

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

April 17, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, 1701 Michigan Avenue, in the City of Manitowoc, being the 17th day of April, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:00 P.M.

The invocation was given by Supervisor Dobbs and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Juul was excused.

On motion by Supervisor Brey, seconded by Supervisor Henrickson, the March 20, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: VIII. Public Input. 1. Matthew Stohr, WCA - 15 minute presentation on East Central International Trade, Business and Economic Development Council (ITBEC). IX. Communications 14. Manitowoc County Highway Commission - Invitation to the Annual Towns & Villages Meeting on Monday, April 30, 2001; 15. Repr. Frank Lasee - Letter Regarding Agreement Between the State and Counties on the Distribution of Additional IGT Funds; 16. Governor McCallum - Letter Acknowledging Receipt of Resolution Regarding Recycling Funding in the 2001-2003 Biennial Budget. 17. Office of the Governor - Letter Acknowledging Receipt of Resolutions Regarding the Kettl Commission and Opposing 0.1 % Sales Tax Referendum. 18. National Extension Association of Family & Consumer Sciences - Letter Announcing the Mary W. Wells Memorial Diversity Award. Supervisor Dufek moved, seconded by Supervisor Hansen, to approve the agenda with Resolution 18 to be taken up before the other resolutions. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input open at 7:06 p.m.

Matthew Stohr, Wisconsin Counties Association, presented to the Board information on the East Central International Trade, Business and Economic Development Council. He stated their goal is to enhance economic development and tourism in a region. They currently have 7 out of 11 counties in this region participating and would like to encourage Manitowoc County to join. By joining together with other counties, this would promote the region and enable joint efforts in obtaining marketing grants. He also answered supervisors' questions.

Richard B. Lewis, Two Rivers, spoke on the subject of the Health Care Center agreeing that a new facility is needed. However, he is upset with taxes going up and the fact that his grandchildren will be paying for this 20 years from now.

Pat Weber, Mishicot, spoke in opposition to moving the Health Care Center from its present location and felt that 150 beds was too small. She also had negative comments regarding the Human Services Department and Ad Hoc Health Care Center Study Committee.

Elroy Jaeger, Town of Centerville, encouraged supervisors to vote against supporting the enactment of a state law instituting a maximum speed limit on snowmobile trails. He stated the State and County Association of Snowmobile Clubs is not against a speed limit but feels that making it a law would not be a good idea.

Evie Moffatt, Manitowoc, spoke in favor of keeping the Health Care Center where it is presently. The land may be valuable but people are more important than money. The referendum showed that this was the peoples choice.

Don Goeke, Manitowoc, spoke on the size of the proposed Health Care Center facility and the pod design. He also stated he is opposed to the sale of the property.

Russell Steeber, Kellnersville, felt there was not enough public input regarding a new Health Care Center and feels there should be more time for public hearings.

Florence Van Drisse, Kings Bridge, urged the Board to keep the Health Care Center where it is. This is what the majority of the people in Manitowoc County want according to the referendum.

Chairperson Markwardt declared the meeting closed to public input at 7:50 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS: None.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Angela Bell, Charlene Lulloff, and Dr. Henry Loomans to the Board of Health for two year terms expiring April 2003. Supervisor Muench moved, seconded by Supervisor Borremans, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Gary Shavlik and alternate Mark Juul to the Local Emergency Planning Committee to complete Dean Andrews term expiring March 2003. Supervisor Swade moved, seconded by Supervisor Barnes, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Miscellaneous: Supervisor Dufek moved, seconded by Supervisor Grimm, to approve Resolution 18 (2001/2002-1) Initial Resolution Authorizing \$13,500,000 in General Obligation Bonds of Manitowoc County and the Construction of a New 150 Bed Manitowoc County Health Center Facility.

Discussion followed pertaining to the two year window of opportunity. Because of diminishing federal and state funding, it is hoped to have the project completed by July 2003. This resolution addresses the maximum amount of money that can be borrowed, which will not exceed \$13,500,000. Michael Thomas, Administrator of the Health Care Center, clarified the design of a pod. There are generally 8 rooms per household, 4 households per pod, and 5 pods within the proposed facility. Also, Todd Reckelberg, Comptroller explained how the bond market works and the two proposed bond issues.

Upon vote, the resolution was adopted with 23 ayes and 1 no. Supervisor Sloan voted no; all other supervisors voted aye.

No. 2001/2002-1

**INITIAL RESOLUTION AUTHORIZING \$13,500,000 IN GENERAL  
OBLIGATION BONDS OF MANITOWOC COUNTY AND THE CONSTRUCTION OF A NEW  
150 BED MANITOWOC COUNTY HEALTH CENTER FACILITY**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Health Care Center, Ad Hoc Health Care Center Study, and Public Works  
2 Committees have studied for several years the present and future needs of a facility to care for the special  
3 needs of the residents of Manitowoc County; and

4  
5 WHEREAS, several studies have examined the present facility's operational and building economies  
6 and efficiencies as well as the number of beds necessary to address the needs of the County; and

7  
8 WHEREAS, the various committees mentioned above and the Committee of the Whole of the  
9 Manitowoc County Board of Supervisors have reviewed in detail all of the options, advantages,  
10 disadvantages, purposes, economies, and efficiencies regarding size and whether to build new or to remodel

11 an operating facility; and

12  
13 WHEREAS, with the likelihood of I.T.P. funds being available only through July 2001 to limit the  
14 financial exposure to the County of Manitowoc and where, without such funds, Manitowoc County tax  
15 payers would confront additional costs far exceeding 3.5 million dollars to resolve the serious issues relating  
16 to the Health Care Center; and

17  
18 WHEREAS, the estimated cost of construction of a new neighborhood-design Health Care facility  
19 for 150 beds is \$13,500,000; and

20  
21 WHEREAS, the Health Care Center project is part of the 2000 Capital Outlay and Improvements Plan  
22 which has been reviewed and recommended by the Public Works, Health Care Center, and Ad Hoc Health  
23 Care Center Study Committees; and

24  
25 WHEREAS, the Finance, Public Works, Health Care Center, and Ad Hoc Health Care Center Study  
26 Committees have reviewed the request for the \$13,500,000 in bond monies and recommend a portion of the  
27 \$13,500,000 be part of the 2001A Bond issuance for Capital Improvement Projects;

28  
29 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County, Wisconsin, borrow an amount  
30 not to exceed \$13,500,000 by issuing its general obligation bonds for the public purpose of financing the  
31 design and construction of a Health Center Facility. There shall be and there hereby is levied on all taxable  
32 property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when  
33 due the principal and interest on such bonds.

Dated this 17<sup>th</sup> day of April 2001.

Respectfully submitted by the Public Works Committee and the Finance Committee.

FISCAL IMPACT: Bonding for \$13,500,000 equates to an estimated increase of 31.5¢ in the tax rate  
per \$1,000 of equalized valuation for debt service..

LEGAL NOTE: Requires a 3/4 majority vote.

Board of Health: Supervisor Nate reported that on May 1<sup>st</sup> the Secretary of Health & Human Services will  
be at the Health Department to discuss local issues and concerns. Also, Barbara Herrmann, R.N. staff  
member presented to the Board of Health information on an Early Brain Development Program. Also, a  
Certificate of Appreciation was given to outgoing Board members William Geigel and Dr. Anne Schuette.  
They are seeking one more member for their Board if anyone knows of someone that may be interested.

