 WHEREAS, emerging and existing communicable diseases threaten health security,
8 economies, and quality of life for all; and

9
10 WHEREAS, communicable diseases such as Ebola, H1N1, measles, HIV and AIDS,
11 tuberculosis, influenza, measles, syphilis, gonorrhea, rabies, hepatitis, polio, and pertussis can
12 threaten the lives and well-being of Wisconsin residents; and

13
14 WHEREAS, emerging and re-emerging threats such as Ebola, H1N1, SARS, and measles
15 threaten personal and community safety and require substantial resources to contain; and

16
17 WHEREAS, blood-borne pathogens that cause long-term disease such as Hepatitis C are
18 occurring at unprecedented rates, which are accelerating as a result of the opiate epidemic, and;

19
20 WHEREAS, Wisconsin local health department communicable disease programs protect
21 residents by investigating and controlling communicable diseases, collecting data, educating the
22 community about prevention and the importance of immunizations, and caring for those affected
23 by these diseases; and

24

25 WHEREAS, public health departments have been successful in controlling
26 communicable diseases through case reporting and involvement of public health staff in referral
27 of exposed persons for screening and prevention services; and
28

29 WHEREAS, evidence in the scientific literature indicates that partner notification
30 services are not adequately assured in the absence of specific public health staff involvement;
31 and
32

33 WHEREAS, local health departments and the State of Wisconsin have demonstrated
34 commitment, competence, and success in assuring the confidentiality of persons with reported
35 communicable disease for decades, including cases of AIDS; and
36

37 WHEREAS, local health departments have placed a high priority on communicable
38 disease control; and
39

40 WHEREAS, communicable disease control is one of the ten essential functions of public
41 health;
42

43 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of
44 Supervisors urge the state legislature to develop and enact bipartisan support for funding of
45 comprehensive, sustainable, effective, and evidence based communicable disease control and
46 prevention for the public's health; and
47

48 BE IT FURTHER RESOLVED, the Manitowoc County Board of Supervisors directs the
49 Manitowoc County Clerk to send a copy of this resolution to our State Legislators, Governor
50 Scott Walker, and the Wisconsin Association of Local Health Departments and Boards.

Dated this 20th day of December 2016.

Respectfully submitted by the Board of Health

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Criminal Justice Coordinating Committee: Supervisor Falkowski gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Holschbach gave a brief report.

Highway Committee: Supervisor Gerroll gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Lakeland Care District: Supervisor Brey informed the board that as of January 1, 2017 Lakeland Care District will become the private entity, Lakeland Care Inc.

Personnel Committee: Supervisor Behnke moved, seconded by Supervisor Baumann to adopt Resolution 5 (2016/17-57) Approving Settlement of 2016-2017 Collective Bargaining Agreement with Sheriff's Department Employees Represented by Wisconsin Professional Police Association. Upon vote, the motion carried unanimously.

No. 2016/2017 - 57

**RESOLUTION APPROVING SETTLEMENT OF 2016-2017
COLLECTIVE BARGAINING AGREEMENT WITH SHERIFF'S
DEPARTMENT EMPLOYEES REPRESENTED BY WISCONSIN
PROFESSIONAL POLICE ASSOCIATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Sheriff's
2 Department employees represented by the Wisconsin Professional Police Association for a
3 2016 – 2017 collective bargaining agreement; and
4

5 WHEREAS, this voluntary settlement avoids the uncertainty, delay and expense of
6 interest arbitration and includes the following terms:
7

- 8 1. Wage increase of 1.0% effective March 1, 2016;
- 9
- 10 2. Wage increase of .50% effective October 1, 2016;
- 11
- 12 3. Wage increase of 1.0% effective March 1, 2017;
- 13
- 14 4. Wage increase of .50% effective October 1, 2017;
- 15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
17 Supervisors hereby approves the 2016 – 2017 collective bargaining agreement negotiated
18 between the Personnel Committee and the Sheriff's Department employees represented by the
19 Wisconsin Professional Policy Association; and
20

21 BE IT FURTHER RESOLVED, that the collective bargaining agreement as negotiated is
22 ratified, confirmed, and approved with pay schedules and terms set forth; and
23

24 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee
25 Chair, and Personnel Director are authorized to execute this agreement as negotiated.

Dated this 20th day of December 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	2016	2017	Total Cost
Wages	\$21,033.03	\$32,852.52	\$53,885.55
FICA	\$1,609.03	\$2,513.22	\$4,122.25
WRS	\$2,878.61	\$4,377.46	\$7,256.07
Total Cost	\$25,520.67	\$39,743.20	\$65,263.87

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Maresh to adopt Resolution 6 (2016/17-58) Authorizing Creation of 3.15 Full-Time Equivalent Human Services Employees. Upon vote, the motion carried unanimously.

No. 2016/2017 - 58

**RESOLUTION AUTHORIZING CREATION OF 3.15 FULL-TIME
EQUIVALENT HUMAN SERVICES EMPLOYEES
(Parent Support Workers)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department has analyzed the cost of continuing to
2 contract for the service or providing the service with 3.15 full-time equivalent positions; and
3

4 WHEREAS, converting the contracted service to 3.15 full-time equivalent positions will
5 allow for greater flexibility in the assignment of duties and will improve the quality of service
6 through the reduction of contract service provider turn-over; and
7

8 WHEREAS, there is no fiscal impact with the conversion of the contracted service to a
9 3.15 full-time-equivalent positions; and
10

11 WHEREAS, the Human Services Board has reviewed and supports the conversion of the
12 contracted Parent Support program to Manitowoc County positions;
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
15 Supervisors authorizes an increase in the number of full-time Human Services Department
16 positions by 2.0 full-time equivalent positions and 1.15 full-time equivalent part-time positions;
17 and

18
19 BE IT FURTHER RESOLVED that the Personnel Department is authorized to make an
20 offer of employment to the individuals currently providing the Parent Support Worker services,
21 and that these individuals will be subject to all required background checks and pre-employment
22 processes; and

23
24 BE IT FURTHER RESOLVED that the 2017 Full-Time Equivalent Report (FTE) by
25 Department included in the 2017 Adopted Annual Budget Book is amended accordingly and that
26 the Comptroller/Auditor is directed to record such information in the official books of the
27 County for the year ending December 31, 2017 as may be required.

Dated this 20th day of December 2016.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None. The total cost of the contracted service is \$127,000/year and the cost of wages and fringe benefits is \$126,515. Exact cost of the position is dependent on benefit elections, but will not exceed the annual budgeted cost for the previously contracted service.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke gave a brief report.

Planning and Park Commission: Supervisor Waack moved, seconded by Supervisor Dyzak to adopt Resolution 7 (2016/2017-59) Accepting Farmland Preservation Plan Map Revision for the Towns of Kossuth and Manitowoc Rapids. Upon vote, the motion carried unanimously.

No. 2016/2017 - 59

**RESOLUTION ACCEPTING FARMLAND PRESERVATION PLAN MAP
REVISION FOR THE TOWNS OF KOSSUTH AND MANITOWOC
RAPIDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Chapter 29 (Comprehensive Plan) of the Manitowoc County Code adopted
2 the Manitowoc County 20-Year Comprehensive Plan which includes and incorporates the
3 Manitowoc County Farmland Preservation Plan; and

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WHEREAS, Manitowoc County has a state-certified farmland preservation plan that clearly identifies farmland preservation goals, objectives, and policies, as well as the areas intended to be preserved for agricultural use so the county and its residents may participate in the farmland preservation program and may qualify for farmland preservation tax credits; and

WHEREAS, the Planning and Park Commission held a public hearing on November 28, 2016, to seek public comment on the proposed Manitowoc County Farmland Preservation Plan map revisions for the Towns of Kossuth and Manitowoc Rapids; and

WHEREAS, the proposed map revisions would allow additional residents to qualify for farmland preservation tax credits; and

WHEREAS, after careful consideration and examination of the facts, the Planning and Park Commission now recommends that the revision of maps be approved;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves the proposed Farmland Preservation Plan map revisions for the Towns of Kossuth and Manitowoc Rapids.

Dated this 20th day of December 2016.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson gave a brief report.

Public Works Committee: Supervisor Weiss gave a brief report.

Supervisor Weiss moved, seconded by Supervisor Dyzak to adopt Resolution 8 (2016/2017-60) Approving Sale of 28.4 Acres of Real Property at the Manitowoc County Expo Center Grounds. Upon vote, motion passed with 18 ayes and 5 noes. Supervisor Cavanaugh, Gauger, Hoffman, Metzger and Vogel voted no; all other supervisors voted aye.

No. 2016/2017 - 60

RESOLUTION APPROVING SALE OF 28.4 ACRES OF REAL PROPERTY AT THE MANITOWOC COUNTY EXPO CENTER GROUNDS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution
2 No. 2015/2016-59 on January 26, 2016, which approved a Real Estate Option Contract (“Option
3 Contract”) between Meijer Stores Limited Partnership (“Meijer”) and Manitowoc County
4 whereby Meijer was granted the option to purchase certain real property located at the
5 Manitowoc County Expo Grounds subject to the terms and conditions contained in the Option
6 Contract; and
7

8 WHEREAS, on September 20, 2016, the Manitowoc County Board of Supervisors
9 adopted Resolution No. 2016/2017-42, which approved a certified survey map that subdivided
10 28.40 acres of Manitowoc County Expo Center property to be sold to Meijer (“Property”), said
11 Certified Survey Map was recorded in the office of the Manitowoc County Register of Deeds in
12 Volume 32 of Certified Survey Maps, at Page 251, as Document No. 1173994; and
13

14 WHEREAS, on or about November 22, 2016, Meijer notified Manitowoc County that it
15 was exercising its option to purchase the Property; and
16

17 WHEREAS, pursuant to the Option Contract, the Property is to be conveyed by warranty
18 deed within sixty (60) days of Meijer providing notice that it was exercising its option to
19 purchase; and
20

21 WHEREAS, a copy of the proposed warranty deed conveying the Property has been
22 provided to the County Board;
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
25 Supervisors approves the sale of the Property to Meijer by warranty deed and authorizes the
26 County Executive, County Board Chair, County Clerk, and such other county officials as may be
27 necessary to finalize and execute any and all documents required to complete the sale of the
28 Property.

Dated this 20th day of December 2016.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: The County will receive approximately \$4,360,000 in net proceeds upon
the sale of the property.

APPROVED: Bob Ziegelbauer, County Executive.

Safety Net Accountability Panel: Supervisor Henrickson gave a brief report.

Transportation Coordinating Committee: Supervisor Weiss gave a brief report.

Miscellaneous-Supervisor Bob Cavanaugh: Supervisor Cavanaugh moved, seconded by Supervisor Holschbach to adopt Resolution 9 (2016/2017-61) Approving Town of Franklin Zoning Ordinance Amendment. Upon vote, the motion carried unanimously.

No. 2016/2017 - 61

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING
ORDINANCE**
(Russell Wampler)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin 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
9 amendments thereto, are subject to county board approval in counties that have adopted a zoning
10 ordinance under Wis. Stat. § 59.69; and
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on
13 December 13, 2016 by rezoning that certain property owned by Russell Wampler from EAG
14 (Exclusive Agriculture) to AG (General Agricultural) in accordance with Wis. Stat. § 60.62; and
15

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

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
21 Supervisors approves the Town of Franklin's amended Unified Development Ordinance that
22 rezones that certain property owned by Russell Wampler from EAG (Exclusive Agriculture) to
23 AG (General Agricultural) and was adopted by the Town Board of the Town of Franklin on
24 December 13, 2016.

Dated this 20th day of December 2016.

Respectfully submitted by Bob Cavanaugh, Supervisor.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Jim Brey: Supervisor Behnke moved, seconded by Supervisor Hoffman to adopt Resolution 4 (2016/2017-62) Requesting the State of Wisconsin to Fund a Study on the Impact of Wind Turbines on Human Health. Upon vote, motion passed with 20 ayes and 3 noes. Supervisor Dyzak, Metzger and Nickels voted no; all other supervisors voted aye.

No. 2016/2017 - 62

RESOLUTION REQUESTING THE STATE OF WISCONSIN TO FUND A STUDY ON THE IMPACT OF WIND TURBINES ON HUMAN HEALTH

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, industrial wind turbines are in operation in seven counties in the state of
2 Wisconsin; and

3
4 WHEREAS, in several of those counties, the residents living near the wind turbines have
5 reported health concerns that they believe are caused by the audible and inaudible sounds and
6 vibrations of the wind turbines located near their homes; and

7
8 WHEREAS, several counties have been working to address some of those health
9 concerns; however, no county has moved forward to declare wind turbines a hazard to human
10 health; and

11
12 WHEREAS, if only one county undertakes a study to determine if there is an impact from
13 industrial wind turbines on human health, there would not be enough population to have such a
14 study accepted by the scientific and medical communities; and

15
16 WHEREAS, since this is an issue of statewide importance and there are additional
17 proposed wind turbine sites in at least one other area of the state, a study on the impact of
18 industrial wind turbines on human health needs to be undertaken at the state level.