Executive Committee: Supervisor Behnke moved, seconded by Supervisor Swade, to adopt Resolution 1  
(2001/2002-2) Establishing the Procedure in Implementing the Manitowoc County Strategic Planning  
Process. Discussion followed. Upon vote, the motion carried with 22 ayes and 2 noes. Supervisors Dufek  
and Barnes voted no; all other supervisors voted aye.

No. 2001/2002 - 2

## **RESOLUTION AUTHORIZING STRATEGIC PLANNING**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, strategic planning is a disciplined effort to produce fundamental decisions and actions  
2 that shape and guide what an organization is, what it does, and why it does it; and

3  
4 WHEREAS, it is the purpose of the strategic planning process to identify strategic issues, strategies  
5 for addressing the issues, a vision of the organization in the future, and an implementation plan; and

6  
7 WHEREAS, Manitowoc County has been gathering input from the public and employees to assist

the organization's leadership in effective and innovative decision-making, as well as efficient use of county resources; and

WHEREAS, in May 2001, the Leadership Team, composed of Department Directors (or their designees) and interested County Board Supervisors, will use information gathered to develop and prioritize strategic issues and develop an implementation plan; and

WHEREAS, most Department Directors or their designees have attended and will continue to attend strategic planning meetings approximately every two weeks, or as determined by the Leadership Team, as the process develops; and

WHEREAS, the strategic planning process should help Manitowoc County with the development of its annual operating budget, its capital improvement and outlay plan, and its ongoing planning and management activities; and

WHEREAS, a preliminary timetable has been provided to the County Board; and

WHEREAS, regular updates will be made to the County Board on the strategic planning process.

NOW, THEREFORE BE IT RESOLVED, by the Manitowoc County Board of Supervisors, in regular session, that the strategic planning process for Manitowoc County, facilitated by Laurie Gehrke, UW-Extension, is authorized by the Board.

Dated this 17<sup>th</sup> day of April 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Incurred to date for facilitator, Jan. - Mar.:

Wages to be paid	\$2,511.95
Fringes (Variable)	453.16
Sub-Total	\$2,965.11
Plus 39.75 hours to Comp time bank	

Estimated costs for facilitator to year-end, Apr. - Dec.:

- 40 hours of Comp time off
- 14 hours of Comp time paid totaling \$401.08 (Wages & F.B.)
- Additional 40 hours accrued to Comp time bank
- Cost of facilitator available from UW-Extension budget
- CRD position vacancy

Miscellaneous supplies, etc. indeterminable.  
Department Directors and/or other personnel involved in the process, cost of Comp time or other costs indeterminable.

Supervisor Skubal moved, seconded by Supervisor Brey, to adopt Resolution 2 (2001/2002-3) Asking the Wisconsin Legislature to Enact a "Safety Net Payment Schedule" of Shared Utility Tax Payments in the Event of the closing of a Power Plant. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 3

**RESOLUTION ASKING THE WISCONSIN LEGISLATURE TO ENACT A  
"SAFETY NET PAYMENT SCHEDULE" OF SHARED UTILITY TAX PAYMENTS  
IN THE EVENT OF THE CLOSING OF A POWER PLANT**

WHEREAS, Manitowoc County receives annual payments from the State of Wisconsin as shared utility tax payments in lieu of collecting property tax from the Point Beach Power Plant; and

WHEREAS, Manitowoc County received a total of \$818,226.10 in such shared utility tax payments

5 in 2000; and

6  
7 WHEREAS, these shared utility tax payments would stop immediately if the Point Beach Power Plant  
8 were to be closed for any reason; and

9  
10 WHEREAS, Manitowoc County would be hard-pressed to replace a loss of such funding; and

11  
12 WHEREAS, Manitowoc County believes that a graduated phase-out of shared utility tax payments  
13 should be established by statute to cover the unlikely event of the closing of a power plant in order to provide  
14 a safety net payment schedule that will protect the fiscal well-being of counties affected by such power plant  
15 closings; and

16  
17 WHEREAS, Manitowoc County proposes that the Wisconsin Legislature enact legislation providing  
18 for a phase-out formula to be established under Wis. Stat. § 79.04 in the event of a planned or emergency  
19 closing of a power plant in the following manner:

20	21	22	23	24	25	26	27	28	29
	YEAR AFTER		PERCENTAGE OF FINAL						
	CLOSING		OPERATING YEAR'S AID						
	First		100%						
	Second		80%						
	Third		60%						
	Fourth		40%						
	Fifth		20%;						

30 and

31  
32 WHEREAS, the impact of such a graduated phase out on the state budget is negligible because the  
33 gross revenue payments made to the state by light, heat, and power companies substantially exceed the  
34 monies paid out by the state as shared utility tax payments;

35  
36 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
37 respectfully requests that the State Assembly and Senate draft and enact legislation to provide for the phase-  
38 out of shared utility tax payments over a five-year term in the manner described above in the event of the  
39 closing of a power plant.

Dated this 17th day of April 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Brey moved, seconded by Supervisor Muench, to adopt Resolution 3 (2001/2002-4) Creating a  
Special Legislative Review Committee.

Supervisor Lambert moved, seconded by Supervisor Hansen, to amend the resolution appointing Kathy  
Bundy as the fifth member of the Legislative Review Committee on line 17. Upon vote, the amendment  
carried unanimously. Upon vote, the resolution, as amended, carried unanimously.

No. 2001/2002 - 4

#### RESOLUTION CREATING A SPECIAL LEGISLATIVE REVIEW COMMITTEE

1 WHEREAS, Manitowoc County is frequently and significantly affected by legislation adopted by the  
2 Wisconsin legislature; and

3  
4 WHEREAS, it is in the best interests of Manitowoc County to review and comment on proposed  
5 legislation before it is enacted; and

7 WHEREAS, the Executive Committee recommends that the County Board create a special Legislative  
8 Committee to review proposed legislation and to advise the Executive Committee when such legislation  
9 affects the County's interests;

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
12 creates a Legislative Review Committee for the purpose of reviewing proposed legislation and providing  
13 recommendations to the Executive Committee regarding such legislation; and  
14

15 BE IT FURTHER RESOLVED that the Legislative Review Committee shall consist of five members.  
16 The initial members of the Legislative Review Committee shall be Don Markwardt, Kevin Behnke, Bob  
17 Dobbs, Rick Henrickson, and a fifth member to be appointed by the County Board Chair, subject to the  
18 approval of the Executive Committee. The County Board Chair shall appoint the Committee Chair and  
19 Committee members to fill any future vacancies, subject to the approval of the Executive Committee.

Dated this 17th day of April 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable.

Health Care Center Committee: Supervisor Behnke reported the state surveying team was in last week and the Health Care Center passed inspection with no citations. Also, the Veterans Administration was in and they received a good report as well. He commended the employees on a good job.

Highway Committee: Supervisor Lambert reminded everyone of the Annual Towns and Villages Association meeting which will be held at the new Highway Facility on April 30<sup>th</sup>. Airport Days is scheduled for June 9<sup>th</sup> and 10<sup>th</sup>. Also, they received notification from the Department of Transportation that the Governor may want a tour of the new highway facility on May 1st.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported that Faye Malek, the Family Living Educator, has designed a court-mandated program for couples involved in paternity suits. This program incorporates various departments and organizations working together. Also, Faye Malek was presented with the Mary W. Wells Memorial Diversity Award at the 2001 Wisconsin Association of Extension Professionals Annual Conference. She also stated that Blair Deets, the 4-H & Youth Development Agent, recently received an Achievement & Service Award from the Wisconsin Association of Extension Professionals.

Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 4 (2001/2002-5) Encouraging Passage of Legislation Protecting Wisconsin Wetlands. Upon vote, the motion carried unanimously.

No. 2001/2002 - 5

**RESOLUTION ENCOURAGING PASSAGE OF  
LEGISLATION PROTECTING WISCONSIN WETLANDS**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the definition of "nation's waters" in the Clean Water Act of 1972 has been used to give  
2 protection to "wetlands" over the years; and  
3

4 WHEREAS, since 1985, the U.S. Army Corps of Engineers has interpreted the Act to include isolated  
5 wetlands under the Migratory Bird Act and has required permits for placing fill material in isolated wetlands;  
6 and  
7

8 WHEREAS, over the past decade, the rate of wetland loss in Wisconsin has dropped from  
9 approximately 1400 acres per year (1982-1991) to about 300 acres per year (1991-2000) due to the creation

10 of Wis. Admin. Code Ch. NR 103 (water quality standards for wetlands) by the DNR; and

11  
12 WHEREAS, the United States Supreme Court recently issued a decision in *Solid Waste Agency of*  
13 *Northern Cook County v. United States Army Corps of Engineers*, 531 U.S. 159 (2001), that significantly  
14 reduces the regulatory authority of the U.S. Army Corps of Engineers over isolated wetlands—those that are  
15 not directly associated with lakes, streams, and rivers—under the Clean Water Act and makes it clear that the  
16 federal government will defer to states and local governments to protect isolated wetlands; and

17  
18 WHEREAS, the Supreme Court’s decision means that 80% of Wisconsin’s 5.3 million acres—or  
19 approximately 4.2 million acres—of wetlands are now without protection and have been rendered vulnerable  
20 to destruction because Wisconsin’s regulatory authority has been directly tied to federal jurisdiction; and

21  
22 WHEREAS, the value of wetlands includes providing vital habitat for fish and wildlife (including 39%  
23 of Wisconsin’s 370 bird species); protecting shoreline and reducing flooding impacts; reducing the rate of  
24 silt and sediment movement into our rivers and streams; cleansing runoff waters of pollutants, fertilizers, and  
25 other contaminants; maintaining healthy lakes, streams, and rivers; and serving as important open space and  
26 recreation areas for cities; and

27  
28 WHEREAS, passage of new state legislation will be required to reinstate protection of isolated  
29 wetlands that was once afforded under Wis. Admin. Code Ch. NR 103 by providing the same authority to the  
30 Wisconsin Department of Natural Resources for wetlands which the Corps of Engineers no longer has  
31 following the Supreme Court ruling;

32  
33 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
34 urges the Governor to call a special session and the Wisconsin State Legislature to act immediately to protect  
35 our vulnerable wetland resources by passing new legislation that re-establishes the “status quo” in relation  
36 to wetland protection and provides the same authority to the state and the Wisconsin Department of Natural  
37 Resources for wetlands that was previously exercised by the Corps of Engineers; and

38  
39 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
40 the Governor, the Secretary of the Department of Natural Resources, to each State representative and senator  
41 representing constituents from Manitowoc County, and to the Wisconsin Counties Association.

Dated this 17th day of April 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None

Supervisor Kohlbeck moved, seconded by Supervisor Muench, to adopt Resolution 5 (2001/2002-6)  
Supporting Elder Abuse Statutory Reform and Funding Proposal. Upon vote, the motion carried  
unanimously.

No. 2001/2002 - 6

**RESOLUTION SUPPORTING ELDER ABUSE  
STATUTORY REFORM AND FUNDING PROPOSAL**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, elder abuse is a serious and growing problem in Wisconsin and across the Nation; and

2  
3 WHEREAS, numerous statutory language changes are needed to enable investigators, law enforcement  
4 agencies, and other to better protect vulnerable adults; and

5  
6 WHEREAS, the need for professional training and public awareness is crucial to effectively addressing  
7 the problem of elder abuse; and

8 WHEREAS, total state spending for elder abuse direct services is \$625,000 per year; and

9  
10 WHEREAS, additional state revenues are needed for direct services, professional training, and public  
11 awareness;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
14 the necessity of the Elder Abuse Statutory Reform and Funding in the 2001-2003 Biennial Budget Proposal.

Dated this 17th day of April 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None.

Personnel Committee: Supervisor Vogt reported they met with JAVIS Company, who is conducting a review of all insurance claims incurred this year. This will give us an idea on what the costs will be next year. He also voiced concerns about overtime being too high. If it continues, it will affect budgets.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller to enact Ordinance 6 (2001/2002-7) Amending the Zoning Map for Dan Beaupre, Ordinance 7 (2001/2002-8) Amending the Zoning Map for Thomas Umnus, Ordinance 8 (2001/2002-9) Amending Zoning Map for Thomas Shillcox, Ordinance 9 (2001/2002-10) Amending the Zoning Map for Jerry Wiza, Ordinance 10 (2001/2002-11) Amending Zoning Map for Keith Laurent, and Ordinance 11 (2001/2002-12) Amending the Zoning Map for Jeff & Penny Birkholz . Upon vote, the motion carried unanimously.

No. 2001/2002 - 7

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Dan Beaupre)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

3  
4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;

7  
8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:

10  
11 A parcel of land located in the SW 1/4, NE 1/4, Section 36, T20N-R21E, Town of Maple Grove,  
12 commencing at the center of Section 36; thence easterly approximately 660 feet which is the  
13 point of real beginning; thence continue easterly approximately 660 feet; thence northerly  
14 approximately 600 feet; thence southwesterly approximately 800 feet along an existing drainage  
15 way; thence southerly approximately 200 feet to the point of real beginning, said parcel  
16 containing approximately 7.0 acres of land, shall be and is hereby rezoned from A3 Agriculture  
17 to A2 Agriculture.  
18

19 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.



**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Thomas Umnus)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW1/4, SE1/4, Section 31, T18N-R22E, Town of Liberty,  
12 commencing at the center of said Section 31; thence easterly approximately 150 feet; thence  
13 southerly approximately 391 feet, which is the point of real beginning; thence continue  
14 southerly approximately 209 feet; thence easterly approximately 209 feet; thence northerly  
15 approximately 209 feet; thence westerly approximately 209 feet to the point of real beginning,  
16 said parcel containing approximately 1.0 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Thomas Shillcox)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the S1/2, NE1/4, Section 1, T18N-R21E, Town of Eaton,  
12 commencing at the N1/4 corner of said Section 1; thence S. 89°50'49"E., a distance of 1327.00  
13 feet to the existing monumented NE corner of the NW1/4, of the NE1/4, of said Section 1;  
14 thence S. 1° 08' 08" W. a distance of 1330.58 feet to the NW corner of Tract "A" of Certified  
15 Survey Map recorded in Volume 2, Page 97, the point of real beginning; thence S. 14° 35' 30"  
16 W. a distance of 175.73 feet along the west line of said Tract "A", also the centerline of Quarry

17 Road; thence southwesterly a distance of 100.72 feet along the arc of a 545.67 foot radius curve  
18 to the right, being the centerline of Quarry Road, the chord of which bears S. 28° 44' 45" W.  
19 a distance of 100.57 feet; thence S. 34° 02' 00" W. a distance of 344.81 feet along the centerline  
20 of East Quarry Road; thence southwesterly a distance of 109.66 feet along the arc of a 556.08  
21 foot radius curve to the right, being the centerline of Quarry Road, the chord of which bears S.  
22 39° 40' 58" W. a distance of 109.48 feet; thence N. 89° 43' 53" W. a distance of 163.97 feet;  
23 thence N. 30° 47' 55" W. a distance of 82.28 feet; thence N. 0° 10' 00" E. a distance of 558.43  
24 feet; thence S. 89° 50' 00" E. a distance of 560.00 feet along the 1/16th section line as recorded  
25 on Tract "A" of Certified Survey Map recorded in Volume 2, page 97, to the point of real  
26 beginning, said parcel containing approximately 5.98 acres of land, shall be and is hereby  
27 rezoned from A3 Agriculture to A2 Agriculture.