19
20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
21 Supervisors does hereby recommend Governor Scott Walker and the State Legislature
22 appropriate dollars in the state budget to fund an independent statewide study, which includes
23 baseline data, on the impact of industrial wind turbines on human health; and

24
25 BE IT FURTHER RESOLVED the Manitowoc County Board of Supervisors directs the
26 Manitowoc County Clerk to send a copy of this resolution to our State Legislators and to
27 Governor Scott Walker.

Dated this 20th day of December 2016.

Respectfully submitted by Jim Brey, Supervisor.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Zimmer and the motion was adopted by acclamation. The meeting adjourned at 8:08 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

Clerk correction 1/4/2017

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, January 17, 2017

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 17th day of January 2017, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Muench gave the invocation which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 18 members present: Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Metzger, Muench, Nickels, Swade, Vogel, Waack, and Zimmer. Supervisors Baumann, Maresh, Nasep, Wagner, Weiss, Williams, and Vogt were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Hoffman the December 20, 2016 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Henrickson moved, seconded by Supervisor Gauger to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Chairperson Brey read a Proclamation Proclaiming the month of January 2017 as Mentoring Month for Big Brothers Big Sisters.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:07 p.m.

Maura Yost, Town of Centerville, addressed the Board regarding the resolution authorizing a \$7,110,000 note. Ms. Yost expressed concern the note may indebt county taxpayers until 2038. She also opposed the use of ADRC Special Revenue funds of \$150,000 for capital projects in the Michigan Avenue Building. Ms. Yost requested supervisors to not support the resolution

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:11 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Katherine Reynolds to the Ethics Board for a three-year term expiring February 2020. Supervisor Behnke moved, seconded by Supervisor Swade to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES,
AND FORTHCOMING EVENTS

Board of Health: Supervisor Metzger gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Hansen moved, seconded by Supervisor Holschbach to adopt Resolution 1 (2016/2017-63) Authorizing the Issuance and Sale of \$7,110,000 Note Anticipation Notes. Upon discussion and vote, the motion carried with 16 ayes and 2 noes. Supervisors Gauger and Metzger voted no.

No. 2016/2017 - 63

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
\$7,110,000 NOTE ANTICIPATION NOTES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, on November 10, 2016, the County Board of Supervisors of Manitowoc
2 County, Wisconsin (the "County") adopted Resolution No. 2016/2017-47 (the "Initial
3 Resolution"), by a vote of more than three-fourths of the members-elect of the Manitowoc
4 County Board of Supervisors, authorizing the issuance of general obligation promissory notes in
5 an amount not to exceed \$7,110,000 for the public purpose of financing the County's 2017
6 capital projects (the "Project"); and
7

8 WHEREAS, counties are authorized by the provisions of Wis. Stat. ch. 67 to borrow
9 money and issue general obligation promissory notes for such public purpose; and
10

11 WHEREAS, the County intends to issue general obligation promissory notes (the
12 "Securities") authorized by the Initial Resolution to provide permanent financing for the Project;
13 and
14

15 WHEREAS, the Securities have not yet been issued or sold; and
16

17 WHEREAS, counties are authorized by the provisions of Wis. Stat. § 67.12(1)(b) to issue
18 note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the
19 Securities; and
20

21 WHEREAS, it is the finding of the Manitowoc County Board of Supervisors that it is
22 necessary, desirable, and in the best interest of the County to authorize the issuance and sale of
23 note anticipation notes pursuant to Wis. Stat. § 67.12(1)(b) (the "Notes"), in anticipation of
24 receiving the proceeds from the issuance and sale of the Securities, to provide interim financing
25 to pay costs of the Project; and
26

27 WHEREAS, it is the finding of the Manitowoc County Board of Supervisors that it is
28 necessary, desirable and in the best interest of the County to sell the Notes to Robert W. Baird &
29 Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase
30 proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal");
31

32 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
33 Supervisors that:
34

35 Section 1. Authorization and Sale of the Notes. In anticipation of the sale of the
36 Securities, for the purpose of paying the cost of the Project, there shall be borrowed pursuant to
37 Wis. Stat. § 67.12(1)(b) the principal sum of SEVEN MILLION ONE HUNDRED TEN
38 THOUSAND DOLLARS (\$7,110,000) from the Purchaser in accordance with the terms and
39 conditions of the Proposal. The Proposal is hereby accepted and the Chairperson of the
40 Manitowoc County Board of Supervisors ("Chairperson") and the Manitowoc County Clerk
41 ("County Clerk") or other appropriate officers of the County are authorized and directed to
42 execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the
43 County, the Chairperson and County Clerk are hereby authorized, empowered and directed to
44 make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County,
45 the Notes aggregating the principal amount of SEVEN MILLION ONE HUNDRED TEN
46 THOUSAND DOLLARS (\$7,110,000) for the sum set forth on the Proposal, plus accrued
47 interest to the date of delivery.
48

49 Section 2. Terms of the Notes. The Notes shall be designated "Note Anticipation
50 Notes"; shall be issued in the aggregate principal amount of \$7,110,000; shall be dated February
51 7, 2017; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be
52 numbered R-1 and upward; and shall bear interest at the rate per annum and mature on
53 November 1, 2017 as set forth on the schedule attached hereto as Exhibit B and incorporated
54 herein by this reference (the "Schedule"). Interest is payable at maturity. Interest shall be
55 computed upon the basis of a 360-day year of twelve 30-day months and will be rounded
56 pursuant to the rules of the Municipal Securities Rulemaking Board.
57

58 Section 3. Redemption Provisions. The Notes shall be subject to redemption prior to
59 maturity, at the option of the County, on May 1, 2017 or on any date thereafter. Said Notes shall
60 be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus
61 accrued interest to the date of redemption.
62

63 Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be
64 executed and delivered in substantially the form attached hereto as Exhibit C and incorporated
65 herein by this reference.
66

67 Section 5. Security. The Notes shall in no event be a general obligation of the County
68 and do not constitute an indebtedness of the County nor a charge against its general credit or
69 taxing power. No lien is created upon the Project or any other property of the County as a result
70 of the issuance of the Notes. The Notes shall be payable only from (a) any proceeds of the Notes
71 set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived
72 from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a

73 special trust fund, hereby created and established, to be held by the County Clerk and expended
74 solely for the payment of the principal of and interest on the Notes until paid. The County
75 hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest
76 on the Notes when due, if necessary, the County will pay such deficiency out of its annual
77 general tax levy or other available funds of the County; provided, however, that such payment
78 shall be subject to annual budgetary appropriations therefor and any applicable levy limits; and
79 provided further, that neither this Resolution nor any such payment shall be construed as
80 constituting an obligation of the County to make any such appropriation or any further payments.

81
82 Section 6. Segregated Debt Service Fund Account.
83

84 (A) Creation and Deposits. There be and there hereby is established in the
85 treasury of the County a separate and distinct fund account designated as the "Debt Service Fund
86 Account for \$7,110,000 Note Anticipation Notes, dated February 7, 2017" (the "Debt Service
87 Fund Account"), and such account shall be maintained until the indebtedness evidenced by the
88 Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt
89 Service Fund Account (i) all accrued interest received by the County at the time of delivery of
90 and payment for the Notes; (ii) any premium which may be received by the County above the par
91 value of the Notes and accrued interest thereon; (iii) any proceeds of the Notes representing
92 capitalized interest on the Notes or other funds appropriated by the County for payment of
93 interest on the Notes, as needed to pay the interest on the Notes when due; (iv) proceeds of the
94 Securities (or other obligations of the County issued to pay principal of or interest on the Notes);
95 (v) such other sums, including tax monies, as may be necessary at any time to pay principal of
96 and interest on the Notes when due and which are appropriated by the Manitowoc County Board
97 of Supervisors for that purpose; and (vi) surplus monies in the Borrowed Money Fund as
98 specified in Section 8 hereof.
99

100 (B) Use and Investment. No money shall be withdrawn from the Debt Service
101 Fund Account and appropriated for any purpose other than the payment of principal of and
102 interest on the Notes until all such principal and interest has been paid in full and the Notes
103 canceled; provided that such monies may be invested in permitted municipal investments under
104 the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments
105 shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the
106 sole purpose of paying the principal of and interest on the Notes and shall be maintained for such
107 purpose until the Notes are fully paid or otherwise extinguished, and shall at all times be invested
108 in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended
109 (the "Code"), and any applicable Treasury Regulations (the "Regulations").
110

111 (C) Remaining Monies. When all of the Notes have been paid in full and
112 canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service
113 Fund Account shall be transferred and deposited in the general fund of the County, unless the
114 Manitowoc County Board of Supervisors directs otherwise.
115

116 Section 7. Covenants of the County. The County hereby covenants with the owners of
117 the Notes as follows:
118

119 (A) It shall issue and sell the Securities as soon as practicable, as necessary to
120 provide for payment of the Notes;

121
122 (B) It shall segregate the proceeds derived from the sale of the Securities into
123 the special trust fund herein created and established and shall permit such special trust fund to be
124 used for no purpose other than the payment of principal of and interest on the Notes until paid.
125 After the payment of principal of and interest on the Notes in full, said special trust fund may be
126 used for such other purposes as the Manitowoc County Board of Supervisors may direct in
127 accordance with law; and,

128
129 (C) It shall maintain a debt limit capacity such that its combined outstanding
130 principal amount of general obligation bonds or notes or certificates of indebtedness and the
131 \$7,110,000 authorized for the issuance of the Securities shall at no time exceed its constitutional
132 debt limit.

133
134 Section 8. Proceeds of the Notes; Segregated Borrowed Money Fund. All monies
135 received by the County upon the delivery of the Notes to the Purchaser thereof (other than any
136 premium and accrued interest which must be paid at the time of the delivery of the Notes into the
137 Debt Service Fund Account created above) shall be deposited by the County Clerk into a special
138 fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all
139 other funds of the County and shall be used for no purpose other than the purpose for which the
140 Notes are issued. Monies in the Borrowed Money Fund may be temporarily invested in
141 Permitted Investments. Any monies, including any income from Permitted Investments,
142 remaining in the Borrowed Money Fund after the purpose for which the Notes have been issued
143 has been accomplished, and, at any time, any monies as are not needed and which obviously
144 thereafter cannot be needed for such purpose, shall be deposited in the Debt Service Fund
145 Account created herein.

146
147 Section 9. No Arbitrage. All investments made pursuant to this Resolution shall be
148 Permitted Investments, but no such investment shall be made in such a manner as would cause
149 the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the
150 Regulations and an officer of the County, charged with the responsibility for issuing the Notes,
151 shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the
152 date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are
153 not "arbitrage bonds," within the meaning of the Code or Regulations.

154
155 Section 10. Compliance with Federal Tax Laws. (a) The County represents and
156 covenants that the projects financed by the Notes and the ownership, management and use of the
157 projects will not cause the Notes to be "private activity bonds" within the meaning of Section
158 141 of the Code. The County further covenants that it shall comply with the provisions of the
159 Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes
160 including, if applicable, the rebate requirements of Section 148(f) of the Code. The County
161 further covenants that it will not take any action, omit to take any action or permit the taking or
162 omission of any action within its control (including, without limitation, making or permitting any
163 use of the proceeds of the Notes) if taking, permitting or omitting to take such action would
164 cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of

165 the Code or would otherwise cause interest on the Notes to be included in the gross income of
166 the recipients thereof for federal income tax purposes. The County Clerk or other officer of the
167 County charged with the responsibility of issuing the Notes shall provide an appropriate
168 certificate of the County certifying that the County can and covenanting that it will comply with
169 the provisions of the Code and Regulations.

170
171 (b) The County also covenants to use its best efforts to meet the requirements and
172 restrictions of any different or additional federal legislation which may be made applicable to the
173 Notes provided that in meeting such requirements the County will do so only to the extent
174 consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and
175 to the extent that there is a reasonable period of time in which to comply.

176
177 Section 11. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby
178 designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code,
179 relating to the ability of financial institutions to deduct from income for federal income tax
180 purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

181
182 Section 12. Execution of the Notes; Closing; Professional Services. The Notes shall be
183 issued in printed form, executed on behalf of the County by the manual or facsimile signatures of
184 the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined
185 below), sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to
186 the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to
187 the date of delivery (the "Closing"). The facsimile signature of either of the officers executing
188 the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless
189 the County has contracted with a fiscal agent to authenticate the Notes, at least one of the
190 signatures appearing on each Note shall be a manual signature. In the event that either of the
191 officers whose signatures appear on the Notes shall cease to be such officers before the Closing,
192 such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as
193 if they had remained in office until the Closing. The aforesaid officers are hereby authorized and
194 directed to do all acts and execute and deliver the Notes and all such documents, certificates and
195 acknowledgements as may be necessary and convenient to effectuate the Closing. The County
196 hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements
197 and contracts in conjunction with the Notes, including but not limited to agreements and
198 contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate
199 calculation services. Any such contract heretofore entered into in conjunction with the issuance
200 of the Notes is hereby ratified and approved in all respects.

201
202 Section 13. Payment of the Notes; Fiscal Agent. The principal of and interest on the
203 Notes shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

204
205 Section 14. Persons Treated as Owners; Transfer of Notes. The County shall cause
206 books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The
207 person in whose name any Note shall be registered shall be deemed and regarded as the absolute
208 owner thereof for all purposes and payment of either principal or interest on any Note shall be
209 made only to the registered owner thereof. All such payments shall be valid and effectual to
210 satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

211
212 Any Note may be transferred by the registered owner thereof by surrender of the Note at
213 the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment
214 duly executed by the registered owner or his attorney duly authorized in writing. Upon such
215 transfer, the Chairperson and County Clerk shall execute and deliver in the name of the
216 transferee or transferees a new Note or Notes of a like aggregate principal amount, series and
217 maturity and the Fiscal Agent shall record the name of each transferee in the registration book.
218 No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for
219 transfer.

220
221 The County shall cooperate in any such transfer, and the Chairperson and County Clerk
222 are authorized to execute any new Note or Notes necessary to effect any such transfer.

223
224 Section 15. Record Date. The fifteenth day of each calendar month next preceding each
225 interest payment date shall be the record date for the Notes (the "Record Date"). Payment of
226 interest on the Notes on any interest payment date shall be made to the registered owners of the
227 Notes as they appear on the registration book of the County at the close of business on the
228 Record Date.

229
230 Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In
231 order to make the Notes eligible for the services provided by The Depository Trust Company,
232 New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the
233 Blanket Issuer Letter of Representations previously executed on behalf of the County and on file
234 in the County Clerk's office.

235
236 Section 17. Official Statement. The Manitowoc County Board of Supervisors hereby
237 approves the Preliminary Official Statement with respect to the Notes and deems the
238 Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12
239 promulgated by the Securities and Exchange Commission pursuant to the Securities and
240 Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection
241 with the preparation of such Preliminary Official Statement and any addenda to it or Final
242 Official Statement are hereby ratified and approved. In connection with the Closing, the
243 appropriate County official shall certify the Preliminary Official Statement and any addenda or
244 Final Official Statement. The County Clerk shall cause copies of the Preliminary Official
245 Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

246
247 Section 18. Undertaking to Provide Continuing Disclosure. The County hereby
248 covenants and agrees, for the benefit of the owners of the Notes, to enter into a written
249 undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of
250 certain financial information and operating data and timely notices of the occurrence of certain
251 events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the
252 Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and
253 the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific
254 performance of the obligations thereunder and any failure by the County to comply with the
255 provisions of the Undertaking shall not be an event of default with respect to the Notes).

256

257 To the extent required under the Rule, the Chairperson and County Clerk, or other officer
258 of the County charged with the responsibility for issuing the Notes, shall provide a Continuing
259 Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and
260 terms of the County's Undertaking.

261
262 Section 19. Record Book. The County Clerk shall provide and keep the transcript of
263 proceedings as a separate record book (the "Record Book") and shall record a full and correct
264 statement of every step or proceeding had or taken in the course of authorizing and issuing the
265 Notes in the Record Book.

266
267 Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond
268 insurance with respect to the Notes, the officers of the County are authorized to take all actions
269 necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are
270 authorized to agree to such additional provisions as the bond insurer may reasonably request and
271 which are acceptable to the Chairperson and County Clerk including provisions regarding
272 restrictions on investment of Note proceeds, the payment procedure under the municipal bond
273 insurance policy, the rights of the bond insurer in the event of default and payment of the Notes
274 by the bond insurer and notices to be given to the bond insurer. In addition, any reference
275 required by the bond insurer to the municipal bond insurance policy shall be made in the form of
276 Note provided herein.

277
278 Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,
279 rules or other actions of the Manitowoc County Board of Supervisors or any parts thereof in
280 conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the
281 same may so conflict. In the event that any one or more provisions hereof shall for any reason be
282 held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions
283 hereof. The foregoing shall take effect immediately upon adoption and approval in the manner
284 provided by law

Dated this 17th day of January 2017.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Principal and interest payments as reflected in the schedule attached. No
tax levy impact at this time as this issue will be refinanced later this year.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Gerroll gave a brief report.

Public Works Committee: Supervisor Dyzak gave a brief report.

Miscellaneous-Supervisor Kevin Behnke: Supervisor Behnke moved, seconded by Supervisor
Vogel to adopt Resolution 2 (2016/2017-64) Approving Town of Newton Zoning Ordinance
Amendment (Justin McCabe). Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE**

Justin McCabe

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton adopted a zoning ordinance pursuant to the authority
2 granted to towns under Wis. Stat. § 60.62; and

3
4 WHEREAS, Manitowoc County adopted a zoning ordinance pursuant to the authority
5 granted to counties under Wis. Stat. § 59.69; and

6
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and
8 amendments thereto, are subject to county board approval in counties that have adopted a zoning
9 ordinance under Wis. Stat. § 59.69; and

10
11 WHEREAS, the Town of Newton amended its zoning ordinance on January 11, 2017 by
12 rezoning that certain property owned by Justin McCabe from A-3 (Farmland Preservation) to A-
13 2 (General Agricultural) in accordance with Wis. Stat. § 60.62; and

14
15 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
16 Manitowoc County Board of Supervisors for its approval, and a copy of the amended zoning
17 ordinance has been provided to each member of the county board for review;

18
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
20 Supervisors approves the Town of Newton's amended zoning ordinance that rezones that certain
21 property owned by Justin McCabe from A-3 (Farmland Preservation) to A-2 (General
22 Agricultural) and was adopted by the Town Board of the Town of Newton on January 11, 2017.

Dated this 17th day of January 2017.

Respectfully submitted by Kevin Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Announcement: Chairperson Brey reminded supervisors that the next meeting will be February
14.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Henrickson and the motion was
adopted by acclamation. The meeting adjourned at 7:30 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, February 14, 2017

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 14th day of February 2017, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:02 p.m.

Chairperson Brey gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage. There was a moment of silence for fellow employee, Terri LaViolette, who recently passed away.

Roll call: 23 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson (7:04pm), Hoffman, Holschbach, Maresh, Metzger, Muench, Nasep, Nickels (7:30pm), Swade, Waack, Wagner, Weiss, and Williams. Supervisors Vogel and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the January 17, 2017 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Hoffman moved, seconded by Supervisor Weiss to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer reported that he sent out five communications on his plan to relocate the Property Lister to the Planning and Zoning Office, which coincides with a vacancy and a future retirement. Along with a pending future retirement, the GIS position will move to Planning and Zoning, making this office the one-stop shop for land records. Planning and Zoning Director Tim Ryan will be accountable for the Property Listing position. The benefit to the taxpayers will be better customer service, consolidation of records to one location and savings by not filling the vacancy of the Assistant Property Lister position. After an in depth review by Corporation Counsel, it was determined that this decision is the County Executive's decision alone.

County Treasurer Nancy Saueressig expressed concern that the plan to relocate the Property Lister position from her office to the Planning and Zoning Office would create a one-stop shop for customers. She feels this move will affect customers in a negative way by having to leave the courthouse to continue conducting county business three miles away at Planning and Zoning. Ms. Saueressig verified other counties that have the Real Property Lister with the Planning and Zoning Office, and the Treasurer and Register of Deeds all are under the same roof. She commented that the transfer of the position creates an opening for salary increases in the Planning and Zoning Department with employees taking on additional duties. The proposed

\$750,000 new technology system does not support the land records system as it relates to tax collection which is the Treasurer's responsibility.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:24 p.m.

Laura Henning-Lorenz, Sheboygan County Treasurer, spoke on behalf of keeping the Property Lister in the County Treasurer's office. Ms. Henning-Lorenz reported that the Sheboygan County Property Lister moved through four different departments before settling in the Treasurer's office in 2009. It was the best decision Sheboygan County because the Property Lister and Treasurer compliment each other. The office is a one-stop shop for all customers, be it surveyors, taxpayers, assessors, or title companies.

Cheryl Duchow, Village of Valders, spoke in support of keeping the Property Lister in the County Treasurer's office. As a former Manitowoc County Treasurer, she informed the Board that multiple offices within the courthouse use the Property Lister and it should remain in the courthouse.

Mary Muench, Town of Cato, spoke on behalf of keeping the Property Lister in the County Treasurer's office. As Town Clerk/Treasurer for Cato, she informed the Board that she uses multiple offices within the courthouse and it is now one-stop shopping. Moving the Property Lister to Planning and Zoning would defeat that purpose.

Jeff Dezeeuw, City of Manitowoc, spoke on behalf of keeping the Property Lister in the County Treasurer's office. As a surveyor, he travels to three different locations within the county for land records, the Courthouse, Planning and Zoning Office, and the Highway Department. He uses multiple offices in the courthouse for land record information. He suggested moving the Planning and Zoning Department to the courthouse with the Treasurer, Property Lister and Register of Deeds which would create a one stop shop for land records.

Maura Yost, Town of Centerville, addressed the Board regarding the appointment of a single Human Services Director. For the past 4 years, she has been advocating for one Human Services Director. She asked the Board to take the necessary actions as directed by County Code and Wisconsin State Statutes to appoint a single Human Services Director. Ms. Yost addressed the \$844,000 set aside for consumable items in last month's bond was unnecessary. These items should be budgeted and expensed, not bonded.

No one else present wished to speak; subsequently Chairperson Brey closed public input at 7:40 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Jamie Aulik as Manitowoc County Emergency Management Director. Supervisor Behnke moved, seconded by Supervisor Swade to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Linda Langman to the ADRC and Lakeshore Board for a two-year term expiring December 31, 2018. Supervisor Wagner moved, seconded by Supervisor Weiss to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Linda Langman to the Commission of Aging for a three-year term expiring December 2019. Supervisor Wagner moved, seconded by Supervisor Waack to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Gary Shavlik and Alternate-Lee Stadler to the Local Emergency Planning Committee for a two-year term expiring March 2019. Supervisor Henrickson moved, seconded by Supervisor Maresh to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Hunter Morrow to the Transportation Coordinating Committee to fulfill the current term expiring April 2017 and Tammy Desten to the Transportation Coordinating Committee to fulfill the current term expiring April 2019. Supervisor Weiss moved, seconded by Supervisor Baumann to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging and Disability: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger gave a brief report.

Criminal Justice Coordinating Council: Supervisor Falkowski gave a brief report.

Executive Committee: Supervisor Behnke moved, seconded by Supervisor Gerroll to adopt Resolution 1 (2016/2017-65) Supporting Returning County Veteran Service Officer Grants to a Block Grant Format. Upon vote, the motion carried unanimously.

No. 2016/2017 - 65

RESOLUTION SUPPORTING RETURNING COUNTY VETERAN SERVICE OFFICER GRANTS TO A BLOCK GRANT FORMAT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

- 1 WHEREAS, the Wisconsin County Veterans Service Office had provided a block-grant
- 2 to supplement the salary of County Veteran Service Officers ("CVSO") since legislative
- 3 inception in 1973 to attract and retain CVSO talent and as a means to fund improvements to
- 4 CVSO veterans services in Wisconsin's counties; and
- 5

6 WHEREAS, the 2015-2017 Wisconsin Biennium Budget restructured this long-standing
7 CVSO block grant payment structure to a reimbursement only payment structure, which has
8 resulted in a very cumbersome program that no longer allows salary supplementation and
9 contains complicated rules of eligible reimbursable costs that now create fiscal constraints on
10 Wisconsin counties that had benefitted from the previous block grant payment structure;

11
12 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of
13 Supervisors expresses its desire to the Wisconsin State Legislature to have the CVSO grant
14 returned to the original 1973 intent, which is to be used for supplementing the salary of County
15 Veterans Service Officers in order to attract and retain talented personnel in those positions and
16 to fund improvement of services to veterans; and

17
18 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors does
19 hereby request the State Legislature to administer the CVSO grant in a block-grant structure
20 requiring only the signatures of the current CVSO and County Executive, County Administrator,
21 or County Board Chairman as verification of compliance; and

22
23 BE IT FURTHER RESOLVED, the Manitowoc County Board of Supervisors directs the
24 Manitowoc County Clerk to send a copy of this resolution to the Wisconsin Counties
25 Association, the President of the County Veterans Service Officers Association of Wisconsin,
26 our State Legislators, and Governor Scott Walker.

Dated this 14th day of February 2017.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Baumann to adopt Resolution 2 (2016/2017-66) Opposing Making County Veteran Service Officers Optional, Allowing Non-Veterans to Fill the CVSO Position, or Consolidating or Regionalizing County Veteran Service Office in Wisconsin. Upon vote, the motion carried unanimously.