28  
29 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 10

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Jerry Wiza)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, SW1/4, and SE1/4, SW1/4, Section 17, T20N-R24E,  
12 Town of Mishicot, commencing at the S 1/4, corner of said Section 17; thence westerly  
13 approximately 700 feet; thence northerly approximately 33 feet to the north r/w of CTH VV  
14 which is the point of real beginning; thence continue northerly approximately 250 feet; thence  
15 westerly approximately 175 feet; thence southerly approximately 250 feet; thence easterly  
16 approximately 175 feet to the point of real beginning, said parcel containing approximately 1.0  
17 acres of land, shall be and is hereby rezoned from A2 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Keith Laurent)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, SW1/4, Section 4, T19N-R24E, Town of Manitowoc,  
12 commencing at the center of said Section 4; thence southerly approximately 750 feet; thence  
13 westerly approximately 33 feet to the west r/w of CTH DD which is the point of real beginning;  
14 thence continue westerly approximately 175 feet; thence southerly approximately 100 feet;  
15 thence northeasterly approximately 200 feet to the point of real beginning, said parcel  
16 containing approximately .75 acres of land, shall be and is hereby rezoned from A2 Agriculture  
17 to A1 Agriculture.  
18

19 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Jeff and Penny Birkholz)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, March 26, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE1/4, SW1/4, Section 1, T21N-R23E, Town of Gibson,  
12 commencing at the S1/4, Corner of said Section 1; thence northerly approximately 720 feet;  
13 which is the point of real beginning; thence continue northerly approximately 500 feet; thence  
14 easterly approximately 500 feet; thence southerly approximately 500 feet; thence westerly  
15 approximately 500 feet to the point of real beginning, said parcel containing approximately 5.74  
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

17 EFFECTIVE DATE: April 17, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal reported the Planning & Park Commission will be discussing the process involved in rezoning land on Friday at their Advisory Commission meeting.

Public Safety Committee: Supervisor Henrickson moved, seconded by Supervisor Muench, to approve Resolution 12 (2001/2002-13) Opposing Elimination of Prison Contract Bed Funding with Wisconsin Counties. Upon vote, the motion carried unanimously.

No. 2001/2002- 13

**RESOLUTION OPPOSING ELIMINATION OF PRISON CONTRACT  
BED FUNDING WITH WISCONSIN COUNTIES**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County Sheriff's Department currently contracts with the State of  
2 Wisconsin, Department of Corrections, to rent county jail bed space for state inmates at a current rate of  
3 \$60.00 per inmate per day; and  
4

5 WHEREAS, the Governor's budget deletes \$32,232,800 in 2001-02 and \$69,472,400 in 2002-03  
6 related to in-state and out-of-state prison contract beds; and  
7

8 WHEREAS, total funding in the Governor's budget would be \$79,422,800 in 2001-02 to support 4411  
9 contract beds and \$42,183,200 in 2002-03 to support 2180 contract beds; and  
10

11 WHEREAS, the proposed budget would only fund the costs of temporary lockup of intensive sanctions  
12 and correctional center system inmates, detention of probation and parole violators in county jails, and two  
13 county jail programs; and  
14

15 WHEREAS, under the Governor's budget, the State would no longer contract with Wisconsin counties  
16 for prison beds effective July 1, 2001, resulting in a significant loss of revenue to Manitowoc County;  
17

18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
19 hereby requests the Governor and the Wisconsin Legislature to oppose the elimination of prison bed contracts  
20 with Wisconsin counties; and  
21

22 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the County Clerk  
23 is directed to send a copy of this resolution to Governor Scott McCallum, the Secretary of the Department  
24 of Corrections, to each legislator representing constituents in Manitowoc County, and to each Wisconsin  
25 county board.

Dated this 17th day of April 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Loss of approximately \$330,000 in 2001 revenues.  
Loss of approximately \$711,750 for the 2002 Budget.

Supervisor Henrickson moved, seconded by Supervisor Nate, to approve Resolution 13 (2001/2002-14) Supporting Maximum Speed Limit on Snowmobile Trails.

At the request of Supervisor Brey, Sheriff Ken Petersen stated they gave out one citation for speed this past winter. Otherwise, the majority of violations were for stop signs. Every season they put out two snowmobiles on the trails . This is partially funded by the Department of Transportation. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2001/2002-14

**RESOLUTION SUPPORTING MAXIMUM  
SPEED LIMIT ON SNOWMOBILE TRAILS**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Wisconsin has been a leader in providing high quality and well-maintained snowmobile  
2 trails for public enjoyment; and  
3

4 WHEREAS, snowmobilers who ride on Wisconsin's state-approved, user-funded snowmobiles for  
5 enjoyment and recreation expect safe trails; and  
6

7 WHEREAS, excessive speed by some snowmobilers has contributed to numerous accidents on  
8 Wisconsin's 16,000 mile trail system and has created an unsafe situation for many users; and  
9

10 WHEREAS, placing a 50 miles per hour speed limit on Wisconsin's state-approved, user-funded  
11 snowmobile trails would help make Wisconsin's trails safer;  
12

13 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
14 hereby supports the enactment of a state law instituting a maximum of 50 miles per hour speed limit between  
15 dusk and dawn on all state-approved, user-funded snowmobile trails, so long as a source of funding separate  
16 from Transportation Funds and General Purpose Revenues is identified to pay for increased enforcement  
17 costs; and  
18

19 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the County Clerk is  
20 directed to send a copy of this resolution to Governor Scott McCallum, the Secretary of the Department of  
21 Natural Resources, to each legislator representing constituents in Manitowoc County, and to each Wisconsin  
22 county board.

Dated this 17th day of April 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Undetermined.

Supervisor Henrickson moved, seconded by Supervisor Muench, to approve Resolution 14 (2001/2002-15) Supporting Repeal of Residency Requirement for Deputy Sheriff Applicant Testing. Upon vote, the motion carried unanimously.

No. 2001/2002-15

**RESOLUTION SUPPORTING REPEAL OF RESIDENCY  
REQUIREMENT FOR DEPUTY SHERIFF APPLICANT TESTING**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Wis. Stat. § 59.26(8)(a) permits county boards in counties with a population of less than  
2 500,000 to enact ordinances providing for deputy sheriff positions to be filled by appointment by the sheriff  
3 from a list of persons with the three highest scores for each position based on a competitive examination; and

4 WHEREAS, Wis. Stat. § 59.26(8)(a) also requires that a person taking such a competitive examination  
5 must reside in the state for at least one full year prior to the date of such examination; and  
6

7 WHEREAS, a person appointed deputy sheriff pursuant to Wis. Stat. § 59.26(8)(a) must be a resident  
8 of the county before qualifying and serving and must continue to maintain such residency within the county  
9 during his or her service as deputy sheriff; and  
10

11 WHEREAS, the one-year pre-examination residency requirement needlessly limits the number of  
12 potential applicants for deputy sheriff positions;  
13

14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
15 supports repealing the requirement that a person taking a competitive examination for the position of deputy  
16 sheriff must reside in the state for at least one full year prior to the date of such examination; and  
17

18 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
19 Governor Scott McCallum, to each legislator representing constituents in Manitowoc County, and to each  
20 Wisconsin county board.

Dated this 17th day of April 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Undetermined.

Supervisor Henrickson moved, seconded by Supervisor Borremans, to approve Resolution 15 (2001/2002-16) Requesting Complete Funding of Probation and Parole Violation Inmates. Upon vote, the motion carried unanimously.

No. 2001/2002 - 16

**RESOLUTION REQUESTING COMPLETE FUNDING OF  
PROBATION AND PAROLE VIOLATION INMATES**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, regulations adopted by the State of Wisconsin require that counties incarcerate inmates  
2 for a longer period of time; and  
3

4 WHEREAS, inmates released on probation and parole are being monitored for a longer time,  
5 increasing the possibility of their return to jail for probation or parole violations and causing an overcrowding  
6 in our jails; and  
7

8 WHEREAS, the daily cost of housing such probation and parole violation inmates is not fully covered  
9 by the State and causes an additional burden on county jail budgets; and  
10

11 WHEREAS, the full cost of housing inmates for State probation and parole violations should be paid  
12 by the State and should not be an unfunded mandate imposed upon county taxpayers;  
13

14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
15 hereby requests that the Governor and the Wisconsin Legislature provide sufficient funding to support the  
16 implementation of state policies which result in additional costs by housing probation and parole violation  
17 inmates in county jails; and  
18

19 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby requests that  
20 such state funding cover both the capital costs associated with the increased use of county jails to house  
21 probation and parole violation inmates and the staffing costs incurred by county jails in order to safely  
22 support such increased jail population; and

23 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the County Clerk  
24 is directed to send a copy of this resolution to Governor Scott McCallum, the Secretary of the Department  
25 of Administration, the Secretary of the Department of Corrections, to each legislator representing constituents  
26 in Manitowoc County, and to each Wisconsin county.

Dated this 17th day of April 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Undetermined.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Sloan, to approve Resolution 16 (2001/2002-17) Authorizing Sale of Land to Robert Frisch and Raymond Zvolsky d/b/a Lakeshore Home Improvements. Upon discussion and vote, the motion carried with 22 ayes and 2 noes.

No. 2001/2002-17

**RESOLUTION AUTHORIZING SALE OF LAND TO ROBERT FRITSCH AND  
RAYMOND ZVOLSKY d/b/a LAKESHORE HOME IMPROVEMENTS**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Public Works Committee has received a request to purchase county owned property  
2 from Robert Fritsch and Raymond Zvolsky d/b/a Lakeshore Home Improvements; and  
3

4 WHEREAS, the Public Works Committee and Planning and Park Commission staff have reviewed  
5 this request to purchase; and  
6

7 WHEREAS, Robert Fritsch and Raymond Zvolsky have reviewed all the deed restrictions established  
8 by Manitowoc County Board Resolution No. 90/91-75; and  
9

10 WHEREAS, the Public Works Committee recommends the sale of 4.0 acres (based on the property  
11 survey) in the amount of \$7,500 per acre; and  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
14 the sale of approximately 4.0 acres of land in the County Industrial Park to Robert Fritsch and Raymond  
15 Zvolsky d/b/a Lakeshore Home Improvements for \$7,500 per acre, and that the County Board Chairperson  
16 and County Clerk execute the property transaction; and  
17

18 NOW, THEREFORE, BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a  
19 separate account established for the sale of county owned property.

Dated this 17<sup>th</sup> day of April 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Generates approximately \$30,000 in revenues from the sale of land.

Supervisor Dufek moved, seconded by Supervisor Mueller, to approve Resolution 17 (2001/2002-18) Authorizing Sale of Land to Chris and Tracy Brunner. Upon discussion and vote, the motion carried with 22 ayes and 2 noes. Supervisors Brey and Dobbs voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING SALE OF LAND TO CHRIS AND TRACY BRUNNER**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Public Works Committee has received an offer to purchase county-owned property  
2 from Chris and Tracy Brunner; and  
3

4 WHEREAS, the Public Works Committee and Planning and Park Commission staff have reviewed  
5 this offer to purchase; and  
6

7 WHEREAS, Chris and Tracy Brunner have reviewed all the deed restrictions established by  
8 Manitowoc County Board Resolution No. 90/91-75; and  
9

10 WHEREAS, the Public Works Committee recommends the sale of 2.2 acres (based on the property  
11 survey) in the amount of \$7,500 per acre;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
14 the sale of approximately 2.2 acres of land in the County Industrial Park to Chris and Tracy Brunner for  
15 \$7,500 per acre and that the County Board Chairperson and County Clerk are authorized to execute such  
16 papers as may be necessary to complete this property transaction; and  
17

18 BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a separate account  
19 established for the sale of county owned property.

Dated this 17th day of April 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Generates approximately \$16,500 in revenues from the sale of land.

Transportation Coordinating Committee: Supervisor Barnes reported they will be meeting on May 17<sup>th</sup> at 4:00 p.m.

Ad Hoc Health Care Center Study Committee: Supervisor Hansen thanked the Board for their support and stated after the Request for Proposals have been received, a schedule of public hearings will be set up.

Chairperson Markwardt reported that Student Government Day will be on April 25th.

Chairperson Markwardt stated the next County Board meeting will be held on May 15, 2001 at 7:00 p.m.

Supervisor Sloan moved to adjourn at 9:01 p.m. Supervisor Swade seconded and the motion was adopted unanimously.

Respectfully submitted,  
Dan Fischer, County Clerk



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

May 15, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at Point Beach Nuclear Plant, 6610 Nuclear Road, in the Town of Two Creeks, being the 15th day of May, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:18 P.M.

The invocation was given by Supervisor Behnke and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Graunke was excused.

On motion by Supervisor Henrickson, seconded by Supervisor Brey, the April 17, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: VIII. Public Input - Opportunity for Citizens to Present Their Views 1. Presentation by the Nuclear Management Company - Mark Reddemann. IX. Communications Additional communications were received from Jan Graunke, Valders High School, Laurel Vondrachek, Repr. Bob Ziegelbauer, Manitowoc County Unit of Wisconsin Towns Association, Repr. Frank Lasee, Senator Baumgart, and the Dept. of Health & Human Services. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances C. Finance Committee Resolution 2 was revised. 2A. Resolution Transferring Funds From the General Fund to the Human Services Special Revenue Fund. Supervisor Kevin Behnke 2B. Resolution Opposing the Ban on Forced Overtime for Health Care Workers. Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input open at 7:22 p.m.

Mark Reddemann, from the Nuclear Management Company, presented information to the Board on the Point Beach Nuclear Plant and the Kewaunee Nuclear Plant. He introduced several staff members. He stated that their company was established to sustain safety, reliability and maintain cost effective operations of nuclear generation assets. He described the power plants located throughout the United States. The principal reasons for combining plants are to improve overall operational performance and safety, provide opportunities for employees, share best practices, and prepare the units for long term competitiveness. He stated that at Point Beach Nuclear Plant they shut down one of the units every 18 months to refuel. He explained the concept of dry storage and the life expectancy of the two plants. He invited people to request a reservation at the Energy Center for a tour. Tours are available the second and fourth Wednesday of each month.