RESOLUTION OPPOSING MAKING COUNTY VETERANS SERVICE OFFICERS OPTIONAL, ALLOWING NON-VETERANS TO FILL THE CVSO POSITION, OR CONSOLIDATING OR REGIONALIZING COUNTY VETERAN SERVICE OFFICES IN WISCONSIN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Stat. § 45.80 requires each county to elect a County Veterans
2 Service Officer (“CVSO”) who is a Wisconsin resident and who served under honorable
3 conditions on active duty in the armed forces; and
4

5 WHEREAS, CVSOs are responsible for a high percentage of veterans’ claims at any
6 given time at the VA Regional Office in Milwaukee; and
7

8 WHEREAS, CVSOs are a major stakeholder in assisting veterans with obtaining more
9 than \$2.7 billion in VA benefits annually in Wisconsin; and
10

11 WHEREAS, CVSOs are invaluable to all veterans but especially elderly and disabled
12 veterans in the local community; and
13

14 WHEREAS, CVSOs are the only veterans’ advocates when dealing with the VA who
15 serve veterans in their local community;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
18 Supervisors desires to express its adamant opposition to the Wisconsin State Legislature of any
19 efforts to make County Veterans Service Officers optional; and
20

21 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors desires
22 to express its adamant opposition to the Wisconsin State Legislature of any efforts to allow non-
23 veterans to fill the position of CVSO; and
24

25 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors desires
26 to express its adamant opposition to the Wisconsin State Legislature of any efforts to allow any
27 consolidation and/or regionalization of county Veterans Service Offices; and
28

29 BE IT FURTHER RESOLVED, the Manitowoc County Board of Supervisors directs the
30 Manitowoc County Clerk to send a copy of this resolution to the Wisconsin Counties
31 Association, the President of the County Veterans Service Officers Association of Wisconsin,
32 our State Legislators, and Governor Scott Walker.

Dated this 14th day of February 2017.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Holschbach to adopt Resolution 3 (2016/2017-67) Supporting the Proposed Wisconsin – Lake Michigan National Marine Sanctuary. Upon vote, the motion carried unanimously.

No. 2016/2017 - 67

**RESOLUTION SUPPORTING THE PROPOSED WISCONSIN - LAKE
MICHIGAN NATIONAL MARINE SANCTUARY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS Wisconsin’s Great Lakes contain some of the nation’s most important
2 natural, cultural, and recreational resources; and
3

4 WHEREAS in 2014 Governor Walker submitted a successful sanctuary nomination to
5 the National Oceanic and Atmospheric Administration (“NOAA”) on behalf of the State of
6 Wisconsin and the coastal communities in the proposed sanctuary; and
7

8 WHEREAS in January 2017, based on the sanctuary nomination, NOAA proposed
9 designation of the 1,075 square-mile Wisconsin - Lake Michigan National Marine Sanctuary
10 which would protect 37 historic shipwrecks and related underwater heritage sites; and
11

12 WHEREAS eighteen of the sites to be protected are listed on the National Register of
13 Historic Places, and archival research indicates that as many as 80 shipwrecks are yet to be
14 discovered; and
15

16 WHEREAS the State of Wisconsin and local communities have invested valuable
17 resources in documenting, preserving, and celebrating Wisconsin’s rich maritime heritage; and
18

19 WHEREAS NOAA’s National Marine Sanctuary System was established in 1972, and
20 today the program serves as the trustee for a system of 13 national marine sanctuaries and two
21 national monuments encompassing more than 600,000 square miles of ocean and Great Lakes
22 waters; and

23
24 WHEREAS national marine sanctuaries draw regional, national, and international
25 tourism, impact regional and local economies, and are featured and promoted in national
26 magazines, journals, books, and films; and

27
28 WHEREAS national marine sanctuaries support a wide variety of educational programs
29 to share the history of Great Lakes shipwrecks with the public and promote science, technology,
30 engineering, and mathematics (STEM); and

31
32 WHEREAS national marine sanctuaries protect nationally significant resources, such as
33 Wisconsin's Great Lakes shipwrecks and support research and documentation to better
34 understand, protect, and increase public appreciation and access to the well-preserved
35 shipwrecks; and

36
37 WHEREAS the proposed Wisconsin - Lake Michigan National Marine Sanctuary would
38 leverage the investment made by the State of Wisconsin and mid-Lake Michigan harbor towns to
39 enhance tourism as a key component of economic development in the state and the region; and

40
41 WHEREAS local resources and infrastructure may be used in partnership with NOAA to
42 complement and enhance a national marine sanctuary;

43
44 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of
45 Supervisors supports the designation of the Wisconsin - Lake Michigan National Marine
46 Sanctuary and agrees to partner with our neighboring communities located within the mid-Lake
47 Region; and

48
49 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors directs
50 the Manitowoc County Clerk to send a copy of this resolution to our State Legislators and to
51 Governor Scott Walker and request the Governor and our state representatives in the Senate and
52 Assembly to support the designation of a national marine sanctuary on the western shores of
53 Lake Michigan.

Dated this 14th day of February 2017.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Gerroll to adopt Resolution 4 (2016/2017-68) Approving Draft PACE Commission Agreement and Appointing PACE Commission Representative. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION APPROVING DRAFT PACE COMMISSION
AGREEMENT AND APPOINTING PACE COMMISSION
REPRESENTATIVE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, pursuant to Wis. Stat. § 66.0301, two or more municipalities of the State of
2 Wisconsin, may by contract create a commission for the joint exercise of any power or duty
3 required or authorized by law; and
4

5 WHEREAS, Manitowoc County is a “municipality” as that term is defined in Wis.
6 Stat. § 66.0301 and a political subdivision located in the State; and
7

8 WHEREAS, Manitowoc County is empowered by law to promote economic, cultural and
9 community development, including, without limitation, the promotion of opportunities for the
10 creation or retention of employment, the stimulation of economic activity, the increase of the tax
11 base, and the promotion of opportunities for education, cultural improvement and public health,
12 safety and general welfare, which may be accomplished by various means; and
13

14 WHEREAS, Wis. Stat. § 66.0627(8) authorizes a city, a village, a town, and a county in
15 this state to, among other things, make a loan to or otherwise arrange, participate in or facilitate
16 the financing of an energy improvement, a water efficiency improvement or a renewable
17 resource application to a real property within its jurisdiction and to provide for such financing
18 through the imposition of a special charge against the property benefitted by the energy or water
19 efficiency improvement or renewable resource project; and
20

21 WHEREAS, such financings are commonly referred to as “Property Assessed Clean
22 Energy” or “PACE” financings; and
23

24 WHEREAS, Manitowoc County has determined that it is in the public interest to provide
25 real property owners, lessees, lenders and other transaction parties in Manitowoc County with
26 access to a uniformly administered program for PACE financing; and
27

28 WHEREAS, Manitowoc County, with the support and counsel of the Wisconsin Counties
29 Association, League of Wisconsin Municipalities, Green Tier Legacy Communities and other
30 stakeholders, have studied the possibility of creating a commission pursuant to Wis.
31 Stat. § 66.0301 to be known as the Wisconsin PACE Commission (“Commission”); and
32

33 WHEREAS, the Wisconsin PACE Commission would be formed and operated in
34 accordance with a Joint Exercise of Powers Agreement Relating to Wisconsin PACE
35 Commission (“Commission Agreement”) of which a substantially final draft is attached to this
36 Resolution; and
37

38 WHEREAS, it is in Manitowoc County’s best interests to join the Wisconsin PACE
39 Commission and authorize the execution of the Commission Agreement; and
40

41 WHEREAS, in accordance with Wis. Stat. § 66.0627 and the provisions of the
42 Commission Agreement, Manitowoc County must adopt an ordinance relating to the
43 administration of PACE financings in Manitowoc County and throughout the state (“PACE
44 Ordinance”); and
45

46 WHEREAS, the proposed PACE Ordinance will be considered at the same meeting at
47 which this Resolution is being considered; and
48

49 WHEREAS, adoption of the PACE Ordinance is a necessary condition to Manitowoc
50 County entering into the Commission Agreement; and
51

52 WHEREAS, it is the intent of this Resolution to authorize Manitowoc County to become
53 a member of the Commission and authorize a duly-appointed representative to finalize and
54 execute the final Commission Agreement in substantially the form of the draft Commission
55 Agreement attached to this Resolution;
56

57 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
58 Supervisors hereby approves the draft Commission Agreement, a copy of which is attached to
59 this Resolution, and authorizes the County Executive, County Board Chair, County Clerk, and
60 such other county officials as may be necessary to execute such document after receipt of
61 preliminary approval from the other participating municipalities, approval from the Manitowoc
62 County official duly-appointed to approve the final form of the Commission Agreement, and
63 approval of the Manitowoc County Corporation Counsel; and
64

65 BE IT FURTHER RESOLVED that the County Executive, subject to County Board
66 approval, shall appoint him or herself or a Manitowoc County Board Supervisor to act as
67 Manitowoc County’s official representative in relation to the final approval of the form of the
68 Commission Agreement, to act as the Manitowoc County “Representative Director” of the Board
69 of Directors of the Commission in accordance with the Commission Agreement, and to
70 otherwise take all action necessary to effectuate the intent of this Resolution.

Dated this 14th day of February 2017.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Holschbach to enact Ordinance 5

(2016/2017-69) Creating Manitowoc County Code Chapter 32 (Property Assessed Clean Energy Financing. Upon vote, the motion carried unanimously.

No. 2016/2017 - 69

**ORDINANCE CREATING CHAPTER 32 OF THE MANITOWOC COUNTY CODE
(PROPERTY ASSESSED CLEAN ENERGY FINANCING)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 66.0627(8) authorizes Manitowoc County to make a loan to or
2 otherwise arrange, participate in or facilitate the financing of an energy improvement, a water
3 efficiency improvement or a renewable resource application to a real property within its
4 jurisdiction and to provide for such financing through the imposition of a special charge against
5 the property benefitted by the energy or water efficiency improvement or renewable resource
6 project; and

7
8 WHEREAS, such financings are commonly referred to as “Property Assessed Clean
9 Energy” or “PACE” financings; and

10
11 WHEREAS, Manitowoc County has determined that it is in the public interest to provide
12 real property owners, lessees, lenders and other transaction parties in Manitowoc County with
13 access to a uniformly administered program for PACE financing; and

14
15 WHEREAS, Manitowoc County by separate Resolution to be considered at the same
16 meeting at which this Ordinance is being considered will express its intent to join the Wisconsin
17 PACE Commission (“Commission”); and

18
19 WHEREAS, in accordance with Wis. Stat. § 66.0627, Manitowoc County must adopt an
20 ordinance relating to the administration of PACE financings in Manitowoc County and
21 throughout the state (“PACE Ordinance”);

22
23 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
24 ordain as follows:

25
26 Manitowoc County Code Chapter 32, Property Assessed Clean Energy is hereby created to
27 read as follows:

- 28
29 32.01 Title.
30 32.02 Authority.
31 32.03 Statement of Policy
32 32.04 Purpose.
33 32.05 Definitions.
34 32.06 Pace Loans as Special Charges; Delinquent Amounts as Liens.
35 32.07 Wisconsin PACE Commission.
36 32.08 Loan Approval.

- 37 32.09 Supplemental Agreement.
- 38 32.10 Annual Installments Added to Tax Rolls.
- 39 32.11 Remittance of Special Charges.
- 40 32.12 Property Tax Foreclosure Procedures.
- 41 32.13 Sale of Foreclosed Property.
- 42 32.14 Distribution of Foreclosure Proceeds.

43
44 32.01 Title.

45
46 This ordinance may be referred to as the Property Assessed Clean Energy Financing
47 Ordinance or the PACE Ordinance.

48
49 32.02 Authority.

50
51 This ordinance is enacted under the authority of Wis. Stat. § 66.0627.

52
53 32.03 Statement of Policy.

54
55 Wisconsin Stat. § 66.0627 authorizes a county to make a loan or enter into an agreement
56 regarding loan repayments to a 3rd party for owner-arranged or lessee-arranged financing
57 to make or install an energy efficiency improvement, a water efficiency improvement, or
58 a renewable resource application. Manitowoc County finds that such improvements,
59 renovations, and/or additions to premises located in the County increase property values,
60 stimulate local economic activity, provide local and global environmental benefits, and
61 promote the general welfare of Manitowoc County residents.

62
63
64 32.04 Purpose.

65
66 This ordinance is enacted for the purpose of facilitating loans arranged by property
67 owners or lessees to make improvements, renovations, or additions to premises located in
68 Manitowoc County to improve energy efficiency, improve water efficiency, and/or use
69 renewable resource applications by treating loan principal and interest, fees, and other
70 charges as special charges eligible for inclusion on the tax roll for these properties.

71
72
73 32.05 Definitions.

74
75 For the purpose of administering and enforcing this Property Assessed Clean Energy
76 Financing Ordinance, the terms or words used herein shall be interpreted as follows:
77 Words used in the present tense include the future; words in the singular number include
78 the plural number; words in the plural number include the singular number. The word
79 “shall” is mandatory, the word “should” is advisory, and the word “may” is permissive.
80 Any word not defined in this Property Assessed Clean Energy Financing Ordinance shall
81 be presumed to have its customary dictionary definition.