Terry Bergman, Wisconsin Energy Companies, presented information to the Board on the power of the future and why Wisconsin needs new power plants. The demand for energy is growing because of more technological advances and strong housing growth and larger homes. Challenges they face include 38% of Wisconsin's power plants are at least 50 years old, there is a limited transmission import capability into the state, there are dwindling reserves, siting constraints, heavy reliance on plants fueled by natural gas, and lack of a national energy policy. Wisconsin Energy's Generation Plan includes building three coal-fired units, two gas-fired combined cycle units, and making improvements to existing plants.

Chairperson Markwardt declared the public hearing open at 8:09 p.m. for the Election District Plan for the Manitowoc County Board of Supervisors for the Next Ten Years. There was no one present who wished to speak.

Chairperson Markwardt declared public input open at 8:10 p.m. on all other issues not relating to the redistricting.

Don Goeke, Manitowoc, stated he would like to see other designs brought forward for comparison on the Health Care Center building project. In his opinion, government seems to be the only entity using the pod design. Also, he wants to know why the county is listing the property around the Health Care Center for sale and competing with the private sector.

Chairperson Markwardt declared public input closed at 8:15 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

Tom Ward, Director of the Soil & Water Department, reported that a wetland's bill has passed the legislature. He also commented on his three resolutions before the Board. The River Management Grant application and the Lake Protection Grant would help citizen groups and/or staff to monitor water quality and protect it on the Branch River Watershed and Silver Lake respectively. The Great Lakes Commission Grant addressing the East and West Twin Rivers would help landowners meet State water quality standards for non-point pollution control. These resolutions require a two-thirds vote.

Dennis Malinowski and Rob Lefeber, DMG Maximus, Inc., reported on their evaluation of the areas within the Human Services Department. They summarized the three main areas they analyzed which included the Child Welfare Division, the Long Term Care Division, and the Clinical Services Division. They also reviewed what services were mandated, their short-term and long-term initiatives at the county and state level as well as recommendations for the department.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Raymond Sturzl to the Board of Health for a two year term expiring April 2003. Supervisor Nate moved, seconded by Supervisor Borremans, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Supr. Jim Barnes to the Board of Health completing Supr. Jan Graunke's term expiring April 2002. Supervisor Vogt moved, seconded by Supervisor Kohlbeck, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Randy Ammerman and alternate Gary Sheahan, Marj LaBrecque, and Roger Vetting to the Local Emergency Planning Committee for the term expiring June 2003. Supervisor Henrickson moved, seconded by Supervisor Strauss, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Board of Health: Supervisor Nate reported that the resolution amending their budget to allow participation in the Health Alert Network would provide up to \$5,300 in grant funds to connect our local Health Department with the State Health Department.

Supervisor Nate moved, seconded by Supervisor Muench, to adopt Resolution 1 (2001/2002-19) Amending the Budget to Allow Participation in the Health Alert Network. Upon vote, the motion carried unanimously.

No. 2001/2002 - 19

**RESOLUTION AMENDING BUDGET TO ALLOW  
PARTICIPATION IN THE HEALTH ALERT NETWORK**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County Health Department has an important role to play in the protection of  
2 the health of the public; and  
3

4 WHEREAS, it is important that the Health Department have the capacity to communicate  
5 electronically during a public health emergency;  
6

7 WHEREAS; the State Department of Health and Family Services has obtained funding to connect all

8 local health departments and the State health department using the Health Alert Network, (a secure, high-  
9 speed Internet connection);

10  
11 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Health Department is authorized  
12 to participate in the Health Alert Network and to accept up to \$5,300 in grant funds to implement the Health  
13 Alert Network; and

14  
15 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001 Annual  
16 Budget is hereby amended by the amount stated above and that the Comptroller/Auditor is hereby directed  
17 to record such information in the official books of the County for the year ending December 31, 2001, as may  
18 be required.

Dated this 15th day of May 2001.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Increase revenues and expenses by \$\$5,300 from grant funds. No local tax  
levy impact.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Nate also reported they had the opportunity to speak with Phyllis Dubey, State Health Officer and  
John Chapin, Administrator for the Division of Public Health when the Governor visited our area on May 2<sup>nd</sup>.  
They discussed numerous health related issues and the state was impressed with their department.

Executive Committee: Supervisor Markwardt moved, seconded by Supervisor Sloan, to adopt Resolution 1A.  
(2001/2002-20) Adopting a Tentative Supervisory District Plan (25-2).

Mike Demske, Director of the Planning & Park Department, explained the differences in the boundary lines  
shown on the three maps that were drawn up for a 25 supervisory district plan. Discussion followed.

Upon vote, the Board supported the 25-2 Supervisory Plan with 19 ayes and 5 noes. Supervisors Juul, Swade,  
Strauss, Henrickson & Skubal voted no; all other supervisors voted aye.

No. 2001/2002 - 20

## **RESOLUTION ADOPTING A TENTATIVE SUPERVISORY DISTRICT PLAN**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Wisconsin counties are, within 60 days after the population count is established in the  
2 decennial federal census and certain maps become available or are published, to propose a tentative county  
3 supervisory district plan setting forth the number of supervisory districts and tentative boundaries or a  
4 description of boundary requirements, hold a public hearing on the proposed plan, and adopt a tentative plan;  
5 and

6  
7 WHEREAS, the Planning and Park Department has, at the request of the County Board and the  
8 Executive Committee, prepared tentative county supervisory district plans that provide for 25, 23, and 21  
9 districts; and

10  
11 WHEREAS, the County Board has conducted the required hearing on the proposed tentative  
12 supervisory district plan as part of its May 15, 2001, meeting;

13  
14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors does  
15 hereby adopt the tentative supervisory district plan which provides for 25 supervisory districts; and  
16

17 BE IT FURTHER RESOLVED that the County Clerk is directed to transmit the tentative plan that has  
18 been adopted to each municipal governing body in the county.

Dated this 15th day of May 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Revised Resolution 2 (2001/2002-21) Directing Staff to Proceed with the Health Care Center Project Bonds. The County Clerk noted the changes in the resolution that had been made by the Finance Committee. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002-21

**RESOLUTION DIRECTING STAFF TO PROCEED  
WITH HEALTH CARE CENTER PROJECT FUNDING**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the County Board has adopted an Initial Resolution Authorizing \$13,500,000 In General  
2 Obligation Bonds Of Manitowoc County And The Construction Of A New 150 Bed Manitowoc County  
3 Health Care Center Facility; and  
4

5 WHEREAS, based upon the current financial conditions and outstanding indebtedness, it is in the  
6 County's best interest to have two bond issues with a combined amount not to exceed the maximum  
7 authorized by the Initial Resolution; and  
8

9 WHEREAS, in order to meet the tentative time table established for the Health Care Center Project,  
10 the County should now solicit proposals for \$5,000,000 in interim funding in the form of Bond Anticipation  
11 Notes to be acted upon at the June County Board meeting; and  
12

13 WHEREAS, the Finance Committee appreciates the seriousness of soliciting such funding, is aware  
14 of the expectations of potential investors and financial institutions that result from this process, and advises  
15 the County Board that unless market conditions make it unfavorable for the County to accept a bid or  
16 proposal, the County Board should expect to approve \$5,000,000 in interim financing at its June County  
17 Board meeting;  
18

19 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors, that the  
20 Comptroller, Corporation Counsel, other appropriate staff and advisors are authorized and directed to proceed  
21 with the process of soliciting proposals from Robert W. Baird & Co. for \$5,000,000 in interim funding in the  
22 form of Bond Anticipation Notes for the Health Care Center Project for consideration by the County Board  
23 at its June meeting.