82

83 The following terms used in this Property Assessed Clean Energy Financing Ordinance
84 mean:

- 85
- 86 (1) “Annual Installment” means the portion of the PACE loan that is due and payable
87 for a particular year under the supplemental agreement.
88
- 89 (2) “Borrower” means the property owner or lessee of the subject property that
90 borrows the proceeds of a PACE loan.
91
- 92 (3) “Default Loan Balance” means the outstanding balance, whether or not due, of a
93 PACE loan at the time that Manitowoc County receives foreclosure proceeds.
94
- 95 (4) “Foreclosure Proceeds” means the proceeds received by Manitowoc County from
96 the disposition of a subject property through an in rem property tax foreclosure.
97
- 98 (6) “Loan Amount” means the principal, interest, administrative fees (including the
99 Program Administrator’s fees) and other loan charges to be paid by the borrower
100 under the PACE loan.
101
- 102 (7) “PACE” means the acronym for property assessed clean energy.
103
- 104 (8) “PACE Default Amount” means:
- 105
- 106 (a) The delinquent annual installment(s) due when Manitowoc County
107 initiates the in rem property tax foreclosure on the subject property; and
108
- 109 (b) Any additional annual installment(s) that become due between the time
110 that Manitowoc County initiates in rem property tax foreclosure on the
111 subject property and the date Manitowoc County receives the foreclosure
112 proceeds; and
113
- 114 (c) Any default interest charges applied to unpaid annual installments
115 referenced in §§ 32.05(8)(a) and (b) above, as provided in the
116 supplemental agreement; and
117
- 118 (d) Any default loan balance.
119
- 120 (9) “PACE Lender” means any person that makes a PACE loan, and which may
121 include an affiliate of the borrower.
122
- 123 (10) “PACE Loan” means a loan made by a PACE lender to a borrower under this
124 PACE Ordinance for energy efficiency improvements, water efficiency
125 improvements, or renewable resource applications made to or installed on a
126 subject property.
127

- 128 (11) “Person” means any individual, association, firm, corporation, partnership,
129 limited liability company, trust, joint venture, municipality, or any other legal
130 entity, or a political subdivision as defined in Wis. Stat. § 66.0627.
131
- 132 (12) “Program Administrator” means the person retained by the Wisconsin PACE
133 Commission as permitted in § 32.07(2) of this PACE Ordinance.
134
- 135 (13) “Subject Property” means any premises located in Manitowoc County on which
136 an energy efficiency improvements, water efficiency improvements, or renewable
137 resource applications are being or have been made and financed through an
138 outstanding PACE loan.
139
- 140 (14) “Supplemental Agreement” means a written agreement among a borrower, a
141 PACE lender and Manitowoc County, as provided for in § 32.09 of this PACE
142 Ordinance.
143
- 144 (15) “Wisconsin PACE Commission” means the Wisconsin PACE Commission
145 formed under Wis. Stat. § 66.0301 by Manitowoc County and one or more other
146 political subdivisions as defined in Wis. Stat. § 66.0627, as amended, pursuant to
147 a Joint Exercise of Powers Agreement relating to the Wisconsin PACE
148 Commission.
149

150 32.06 Pace Loans as Special Charges; Delinquent Amounts as Liens.

151
152 Any PACE loan made and secured pursuant to this PACE Ordinance shall be considered
153 a special charge on the subject property. Any annual installment or portion of a PACE
154 loan made and secured pursuant to this PACE Ordinance that becomes delinquent
155 according to the terms of the PACE loan shall be a lien against the subject property and
156 placed on the tax roll, as permitted pursuant to Wis. Stat. § 66.0627, as amended.
157

158 32.07 Wisconsin Pace Commission.

- 160 (1) Any of the powers and duties of Manitowoc County under this PACE Ordinance,
161 except for those under § 32.09 of this PACE Ordinance may (but are not required
162 to) be delegated to the Wisconsin PACE Commission.
163
- 164 (2) The Wisconsin PACE Commission is further authorized to retain a Program
165 Administrator to act as its agent and administer the PACE program, subject to
166 adherence with PACE program requirements set forth in this PACE Ordinance
167 and in Wis. Stat. § 66.0627 as amended.
168

169 32.08 Loan Approval.

- 171 (1) A prospective borrower applying for a PACE loan shall comply with the loan
172 application process set forth in the program manual approved by Manitowoc
173 County.
174

175 (2) Manitowoc County shall approve the financing arrangements between a borrower
176 and PACE lender.

177
178 32.09 Supplemental Agreement.

179
180 (1) Manitowoc County, the borrower, and the PACE lender shall execute a
181 supplemental agreement which, without limitation:

182
183 (a) Shall inform the participants that the PACE loan amount shall be imposed
184 as and considered a special charge against the subject property, each
185 year's annual installment may be included on the property tax roll of the
186 subject property as a special charge, and an annual installment that is
187 delinquent shall be a lien against the subject property pursuant to Wis.
188 Stat. § 66.0627, as amended;

189
190 (b) Shall recite the amount and the term of the PACE loan;

191
192 (c) Shall provide for the amount, or a method for determining the amount, of
193 the annual installment due each year;

194
195 (d) Shall provide whether default interest may be applied to unpaid annual
196 installments;

197
198 (e) Shall require the PACE lender and the borrower to comply with all
199 federal, state and local lending and disclosure requirements;

200
201 (f) Shall provide for any fees payable to Manitowoc County and/or Program
202 Administrator;

203
204 (g) Shall recite that the supplemental agreement is a covenant that runs with
205 the land;

206
207 (h) May provide for prepayments of annual installments by the borrower with
208 a resulting reduction in the special charge for the prepayment, subject to
209 any prepayment premium charged by the PACE lender, if any; and

210
211 (i) May allow for amendment by the parties.

212
213 (2) Prior to executing the supplemental agreement, the owner of the subject property,
214 if different from the borrower, and any existing mortgage holder(s) on the subject
215 property must have executed a separate writing acknowledging the borrower's use
216 of PACE financing for the subject property and the special charge that will be
217 imposed under this PACE Ordinance and its consequences, including the
218 remedies for collecting the special charge.

219
220 (3) Each PACE loan shall be amortized over the term of the PACE loan as provided
221 in the supplemental agreement.

222
223 (4) The annual payments of a PACE loan may be payable in installments as
224 authorized by Wis. Stat. § 66.0627, as amended.

225
226 32.10 Annual Installments Added to Tax Rolls.
227
228 Upon the request of the Program Administrator, Manitowoc County should place each
229 year's annual installment on the tax roll for the subject property as permitted pursuant to
230 Wis. Stat. § 66.0627.

231
232 32.11 Remittance of Special Charges.
233
234 Manitowoc County shall promptly remit to the Wisconsin PACE Commission any
235 payment(s) for a special charge imposed under this PACE Ordinance, including penalties
236 and charges thereon, it may receive from any taxing district or Manitowoc County
237 Treasurer pursuant to Wis. Stat. ch. 74, as amended.

238
239 32.12 Property Tax Foreclosure Procedures.

240
241 (1) Manitowoc County elects to utilize the provisions of Wis. Stat. § 75.521, as
242 amended, for the purpose of enforcing tax liens if a subject property owner fails to
243 pay any special charges imposed on the subject property under this PACE
244 Ordinance as required.

245
246 (2) Manitowoc County should begin an in rem property tax foreclosure proceeding on
247 the subject property at the earliest time allowed under Wisconsin Statutes, unless
248 Manitowoc County determines that subject property is a "brownfield" (as defined
249 is Wis. Stat. § 75.106, as amended) or that in rem property tax foreclosure is not
250 in the best interests of Manitowoc County.

251
252 (3) If Manitowoc County has determined that it will not commence an in rem
253 property tax foreclosure proceeding, then the PACE lender may request that
254 Manitowoc County, pursuant to Wis. Stat. § 75.106, as amended, assign
255 Manitowoc County's right to take judgment against the subject property to the
256 PACE lender, provided that the PACE lender and Manitowoc County fully
257 comply with all provisions of Wis. Stat. § 75.106, as amended, concerning the
258 subject property and the PACE lender agrees to pay the amounts required by Wis.
259 Stat. §§ 75.36(3)(a)1, 1m, and 3, as amended.

260
261 32.13 Sale of Foreclosed Property.
262
263 If Manitowoc County obtains judgment in an in rem property tax foreclosure action
264 against a subject property, Manitowoc County should diligently proceed to sell the
265 subject property pursuant to the procedures set forth in Wis. Stat. § 75.69, as amended.

266
267
268 32.14 Distribution of Foreclosure Proceeds.

269
270 The Manitowoc County treasurer shall follow the procedures set forth in Wis. Stat. §
271 75.36, as amended, to distribute the proceeds from the sale of a subject property.

272
273 and;

274
275 BE IT FURTHER ORDAINED, that this Ordinance shall be enacted as part of the Manitowoc
276 County Code and shall be effective upon publication as provided by law.

Dated this 14th day of February 2017.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Maresh to postpone Ordinance 6 Amending Manitowoc County Code § 2.02(10) (County Treasurer) until the next County Board Meeting. Upon discussion and vote, the motion carried with 21 ayes and 2 noes. Supervisor Dyzak and Waack voted no.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution 7 (2016/2017-70) Denying Claim (Brenda Marie Hawpetoss). Upon discussion and vote, the motion unanimously.

No. 2016/2017 - 70

RESOLUTION DENYING CLAIM
(Brenda Marie Hawpetoss)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Brenda Marie Hawpetoss filed a claim with Manitowoc County on February
2 3, 2017 seeking \$50,000 in damages for medical bills, missed time from work, and pain and
3 suffering from injuries suffered as a result of an accident while she was a passenger on a
4 Maritime Metro bus; and

5
6 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to
7 its insurance carrier; and

8
9 WHEREAS, the insurance carrier has reviewed the information provided, investigated
10 the facts, and determined that Manitowoc County has no liability for the claim; and

11
12 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the
13 insurance carrier's recommendation that the claim be denied and that the county issue a formal
14 disallowance;

15
16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of
17 Supervisors that the claim is denied and that the Corporation Counsel and County Clerk are
18 directed to provide such notice of the denial of the claim as may be required.

Dated this 14th day of February 2017.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Gerroll gave a brief report.
Supervisor Gerroll moved, seconded by Supervisor Vogt to adopt Resolution 8 (2016/2017-71)
Petitioning for Airport Improvement Aid and Designating the Secretary of Transportation as
Agent. Upon vote, the motion carried unanimously.

No. 2016/2017 - 71

**RESOLUTION PETITIONING FOR AIRPORT IMPROVEMENT AID
AND DESIGNATING THE SECRETARY OF TRANSPORTATION AS
AGENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS Manitowoc County, Wisconsin is authorized by Wis. Stat. § 114.11 to
2 acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an
3 airport; and

4
5 WHEREAS Manitowoc County desires to develop or improve the Manitowoc County
6 Airport, located in Manitowoc County, Wisconsin; and

7
8 WHEREAS Manitowoc County desires to make a PETITION FOR AIRPORT SRE
9 (SNOW REMOVAL EQUIPMENT) to the Secretary of the Wisconsin Department of
10 Transportation; and

11
12 WHEREAS airport users have been consulted in formulating the proposed improvements
13 included in this Resolution; and

14

15 WHEREAS a public hearing was held prior to the filing of this Resolution Petitioning for
16 Airport Improvement Aid in accordance with Wis. Stat. § 114.33(2), as amended, and a
17 transcript of the hearing is to be transmitted with the petition;

18
19 NOW THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
20 Supervisors hereby approves a petition for federal or state aid, or both, in the following form:

21
22 The petitioner, desiring to sponsor an airport development project with federal or state
23 aid, or both, in accordance with applicable state and federal laws, respectfully represents
24 and states:

- 25
- 26 1. That the airport, which it desires to develop, should generally conform to the
27 requirements for a General Aviation type airport as defined by the Federal
28 Aviation Administration.
 - 29
30 2. That the character, extent, and kind of improvements which it desires under the
31 project are as follows:
 - 32 • Purchase of snow removal and mowing equipment, and any necessary
33 work;
 - 34
35
36 3. That the airport project, which your petitioner desires to sponsor, is necessary to
37 meet the existing and future needs of the airport;

38
39 BE IT FURTHER RESOLVED that it is recognized that the improvements petitioned for
40 as listed will be funded individually or collectively as funds are available, with specific project
41 costs to be approved as work is authorized, the proportionate cost of the airport development
42 projects described above which are to be paid by Manitowoc County to the Secretary of the
43 Wisconsin Department of Transportation (hereinafter referred to as the “Secretary”) to be held in
44 trust for the purposes of the project; any unneeded and unspent balance after the project is
45 completed is to be returned to Manitowoc County by the Secretary; Manitowoc County will,
46 subject to available appropriations, make available any additional monies that may be found
47 necessary, upon request of the Secretary, to complete the project as described above; the
48 Secretary shall have the right to suspend or discontinue the project at any time additional monies
49 are found to be necessary by the Secretary and Manitowoc County does not provide the same; in
50 the event Manitowoc County unilaterally terminates the project, all reasonable federal and state
51 expenditures related to the project shall be paid by Manitowoc County; and

52
53 BE IT FURTHER RESOLVED that Manitowoc County is required by Wis. Stat.
54 § 114.32(5) to designate the Secretary as its agent to accept, receive, receipt for, and disburse any
55 funds granted by the United States under the federal Airport and Airway Improvement Act, and
56 is authorized by law to designate the Secretary as its agent for other purposes; and
57

58 BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc
59 County's agent and is requested to agree to act as such in matters relating to the airport
60 development project described above, and is hereby authorized as Manitowoc County's agent to
61 make all arrangements for the development and final acceptance of the completed project
62 whether by contract, agreement, force account, or otherwise; and to accept, receive, receipt for,
63 and disburse federal monies or other monies, either public or private, for the acquisition,
64 construction, improvement, maintenance and operation of the airport; and, to acquire property or
65 interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. ch. 32; and, to
66 supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed
67 by the Secretary; and, to execute any assurances or other documents required or requested by any
68 agency of the federal government and to comply with all federal and state laws, rules, and
69 regulations relating to airport development projects; and

70
71 BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate
72 the airport in accordance with the conditions established in Wis. Admin. Code ch. Trans 55, or in
73 accordance with Manitowoc County's assurances enumerated in a Federal Grant Agreement; and
74

75 BE IT FURTHER RESOLVED that the County Executive and the County Clerk are
76 authorized to sign and execute any agency, or other, agreement and Federal Block Grant Owner
77 Assurances authorized by this Resolution.

Dated this 14th day of February 2017.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: No tax levy impact and, based on the funding mechanism, no budget modifications are required at this time. If the petition is successful, the county will be eligible for grant funding of snow removal and mowing equipment and necessary work relating to the proposed improvements. Any necessary budget amendments will be brought to the County Board for approval.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner gave a brief report.

Personnel Committee: Supervisor Behnke gave a brief report.

Planning & Parks Committee: Supervisor Waack gave a brief report.
Supervisor Waack moved, seconded by Supervisor Hansen to adopt Resolution 9 (2016/2017-72) Authorizing 2016-2018 Snowmobile Trail Aid. Upon vote, the motion carried unanimously.

RESOLUTION AUTHORIZING 2016-2018 SNOWMOBILE TRAIL AIDS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS the Wisconsin Snowmobile Trail Aids program provides funds for the
2 acquisition, development, and maintenance of public snowmobile trails in eligible counties; and
3

4 WHEREAS Manitowoc County has completed 44 years of participation in the Wisconsin
5 Snowmobile Trail Aids program by acquiring, developing, insuring, and maintaining public
6 snowmobile trails in the county in accordance with Wisconsin Department of Natural Resources
7 (“WDNR”) standards; and
8

9 WHEREAS Manitowoc County is eligible to continue its participation in the Wisconsin
10 Snowmobile Trail Aids program and the State of Wisconsin will cover 100% of Manitowoc
11 County’s cost share requirement for the construction of certain bridges; and
12

13 WHEREAS, Manitowoc County Parks has provided the County Board with a map
14 showing the bridge development projects included in the Wisconsin Snowmobile Trail Aids
15 program;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
18 Supervisors approves the bridge development projects included in the Snowmobile Trail Aids
19 program as identified by Manitowoc County Parks; and
20

21 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
22 designates the Planning Department as the agency to act on behalf of Manitowoc County in
23 submitting applications for state snowmobile aids for acquisition, bridge rehabilitation,
24 development, insurance, and maintenance costs of Manitowoc County’s public snowmobile trail
25 system; and
26

27 BE IT FURTHER RESOLVED that the Park Director is authorized to sign documents
28 and take the actions necessary to undertake, direct, and complete the 2016-2018 Snowmobile
29 Trail Aids grant for bridge development; and
30

31 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and
32 redevelopment of the snowmobile trail bridges through the Snowmobile Trail Aids program the
33 bridges will be designated as public snowmobile trail bridges; and
34

35 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limits of
36 funds appropriated for such purposes, provide for adequate maintenance of the trails and
37 facilities that have been funded for acquisition and maintenance through the Wisconsin
38 Snowmobile Trail Aids program in accordance with WDNR requirements and funding criteria;
39 comply with state and federal rules for the program; maintain the completed project in an

40 attractive, inviting, and safe manner; keep facilities open to the general public during reasonable
41 hours consistent with the type of facility; and obtain approval in writing from the WDNR before
42 any changes are made in the use of the project site.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. The State of Wisconsin will provide up to \$121,250.00 for construction of two snowmobile bridges which is 100% of the total cost. The budgeted revenues and expenses for the snowmobile activity shall be increased by equal amounts of \$121,250.00.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Hoffman to adopt Resolution 10 (2016/2017-73) Authorizing Community Planting Program Donation. Upon vote, the motion carried unanimously.

No. 2016/2017 - 73

**RESOLUTION AUTHORIZING COMMUNITY PLANTING PROGRAM
DONATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS the American Transmission Company (“ATC”) offers a Community Planting
2 Program for cities, villages, towns, counties, and tribes within ATC’s service area; and
3

4 WHEREAS, the Community Planting Program provides assistance to cities, villages,
5 towns, counties, and tribes to beautify their communities in a manner that is consistent with
6 ATC’s safety and maintenance standards; and
7

8 WHEREAS ATC supports right-of-way best management practices, which includes
9 keeping of trees out of the right-of-way; and
10

11 WHEREAS ATC supports improving or increasing a community’s canopy diversity, and
12 provides assistance for innovative tree projects that have positive impacts on a community’s
13 green space in a manner that is consistent with ATC’s safety and maintenance standards; and
14

15 WHEREAS Manitowoc County is eligible for participation in the Community Planting
16 Program; and
17

18 WHEREAS Manitowoc County Parks has applied for Community Planting Program
19 support in an effort to replenish lost trees at Silver Lake Park, Cato Falls Park, and Maribel
20 Caves Park; and

21
22 WHEREAS, the Parks and Planning Commission has reviewed the request and
23 recommends that the project be approved;

24
25 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
26 Supervisors authorizes Manitowoc County Parks to apply for ATC Community Planting
27 Program funding to plant trees at Silver Lake Park, Cato Falls Park, and Maribel Caves Park; and
28

29 BE IT FURTHER RESOLVED that the Manitowoc County Park Superintendent is
30 authorized to sign documents and take actions necessary to complete the project as authorized in
31 the ATC Community Planting Program application.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. Increases donation revenue and appropriate expense
account in the Park Department budget in the amount of the \$4,000
donation.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Hoffman to adopt Resolution 11 (2016/2017-
74) Authorizing Commercial Thinning Timber Harvest Point Creek Park. Upon vote, the motion
carried unanimously.

No. 2016/2017 - 74

**RESOLUTION AUTHORIZING COMMERCIAL THINNING TIMBER
HARVEST AT POINT CREEK PARK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS the Wisconsin Department of Natural Resources (“WDNR”) has performed a
2 field review of the current Point Creek Park forest to determine forest stocking levels of Point
3 Creek Park; and

4
5 WHEREAS WDNR “stocking charts” present that both red pine and white pine stands at
6 Point Creek Park occupy the “fully stocked stand” portions of the chart; and
7

8 WHEREAS the two acre red pine stand and the 13 acre white pine/spruce stand would
9 benefit ecologically from a commercial thinning; and

10
11 WHEREAS the trees within the affected area of approximately 15 acres shall be marked
12 for harvest by the WDNR, which will entail a combination of row thinning (*i.e.* harvesting of all
13 trees in a particular row of the plantation) and single tree selection; and

14
15 WHEREAS WDNR will provide assistance in the implementation of a timber sale notice
16 package, which will include a timber sale notice, advertisement, map, bid form, and brief
17 description of the timber sale; and

18
19 WHEREAS a sealed bid process shall be utilized by Manitowoc County in awarding the
20 timber sale; and

21
22 WHEREAS the Parks and Planning Commission has reviewed the proposed plan for the
23 commercial thinning timber harvest at Point Creek Park and recommends that the project be
24 approved;

25
26 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of
27 Supervisors authorizes the commercial thinning timber harvest at Point Creek Park as described
28 herein, which shall include using a sealed bid process to award the project to a private contractor;
29 and

30
31 BE IT FURTHER RESOLVED that the Manitowoc County Parks Superintendent is
32 authorized to administer the harvest in partnership with the WDNR; and

33
34 BE IT FURTHER RESOLVED that all funds gained from the harvest will be ear marked
35 for use by Manitowoc County Parks to purchase and replant hardwood trees, as well as any
36 necessary labor and materials for reforestation on the Point Creek Park property.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable. Revenue collected will depend upon the price received
and the amount of trees that would be scheduled to be harvested.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Baumann to enact Ordinance 12 (2016/2017-
75) Amending Zoning Map (Donald and Dorothy Cenefelt). Upon vote, the motion carried
unanimously.

ORDINANCE AMENDING ZONING MAP
(Donald and Dorothy Cenefelt)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2017; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in the NE¼ of the SE¼ of Section 11, T21N, R22E, Town of
12 Cooperstown, Manitowoc County, Wisconsin, commencing at the East 1/4 Corner of
13 Section 11; thence along the easterly line of the SE 1/4 South 0°07'25" West 916.72 feet
14 to the northerly line of Tract 1 of Certified Survey Map Volume 11 Page 135; thence
15 along said line North 71°19'07" West 569.28 feet to the centerline of Pleasant Road;
16 thence continuing along said line 93.00 feet along the arc of a 1,909.86 foot radius curve
17 to the right whose long chord bears North 31°29'04" East 92.99 feet; thence continuing
18 North 32°52'46" East 735.18 feet; thence continuing 43.93 feet along the arc of a 607.52
19 foot radius curve to the left whose long chord bears North 30°48'31" East 43.92 feet to
20 the northerly line of the SE 1/4; thence along said line South 89°57'00" East 71.10 feet to
21 the point of beginning, said parcel containing approximately 6.28 acres of land and is
22 hereby rezoned from Exclusive Agriculture (EA) District to Large Estate (LE) District.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Gauger to enact Ordinance 13 (2016/2017-76) Amending Zoning Map (Leroy and Rosemary Meles). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Leroy and Rosemary Meles)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2017; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 A parcel of land located in NE¹/₄ of the NE¹/₄ of Section 3, T21N, R22E, Town of
12 Cooperstown, Manitowoc County, Wisconsin, commencing at the E¹/₄ Corner of said
13 Section 3; thence northerly along the centerline of CTH T approximately 2083 feet;
14 thence westerly approximately 33 feet to the west r/w of CTH T which is the point of real
15 beginning; thence Continue westerly approximately 610 feet; thence northerly
16 approximately 593 feet; thence easterly approximately 475 feet; thence southerly
17 approximately 112 feet; thence easterly approximately 151 feet; thence southerly along
18 the west r/w of CTH T approximately 471 feet to the point of real beginning, said parcel
19 containing approximately 7.91 acres of land and is hereby rezoned from Exclusive
20 Agriculture (EA) District to Large Estate (LE) District; and
21

22 A parcel of land located in NE¹/₄ of the NE¹/₄ of Section 3, T21N, R22E, Town of
23 Cooperstown, Manitowoc County, Wisconsin, commencing at the E¹/₄ Corner of said
24 Section 3; thence northerly along the centerline of CTH T approximately 1371 feet;
25 thence westerly approximately 33 feet to the west r/w of CTH T which is the point of real
26 beginning; thence Continue westerly approximately 614 feet; thence northerly
27 approximately 712 feet; thence easterly approximately 610 feet; thence southerly along
28 the west r/w of CTH T approximately 712 feet to the point of real beginning, said parcel
29 containing approximately 10.0 acres of land and is hereby rezoned from Exclusive
30 Agriculture (EA) District to General Agriculture (GA) District.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Gauger to enact Ordinance 14 (2016/2017-77) Amending Zoning Map (Wallace and Faye Rusch). Upon vote, the motion carried unanimously.

No. 2016/2017 - 77

ORDINANCE AMENDING ZONING MAP
(Wallace and Faye Rusch)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2017; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors ordain as follows:
9

10 A parcel of land located in the NW¼ of the NE¼ of Section 1, T19N, R21E, Town of
11 Rockland, Manitowoc County, Wisconsin, commencing at the NE Corner of said Section
12 1; thence N89°37'25"W along the North Line of said NE1/4 a distance of 1313.61 feet to
13 the 1/16 Section Line, (recorded as S88°45'W 1313.5'); thence S0°23'07"E along said
14 1/16 Section Line (recorded as S2°00'E) a distance of 59.59 feet to the present South
15 Line of U.S. Highway 10, the point of real beginning; thence continue S0°23'07"E along
16 said 1/16 Section Line a distance of 393.81 feet to the NE Corner of Tract "A" of
17 Certified Survey Map recorded in Volume 3, Page 417; thence S89°36'53"W along the
18 North Line of said Tract "A" (recorded as S88°00'W) a distance of 300.0 feet; thence
19 S0°23'07"E along the West Line of said Tract "A" (recorded as S2°00'E) a distance of
20 145.2 feet; thence N89°36'53"E along the South Line of said Tract "A" (recorded as
21 N88°00'E) a distance of 300.0 feet; to the said 1/16 Section Line; thence S0°23'07"E
22 along said 1/16 Section Line a distance of 219.65 feet; thence S89°36'53"W a distance of
23 469.50 feet; thence N0°23'07"W a distance of 768.42 feet to the present South Line of
24 said U.S. Highway 10; thence S88°33'52"E along said South Line (recorded as
25 N89°35'46"E) a distance of 260.95 feet; thence S89°58'50"E along said South Line
26 (recorded as N88°10'48"E) a distance of 208.69 feet to the point of real beginning, said
27 parcel containing 7.21 acres of land more or less and is hereby rezoned from Exclusive
28 Agriculture (EA) District to General Agriculture (GA) District.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Gauger to enact Ordinance 15 (2016/2017-78) Amending Zoning Map (Larry Troyer). Upon vote, the motion carried unanimously.