Dated this 15th day of May 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Will be determined in June based upon best bid or proposal submitted.

Supervisor Dobbs left at 9:28 p.m.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 2A. (2001/2002-22) Transferring Funds from the General Fund to the Human Services Special Revenue Fund. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION TRANSFERRING FUNDS FROM THE GENERAL FUND  
TO THE HUMAN SERVICES SPECIAL REVENUE FUND**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, events occur after the adoption of the Annual Budget that affect the various program  
2 activities and their appropriations for a given budget year; and  
3

4 WHEREAS, the recently completed external audit shows that the Human Services Special Revenue  
5 Fund has a deficit of \$472,988.51 for the year ended December 31, 2000, due to spending for the Children  
6 in Alternate Care Section, placements at the Lincoln Hills Facility, and the classification of certain W-2  
7 advance payments as deferred revenue; and  
8

9 WHEREAS, sound financial and accounting practices require that the County make the Human  
10 Services Special Revenue Fund whole by transferring sufficient monies from the General Fund Undesignated  
11 Account to cover the deficit; and  
12

13 NOW THEREFORE BE IT RESOLVED that the sum of \$472,988.51 is hereby transferred from the  
14 County's General Fund Undesignated Account to the Human Services Special Revenue Fund for the year  
15 ended December 31, 2000; and  
16

17 BE IT FURTHER RESOLVED that the Comptroller/Auditor is hereby directed to record such  
18 information in the official books of the County for the year ended December 31, 2000, as may be required  
19 to effect the purposes of this resolution.

Dated this 15th day of May 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Transfers \$472,988.51 from the General Fund Undesignated Account to the Human  
Services Special Revenue Fund as a 12/31/00 entry.

LEGAL NOTE: This resolution amends the 2000 budget and requires a two-thirds vote.

Health Care Center Committee: Supervisor Behnke asked Michael Thomas, Administrator of the Health Care  
Center, to report his meeting in Madison regarding the Intergovernmental Transfer Program funding. He  
brought back information on this issue for anyone wanting it.

Supervisor Behnke moved, seconded by Supervisor Kohlbeck, to adopt Resolution 2B. (2001/2002-23)  
Opposing the Ban on Forced Overtime for the Health Care Workers. Upon discussion and vote, the motion  
carried with 19 ayes and 4 noes. Supervisors Hansen, Brey, Dufek and Nate voted no; all other supervisors  
voted aye.

**RESOLUTION OPPOSING RESTRICTIONS ON MANDATORY  
OVERTIME FOR HEALTH CARE WORKERS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County owns and operates a nursing home that employs 165 direct care  
2 workers, including nurses and nursing assistants, but has had difficulty in recruiting and retaining staff to care  
3 for its approximately 170 residents; and  
4

5 WHEREAS, Manitowoc County competes with six other nursing facilities and two acute care hospitals  
6 for the personnel needed to address staffing needs; and  
7

8 WHEREAS, inadequate staffing jeopardizes the life and safety of those who depend on the services  
9 of such facilities; and  
10

11 WHEREAS, the Manitowoc Health Care Center has found it necessary to require overtime on a  
12 rotational basis in order to adequately staff each shift to care for its residents and to meet the minimum  
13 staffing levels dictated by Federal and State regulations; and  
14

15 WHEREAS, State Representative DuWayne Johnsrud has proposed a bill that bans "forced overtime"  
16 for health care workers; and  
17

18 WHEREAS, such legislation would exacerbate staffing shortages without solving them and would  
19 jeopardize the health, safety, and welfare of everyone who depends on the services of health care workers;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board adamantly opposes  
22 legislation that prohibits health care facilities from mandating overtime when necessary to protect the health,  
23 safety, and welfare of the residents of Wisconsin; and  
24

25 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
26 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
27 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
28 constituents from Manitowoc County.

Dated this 15th day of May 2001.

Respectfully submitted by Kevin Behnke.

FISCAL IMPACT: None

Highway Committee: Supervisor Lambert reported the grand opening for the Highway Department will be on June 3<sup>rd</sup> from 1:00 to 5:00 p.m. They will be starting work on building two "park and rides" by the Holiday Inn & 151 and also I-43 & JJ.

Human Services Board: Supervisor Hansen stated if anyone has questions on the DMG Maximus Report please ask any of the Human Service Board members or Tom Stanton, Director of Human Services.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck moved, seconded by Supervisor Muench, to adopt Resolution 3 (2001/2002-24) Authorizing River Management Grant Application. Upon vote, the motion carried unanimously.

No. 2001/2002 - 24

## **RESOLUTION AUTHORIZING RIVER MANAGEMENT GRANT APPLICATION**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, our rivers are an important resource used by the public for recreation and enjoyment of  
2 natural beauty; and  
3

4 WHEREAS, the State makes funds available in the form of river protection management grants to fund  
5 eligible projects related to river management; and  
6

7 WHEREAS, Manitowoc County is qualified, willing, and able to carry out the activities for which river  
8 protection management grants are available; and

9 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board of Supervisors authorizes  
10 the Soil and Water Conservation Department Director to apply for and accept a River Management Grant  
11 in an amount not to exceed \$14,000 and to request such other assistance as may be available from the  
12 Wisconsin Department of Natural Resources under the River Management Grant Program; and  
13

14 BE IT FURTHER RESOLVED that the Soil and Water Conservation Department Director is  
15 authorized to sign documents, and take the actions necessary to undertake, direct, and complete the project  
16 authorized in the River Management Grant; and  
17

18 BE IT FURTHER RESOLVED that Manitowoc County will comply with State rules for the River  
19 Management Grant Program; will allow the Department of Natural Resources access to inspect grant project  
20 sites; will maintain records documenting all expenditures made during the project; and will submit a final  
21 report to the Department describing the project activities, achievements, and problems; comparing actual  
22 program and activities to the objectives proposed in the application; and providing samples of any education  
23 or information brochures prepared and data collected; and documenting project costs.

Dated this 15th day of May 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Increases revenues and expenses by \$14,000.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Kohlbeck moved, seconded by Supervisor Henrickson, to adopt Resolution 4 (2001/2002-25)  
Authorizing a Lake Protection Grant Application for Silver Lake. Upon vote, the motion carried  
unanimously.