No. 2016/2017 - 78

ORDINANCE AMENDING ZONING MAP
(Larry Troyer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2017; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE, the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the NE¼ of the NE¼ of Section 13, T19N, R21E,
12 Town of Rockland, Manitowoc County, Wisconsin described as Tract 1 CSM Volume10
13 Page 641, said parcel containing approximately 6.0 acres of land and is hereby rezoned
14 from Large Estate (LE) District to General Agriculture (GA) District.

Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Waack moved, seconded by Supervisor Gauger to enact Ordinance 16 (2016/2017-79) Amending Zoning Map (Bruce Meissner). Upon vote, the motion carried unanimously.

No. 2016/2017 - 79

ORDINANCE AMENDING ZONING MAP
(Bruce Meissner)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2017; and
3

4 WHEREAS the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 reasons stated in the attached report;
7

8 NOW, THEREFORE the Manitowoc County Board of Supervisors does ordain as
9 follows:
10

11 An existing parcel of land located in the NW¼ of the NE¼ of Section 1, T19N, R21E,
12 Town of Rockland, Manitowoc County, Wisconsin described as Tract "A" of Certified Survey
13 Map recorded in Volume 3, Page 417, containing 1.0 acre of land, said parcel containing
14 approximately 1.0 acres of land and is hereby rezoned from Rural Residential (RR) District to
15 General Agriculture (GA) District.

 Dated this 14th day of February 2017.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Weiss gave a brief report.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Muench. The motion adopted by
acclamation. The meeting adjourned at 8:30 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, March 21, 2017

7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc, in the City of Manitowoc, being the 21st day of March 2017, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 7:00 p.m.

Supervisor Swade gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Hansen, Henrickson, Hoffman, Metzger, Muench, Nasep, Nickels, Swade, Waack, Wagner, Weiss, Williams, Vogel, and Zimmer. Supervisors Holschbach and Maresh were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Baumann the February 14, 2017 meeting minutes were approved on a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Weiss moved, seconded by Supervisor Hendrickson to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming the Month of April as Child Abuse and Neglect Prevention Month to Sue Ader of Human Services. Ms. Ader provided abuse statistics for 2016 in Manitowoc County. Along with information regarding awareness events taking place in April include “Hands Around the Courthouse” and Superhero Family Fun Night.

Jamie Aulik, Emergency Management Director, thanked the Board for his appointment. He introduced Amanda Harpold as the new Emergency Services Specialist.

Reed Gaedtke, Manitowoc County Code Administrator, reported on the events that took place with the final decision made by the Board of Adjustment regarding KKR Enterprises, LLC Conditional Use Permit (141 Speedway). Chairperson Brey opened the report to the County Board Supervisors for a question and answer session regarding the conditions of the permit.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:38 p.m.

Steve Frassetto, attorney for KRR (141 Speedway), spoke in regards to the Conditional Use permit for KRR (141 Speedway). He mentioned the owners did not know about the permit when they purchased the property. They wish to work with the Board of Adjustment on the conditions placed upon their business. He has filed an appeal to do so.

Jim Theyerl – 4123 Cty Rd B, spoke in support of the 141 Speedway. He mentioned the fact that they run a successful business, which brings people from all over the country to race and spend money in our County.

Mary Tooley, 12505 Lakeshore Rd, spoke in support of paying taxes to continue funding necessary for roads, schools, parks or the library. She does not support the manner in which the Highway Department cut the trees in the right of way by her house. Trees were left shredded and chunks of wood were thrown at her house from the machine that was used to destroy the trees. She requests that the Highway Department find a different means to cut the trees in the right of way and not leave the County right of ways looking like garbage.

Don Kiel, 5119 CTH T, spoke in opposition of various conditions the Board of Adjustment placed in the Conditional Use permit for KRR (141 Speedway). One of the main issues he mentioned was condition #25 pertaining to parking only on the parcel with the race track. With the implementation of proper traffic control across Cty Rd R, parking and crossing the county road could be done safely.

Amy Voss, 13122 Cty Rd R, spoke on behalf of herself and the neighbors who live nearby the 141 Speedway. They do not wish to see the track closed. They just request that some of the hours be changed so they can enjoy being outside in their yard on a Sunday without the noise and dust of practice and races.

Maura Yost, Town of Centerville, addressed the Board regarding necessary actions as directed by County Code and Wisconsin State Statutes to appoint a single Human Services Director. Ms. Yost opposed the bonding of the additional funds for the four projects the County has planned.

No one else present wished to speak; subsequently Chairperson Brey closed public input at 8:06 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment Dr. Mary Jo Capodice, Shirley Fessler, Michele Frozena, and Shannon Wanek to the Board of Health for a two-year term expiring April 2019. Supervisor Vogel moved, seconded by Supervisor Metzger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Scott Konik to the Expo-Ice Center Board to fulfill a vacant term expiring December 31, 2017. Supervisor Cavanaugh moved, seconded by Supervisor Zimmer to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Supervisor Rick Henrickson to the Human Services Board for a three-year term expiring April 2020. Supervisor Gauger moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Jim Hamann and Cindy Huhn to the Loan Review Board for a three-year term expiring April 2020. Supervisor Henrickson moved, seconded by Supervisor Williams to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Bob Ziegelbauer to the PACE Commission. Supervisor Baumann moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Hunter Morrow to the Transportation Coordinating Committee for a three-year term expiring 2020. Supervisor Weiss moved, seconded by Supervisor Hoffman to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES, AND FORTHCOMING EVENTS

Aging and Disability: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger gave a brief report.

Criminal Justice Coordinating Council: Supervisor Falkowski gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Expo-Ice Center Board: Supervisor Cavanaugh gave a brief report.

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 3 (2016/2017-80) Resolution Authorizing Fund Balance Designations, Carry-Over, Transfers, and Reappropriation of Specified Funds from 2016 to 2017. Upon discussion and vote, the motion unanimously.

No. 2016/2017 - 80

**RESOLUTION AUTHORIZING FUND BALANCE DESIGNATIONS,
CARRY-OVER, TRANSFERS, AND REAPPROPRIATION OF
SPECIFIED FUNDS FROM 2016 TO 2017**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the Annual Budget that affect various
2 program activities and their appropriations for a given budget year; and
3

4 WHEREAS, some of the activities, programs, and projects that were planned for the 2016
5 budget year did not take place, were not completed, or are on-going and must be carried over
6 into the next budget year; and
7

8 WHEREAS, the County Board has previously adopted Resolution Implementing Fund
9 Balance Policy In Accordance With GASB Statement No. 54 (No. 2011/2012 74 December
10 2011); and
11

12 WHEREAS, the Comptroller/Auditor has compiled a pre-audit list designating those
13 activities, programs, projects, and funds that should be carried forward and re-appropriated in the
14 2017 budget; and
15

16 WHEREAS, the appropriate oversight committees and the Finance Committee have
17 reviewed the requests and recommend that the designation, carry over, transfer, and
18 reappropriation requests be approved; and
19

20 WHEREAS, Wisconsin statutes and County Board rules require that the County Board
21 take official action to authorize the designation, carry over, transfer, and reappropriation of
22 funds; and
23

24 WHEREAS, sound financial practice requires that such carry over designations and
25 transfers be recorded in the official books of Manitowoc County; and
26

27 WHEREAS, any additional items or adjustments that may be required at the completion
28 of Manitowoc County's external audit will be brought to the County Board in a separate
29 resolution at the conclusion of the field work of the external audit;
30

31 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
32 Supervisors authorizes the following funds and their designations be carried over from the
33 official books of Manitowoc County for the year ended December 31, 2016 to the official books
34 of Manitowoc County for the year ending December 31, 2017; that the funds be reappropriated
35 and expended as may be required; and, that the 2017 Annual Budget is amended and the
36 appropriate line items be increased as necessary:
37

38 NON-SPENDABLE FUND BALANCE

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Account Number	Description	Amount
100.34100	Resrvd-Property Taxes	\$1,599,171
100.34103	Resrvd-Mortgage Receivable	\$99,000
100.34115	Resrvd-Prepaid Items	\$21,079
100.34120	Resrvd-Inventory	\$49,921
TOTAL		\$1,769,171

RESTRICTED FUND BALANCE

Account Number	Description	Amount
100.34240	Unres/Desig-Public Health	\$6,508
100.34245	Unres/Desig-Veterans Srv	\$39,403
100.34270	Unres/Desig-Lnd Rec Modern	\$172,587
100.34271	Unres/Desig-ROD Redaction	\$85,812
100.34284	Unres/Desig-UW Extension	\$1,960
TOTAL		\$306,270

COMMITTED FUND BALANCE

Account Number	Description	Amount
100.34232	Unres/Desig-Mapping	\$52,620
100.34233	Unres/Desig-Area Plan PP	\$103,576
100.34274	Unres/Desig-Parks Tree Plnt	\$4,000
100.34277	Unres/Desig-Vehicle Pool PW	\$119,679
100.34278	Unres/Desig-D.A. Office	\$5,000
100.34280	Unres/Desig-Emgt Hazmat	\$158,014
100.34282	Unres/Desig-Personnel	\$4,000
100.34289	Unres/Desig-Elections CC	\$96,232
100.34290	Unres/Desig-Treasurer Outlay	\$25,000
100.34293	Unres/Desig-Communications Pro	\$87,642
100.34294	Unres/Desig-PW-PBX Phone Sys	\$221,200
TOTAL		\$876,963

ASSIGNED FOR SUBSEQUENT YEARS

Account Number	Description	Amount
100.34210	Unres/Desig-Sub Yr Bdgt	\$13,320

and

79
80 BE IT FURTHER RESOLVED that remaining funds in the County's Special Revenue
81 Funds, Debt Service Funds, and Capital Projects Funds be carried forward for their intended
82 purpose as previously approved by the County Board and may be reappropriated in the 2017
83 budget as may be required; and

84
85 BE IT FURTHER RESOLVED that \$24,000 be transferred from the Solid Waste Disposal
86 Special Revenue Fund to the Recycling Special Revenue Fund for the year ended December 31,
87 2016 to maintain a fund balance in that fund; note that while these two funds are separate funds,
88 they have always been viewed together and have contributed to each other as may be necessary
89 from time to time; and

90
91 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such
92 information in the official books of the County for the year ended December 31, 2016 and for the
93 year ending December 31, 2017 as may be required.

Dated this 21st day of March 2017.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over and transfers the amounts specified from the 2016 budget to
the 2017 budget and amends the 2017 Annual Budget as may be required.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Gerroll gave a brief report.
Supervisor Gerroll moved, seconded by Supervisor Vogt to adopt Resolution 4 (2016/2017-81)
Authorizing Partial Release of Right of Way of Easement of County Trunk VV to North Rock
Hill, LLC. Upon vote, the motion carried unanimously.

No. 2016/2017 - 81

**RESOLUTION AUTHORIZING PARTIAL RELEASE OF RIGHT OF
WAY OF EASEMENT OF COUNTY TRUNK VV TO NORTH ROCK
HILL, LLC**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS North Rock Hill, LLC owns a parcel of real property referred to as Tract 3 of
2 a certified survey in the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section
3 numbered twenty-five (25), Township numbered (20) North, Range numbered twenty-four (24)

4 East, in the Town of Two Rivers, as recorded in the office of the Register of Deeds for
5 Manitowoc County, Wisconsin, in Volume 10 of Certified Survey Maps on Page 643 as
6 Document No. 602584; excepting therefrom parcel conveyed to Manitowoc County for highway
7 purposes by Warranty Deed recorded in Volume 933 of Records on Page 676, Document No.
8 681308 (“Tract 3”); and
9

10 WHEREAS Tract 3 lies adjacent to the right of way of County Trunk “VV” over which
11 Manitowoc County has an easement; and
12

13 WHEREAS the Manitowoc County Highway Committee believes that a portion of the
14 right of way adjacent to Tract 3 is in excess of the County’s needs and is no longer necessary for
15 the County’s use for present or future highway purposes; and
16

17 WHEREAS the easement for the excess right of way was acquired as part of Project ID:
18 # 4368-01-21 and Project ID: # 4368-01-73 and entailed no monetary compensation; and
19

20 WHEREAS Manitowoc County has agreed to release to North Rock Hill, LLC
21 approximately 0.133 acres of the right of way easement of County Trunk “VV” that it considers
22 excess right of way as shown on the attached survey map prepared by Corner Point LLC dated
23 1/6/2017;
24

25 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of
26 Supervisors that Manitowoc County hereby releases approximately 0.133 acres more or less of
27 the right of way easement of County Trunk “VV” as shown on the attached survey map prepared
28 by Corner Point LLC dated 1/6/2017; and
29

30 BE IT FURTHER RESOLVED that the attached survey map shows the existing right of
31 way line and the new right of way line with the new right of way width being 40 feet from the
32 current centerline of the highway as laid out under Project ID #4368-01-73 and approved by
33 Manitowoc County on June 14, 1991; and
34

35 BE IT FURTHER RESOLVED that the partial release of right of way easement for
36 County Trunk “VV” is subject to the condition that no parking of vehicles or erection of any
37 structure shall be permitted within the Sight Triangle as established in Chapter 10 of the
38 Manitowoc County Code; and
39

40 BE IT FURTHER RESOLVED, that the County Clerk, County Executive, County Board
41 Chair, the Corporation Counsel, and such other county personnel as may be required are
42 authorized to take such action as may be necessary to complete the release of easement as
43 described in this Resolution.

Dated this 21st day of March 2017.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner gave a brief report.

Personnel Committee: Supervisor Behnke gave a brief report.

Planning & Parks Committee: Supervisor Waack gave a brief report.

Public Works Committee: Supervisor Weiss gave a brief report.

Miscellaneous: Supervisor Baumann moved, seconded by Supervisor Vogt to adopt Resolution 5 (2016/2017-82) Supporting Efforts to Close Commercial Property Assessment Loopholes. Upon vote, the motion carried with 20 ayes and 3 noes. Supervisors Dyzak, Falkowski, and Nickels voted no; all other supervisors voted aye.

No. 2016/2017 - 82

**RESOLUTION SUPPORTING EFFORTS TO CLOSE COMMERCIAL
PROPERTY ASSESSMENT LOOPHOLES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, homeowners in Wisconsin pay a disproportionate burden of the property tax
2 levy - 70% of the total statewide property tax levy; and
3

4 WHEREAS, the disproportionate burden is about to get much worse unless the
5 Legislature addresses tax avoidance strategies that national drugstore chains and big box
6 establishments are using across the country to gain dramatic reductions in their property tax bills
7 at the expense of homeowners and other taxpayers; and
8

9 WHEREAS, a carefully-orchestrated wave of hundreds of lawsuits in Wisconsin is
10 forcing assessors to slash the market value of thriving national retail stores, shifting their tax
11 burden to local mom and pop shops and homeowners; and
12

13 WHEREAS, certain national drugstore chains in Wisconsin have argued in communities
14 across the state that the assessed value of their property for property tax purposes should be less
15 than half of their actual sale prices on the open market; and
16

17 WHEREAS, in many cases the courts have sided with those national drugstore chains,
18 requiring communities to refund tax revenue back to the stores; and

19
20 WHEREAS, the national drugstore chains and big box establishments are using what is
21 known as the “Dark Store Theory” to argue that the assessed value of a new store in a thriving
22 location should be based on comparing their buildings to sales of vacant stores in abandoned
23 locations for a different market segment; and

24
25 WHEREAS, the Indiana Legislature has on two occasions in the last two years
26 overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the
27 same as nearby abandoned stores from a different market segment; and

28
29 WHEREAS, the Michigan State House overwhelmingly passed similar legislation in May
30 of 2016;

31
32 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
33 Supervisors hereby urges the Governor and State Legislature to protect homeowners and main
34 street businesses from having even more of the property tax burden shifted to them by passing
35 legislation clarifying: a) that leases are appropriately factored into the valuation of leased
36 properties; and b) when using the comparable sale method of valuation, assessors shall consider
37 as comparable only those sales within the same market segment exhibiting a similar highest and
38 best use rather than similarly sized but vacant properties in abandoned locations; and

39 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors directs
40 the Manitowoc County Clerk to send a copy of this resolution to our State Legislators and to
41 Governor Scott Walker.

Dated this 21st day of March 2017.

Respectfully submitted by Jim Brey, County Board Chair.

FISCAL IMPACT: None.

I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

APPROVED: Bob Ziegelbauer, County Executive.

Announcements: Chairperson Brey noted the April County Board meeting would be April 11, 2017 at 7:00pm.

Supervisor Gerroll moved to adjourn, seconded by Supervisor Falkowski. The motion adopted by acclamation. The meeting adjourned at 8:35 p.m.

Respectfully submitted,
Lois Kiel, Manitowoc County Clerk

COUNTY BOARD PROCEEDINGS INDEX

APPOINTMENTS

April 26, 2016 Session:

- ▶ Board of Health: Dr. Todd Nelson.
- ▶ Human Services Board: Laurie Burke.
- ▶ Local Emergency Planning Committee: Paul Tittl, Kurt Duzeski and alternate Nick Cluppert.
- ▶ Transportation Coordinating Committee: Shirley Fessler, Melissa Lyon and David Osterloth.

May 17, 2016 Session:

- ▶ Joint Dispatch Board: Dave Funkhouser.
- ▶ Local Emergency Planning Committee: Eric Storm and alternate Brian Helminger.

June 21, 2016 Session:

- ▶ Solid Waste Management System Advisory Board: Richard Wegner, Scott Ahl, Harvey Jannette, Donna Kieckbusch, Daniel Koski, Kris August and Bob Wolf.
- ▶ Board of Adjustment: Laurel Vondrachek.
- ▶ Northeast Wisconsin Regional Economic Partnership: Nicolas Sparacio, and alternates Dan Pawlitzke and Peter Wills.
- ▶ Planning and Park Commission: Mary Muench.

July 19, 2016 Session:

- ▶ ADRC of the Lakeshore Board: Connie Gulash.
- ▶ Commission on Aging: Tim Nicholls.
- ▶ Joint Dispatch Board: Theresa Becker.

August 16, 2016 Session:

- ▶ ADRC of the Lakeshore Board: Mary Jo Barbeau.
- ▶ Land Information Council: Dean Dvorak, Jeff DeZeeuw, Michelle Yanda and Jamie Aulik.

October 31, 2016 Session:

- ▶ Board of Adjustment: Supervisor Chuck Hoffman.
- ▶ Planning and Park Commission: Supervisor David Dyzak.

November 10, 2016 Session:

- ▶ ADRC of the Lakeshore Board: Mary Jo Barbeau.
- ▶ Expo-Ice Center Board: Michelle Bratt, Tonya Dvorak, Joe Janowski, Dick Pollen, Michelle Sleik and Lisa Taylor.
- ▶ Joint Dispatch Board: Scott Luchterhand.
- ▶ Traffic Safety Commission: Andrew Hyer, and alternate Karen Elsenpeter.
- ▶ Veterans Service Commission: Allen Karl.

APPOINTMENTS continued...

December 20, 2016 Session:

- ▶ Commission on Aging: Connie Gulash.
- ▶ Manitowoc-Calumet Library System Board of Trustees: Rani Beckner, Michelle Krajnik and Cheryl Kjelstrup.

January 17, 2017 Session:

- ▶ Ethics Board: Katherine Reynolds.

February 14, 2017 Session:

- ▶ Manitowoc County Emergency Management Director: Jamie Aulik.
- ▶ ADRC of The Lakeshore Board: Linda Langman.
- ▶ Commission on Aging: Linda Langman.
- ▶ Local Emergency Planning Committee: Gary Shavlik, and alternate Lee Stadler.
- ▶ Transportation Coordinating Committee: Hunter Morrow and Tammy Desten.

March 21, 2017 Session:

- ▶ Board of Health: Dr. Mary Jo Capodice, Shirley Fessler, Michele Frozena and Shannon Wanek.
- ▶ Expo-Ice Center Board: Scott Konik.
- ▶ Human Services Board: Supervisor Rick Henrickson.
- ▶ Loan Review Board: Jim Hamann and Cindy Huhn.
- ▶ PACE Commission: Bob Ziegelbauer.
- ▶ Transportation Coordinating Committee: Hunter Morrow.

COMMUNICATIONS

April 26, 2016 Session:

1. Calumet County – Resolution Opposing the UW-Coop. Extension Reorganization Plan.
2. Chippewa County – Resolution to Formally Oppose the UW-Coop. Multi-County Reorg. Plan.
3. Door County – Resolution Opposing the UW-Extension Reorganization Plan.

May 17, 2016 Session:

1. Oconto County – Resolution Opposing the UW-Extension Reorganization Plan.

June 21, 2016 Session:

1. Outagamie County – Resolution Opposing the UW-Extension Reorganization Plan.
2. Price County – Resolution Opposing the UW-Extension Reorganization Plan.
3. Waushara County – Resolution Urging the Amendment of §43.12 Related to Library Funding.

July 19, 2016 Session:

1. Outagamie & Polk County – Resolution Requesting Application for County Waiver from State Mandated Process Concerning Absentee Ballots.
2. Outagamie County – Resolution Supporting Wisconsin Statutes of Reporting Election Night Results for County Level Only.

September 20, 2016 Session:

1. Richland County – Resolution Opposing the UW-Extension Reorganization Plan.

October 11, 2016 Session:

1. Manitowoc County – Town of Two Creeks Resolution Requesting the State of Wisconsin to Fund And Complete a Study on the Impact of Wind Turbines on Human Health.
2. Sheboygan County – Wind Turbine Health Study Funding.

November 10, 2016 Session:

1. Outagamie County – Resolution 57 (2016-17) Communicable Disease Control and Prevention Efforts.

January 17, 2017 Session:

1. Marinette County – Resolution Request to State Legislature to Enact Legislation Authorizing Counties to Impose Up to .1% Sales Tax Exclusively for Economic Development, Tourism, and Infrastructure for the Same.

February 14, 2017 Session:

1. County Treasurer Nancy Saueressig regarding the Relocation of the Real Property Lister.

March 21, 2017 Session:

1. Racine County – Resolution Requesting Adequate State and Federal Government Funding for Medicare and Medicaid reimbursement to Skilled Nursing Facilities.

PETITIONS

April 26, 2016 Session:

1. James and Brenda Evenson – Town of Liberty.
2. David Johnson – Town of Rockland.
3. Jesse and Jill Vanne – Town of Two Rivers.

June 21, 2016 Session:

1. Daniel Messman – Town of Gibson.
2. Daniel and Geraldine Wojta – Town of Two Creeks.
3. Mark Kornely – Town of Two Rivers.
4. Pfister Land, LLC – Town of Schleswig.
5. William and Debra Street – Town of Schleswig.

August 16, 2016 Session:

1. Manitowoc County Planning and Park Commission – Manitowoc County.
2. Town of Manitowoc Rapids – Zoning Map Amendment.
3. Fredrick and Hannah Beachy – Town of Mishicot.
4. Joseph and Susan Resch – Town of Kossuth.

October 11, 2016 Session:

1. Brian and Michelle Bilke – Town of Rockland.
2. Philip and Mary Franz – Town of Cato.
3. Tom and Carol Metz – Town of Cooperstown.

December 20, 2016 Session:

1. Town of Cooperstown – Cooperstown Road P-36-0094
2. Town of Cooperstown – Pleasant Road B-36-0160
3. Town of Cooperstown – Knuth Bridge
4. Town of Franklin – West Hillcrest (East) P-36-0117
5. Town of Franklin – West Hillcrest (West) P-36-0905
6. Town of Kossuth – Seidl Bridge
7. Town of Liberty – Bachaus Bridge
8. Town of Meeme – Spring Valley Road B-36-0167
9. Town of Meeme – County Line Road B-36-0184
10. Town of Meeme – South Cleveland Road B-36-0185
11. Town of Meeme – Pioneer Road B-36-0188
12. Town of Meeme – County Line Road B-36-0190
13. Town of Meeme – South Cleveland Road B-36-0191
14. Town of Meeme – South Cleveland Road B-36-0192
15. Town of Meeme – West Washington Road P-36-0193
16. Town of Meeme – Mineral Springs Road P-36-0197
17. Town of Meeme – County Line Road P-36-0907
18. Town of Mishicot – Zander Road B-36-0127
19. Town of Mishicot – Heyroth Bridge (Assman Road)
20. Town of Mishicot – Wenker Bridge (Benzinger Road)
21. Town of Newton – Ayotte Bridge
22. Town of Newton – South Union Road P-36-0172
23. Town of Schleswig – Rockville Road B36-0023
24. Town of Two Creeks – Sand Bridge #93-B

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January 17, 2017 Session:

1. Donald and Dorothy Cenefelt – Town of Cooperstown.
2. Leroy and Rosemary Meles – Town of Cooperstown.
3. Wallace and Faye Rusch – Town of Rockland.
4. Larry Troyer – Town of Rockland.
5. Bruce Meissner – Town of Rockland.

March 21, 2017 Session:

1. Sheboygan County – Ordinance Amendment to County Code Ch.31, Flood Plain Zoning.
2. Renae Riesterer – Town of Eaton.
3. Lucy Rutherford – Town of Liberty.
4. The Estate of Jeffrey R. Fencl – Town of Mishicot.
5. Merlin Buechel – Town of Schleswig.
6. Brian and Lisa Lienbaum – Town of Schleswig.

* Denotes an Ordinance.

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