No. 2001/2002 - 25

## **RESOLUTION AUTHORIZING A LAKE PROTECTION GRANT APPLICATION**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Silver Lake Protection and Rehabilitation District ("District") has been pursuing the  
2 restoration of Silver Lake since 1979 and, with assistance from the Department of Natural Resources, has  
3 invested considerable funds in the project; and  
4

5 WHEREAS, a Lake Restoration Plan has identified the strategy necessary to restore Silver Lake, and  
6 an engineering design has been completed to construct a diversion of Silver Creek from Silver Lake; and  
7

8 WHEREAS, the District has only eleven riparian landowners; and  
9

10 WHEREAS, the project management and financial demands of the Lake Restoration Plan have  
11 exceeded the capacity of the District, and the District has asked Manitowoc County to assist the District by  
12 becoming a project sponsor; and  
13

14 WHEREAS, the Land Conservation Committee has the authority under Wis. Stat. § 92.07(3), (6), (7),  
15 and (11) to allocate funds made available to the committee for cost-sharing programs or other incentive  
16 programs for improvements and practices relating to soil and water conservation on private or public lands;  
17 to carry out preventive and control measures and works of improvement for flood prevention and for  
18 conservation, development, utilization, and control of water within the county; to cooperate with, enter into  
19 agreements with, or furnish financial, technical, planning, or other assistance to any agency, landowner, or  
20 land user within the incorporated or unincorporated parts of the county, in carrying out resource conservation  
21 operations and works of improvement for flood prevention or for the conservation, development, utilization,  
22 and protection of soil and water resources within the county; and to acquire, by purchase, lease, or otherwise,

23 and administer, any soil conservation, flood prevention, water management, or nonpoint source water  
24 pollution abatement project or combinations of these projects; and

25  
26 WHEREAS, the Land Conservation Committee recommends that Manitowoc County serve as a  
27 sponsor for the Silver Lake Restoration Plan project;

28  
29 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County adopts the current Silver Lake  
30 Restoration plan; and

31  
32 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Land  
33 Conservation Committee to request and accept such funds and assistance as may be available from the  
34 Wisconsin Department of Natural Resources under the Lake Management Protection Grant Program in an  
35 amount not to exceed \$200,000, and authorizes the Soil and Water Conservation Department Director to  
36 submit an application to the State of Wisconsin for a Lake Management Protection Grant, sign documents,  
37 and take the actions necessary to begin, direct, and complete the grant project; and

38  
39 BE IT FURTHER RESOLVED that Manitowoc County will comply with State rules for the program  
40 and will, subject to the limits of this resolution, meet the financial obligations under the grant; and

41  
42 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001 Annual  
43 Budget is hereby amended by the amounts stated above and that the Comptroller/Auditor is hereby directed  
44 to record such information in the official books of the County for the year ending December 31, 2001, as may  
45 be required.

Dated this 15th day of May 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Increases expenditures and revenues by \$200,000.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 5 (2001/2002-26)  
Accepting a Great Lakes Commission Grant. Upon vote, the motion carried unanimously.

No. 2001/2002 - 26

## **RESOLUTION ACCEPTING A GREAT LAKES COMMISSION GRANT**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County portion of the combined watersheds of the East and West Twin  
2 Rivers is 175 square miles and has 200 miles of intermittent and perennial streams; and

3  
4 WHEREAS, 66% of the watershed is utilized as crop land; and

5  
6 WHEREAS, the Manitowoc County Land and Water Resource Plan identifies the reduction of  
7 sediment and phosphorus loading to streams and lakes in priority area watersheds as a goal; and

8  
9 WHEREAS, the Manitowoc County Land and Water Resource Plan identifies the development and  
10 implementation of a water quality strategy for the West Twin River as an objective; and

11  
12 WHEREAS, State water quality initiatives provide financial assistance to landowners and agricultural  
13 producers to install nonpoint pollution best-management practices to improve and protect water quality; and

14  
15 WHEREAS, an inventory of nonpoint pollution practices in the watershed would allow State and  
16 Federal programs to target critical sites in the watersheds and would enable landowners to meet State water



1 quality standards for nonpoint pollution control;

2  
3 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
4 a Great Lakes Commission Grant of \$46,245 to inventory the East and West Twin Rivers in cooperation with  
5 Brown and Kewaunee Counties; and

6  
7 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Land  
8 Conservation Committee and the Soil and Water Department to administer the Grant; and

9  
10 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001 Annual  
11 Budget is hereby amended by the amount stated above and that the Comptroller/Auditor is hereby directed  
12 to record such information in the official books of the County for the year ending December 31, 2001, as may  
13 be required.

Dated this 15th day of May 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Increase revenues and expenses by \$46,245.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Kohlbeck reported that UW-Extension has been discussing "foot and mouth disease" and "mad cow disease" and informing the public through the newspaper, radio and workshops. They have a Fact Sheet available for anyone interested.

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 6 (2001/2002-27) Designating June 2001 as Dairy Month. Upon vote, the motion carried unanimously.

No. 2001/2002 - 27

### **RESOLUTION DESIGNATING JUNE 2001 AS DAIRY MONTH**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, agriculture accounts for approximately 20 percent of the jobs in Manitowoc County and  
2 provided annual cash receipts of nearly 140 million dollars in 2000; and

3  
4 WHEREAS, Manitowoc County is the seventh leading dairy county in Wisconsin, which is America's  
5 Dairyland, and is the 26th largest dairy county in the United States; and

6  
7 WHEREAS, Manitowoc County's approximately 460 dairy farms and 44,000 cows produce over  
8 783,000,000 pounds of milk each year; and

9  
10 WHEREAS, the milk produced by Manitowoc County dairy producers provides enough cheese to  
11 cover 78 million 16-inch pizzas, has a value of approximately \$98 million dollars, and makes up  
12 approximately 70% of Manitowoc County's agricultural income;

13  
14 NOW, THEREFORE IT BE RESOLVED, that the Manitowoc County Board of Supervisors hereby  
15 proclaim the entire month of June as June Dairy Month in Manitowoc County.

Dated this 15th day of May 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None.

Supervisor Kohlbeck moved, seconded by Supervisor Wagner, to adopt Resolution 7 (2001/2002-28) Amending Budget to Accept Family Caregiver Support Program Funds. Upon vote, the motion carried unanimously.

No. 2001/2002 - 28

**RESOLUTION AMENDING BUDGET TO ACCEPT  
FAMILY CAREGIVER SUPPORT PROGRAM FUNDS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Older Americans Act creates the National Family Caregiver Support Program and  
2 makes funds available for such programs; and  
3

4 WHEREAS, the Family Caregiver Support Program provides multifaceted support services systems  
5 for family caregivers and for grandparents or older individuals that are relative caregivers; and  
6

7 WHEREAS, the Bay Area Agency on Aging allocates Federal and State Older Americans Act funding  
8 to counties in this district of Wisconsin;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
11 the County Board Chair to notify the Bay Area Agency on Aging that Manitowoc County intends to  
12 participate in the Family Caregiver Support Program and to designate the Manitowoc County Aging Resource  
13 Center as the administrating agency for the program; and  
14

15 BE IT FURTHER RESOLVED that the Aging Resource Center Director is authorized to apply for and  
16 accept such funding under the Older Americans Act as may be available under the Family Caregiver Support  
17 Program in an amount not to exceed \$31,944; and  
18

19 BE IT FURTHER RESOLVED that the 2001 Annual Budget is hereby amended by the amount stated  
20 above and that the Comptroller/Auditor is hereby directed to record such information in the official books  
21 of the County for the year ending December 31, 2001, as may be required..

Dated this 15th day of May 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: \$31,994 increase in revenues and expenses

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Personnel Committee: Supervisor Vogt reported they approved the Health Care Center's participation in a Youth Apprenticeship Program for 2001/2002 for CNA positions. It would be for 450 hours at \$7.00/hr with a fiscal impact of \$10,500 for the year. The Health Care Center employees would serve as mentors. It would consist of senior high school students in the top percentile of their class. They discussed restructuring of the Human Services Department. He also stated overtime is showing an improvement except for the Sheriff's Department. They are working on it.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt Resolution 8 (2001/2002-29) Regarding the Manitowoc County Snowmobile Trail Program 2001-2002. Upon vote, the motion carried unanimously.

**RESOLUTION REGARDING 2001-2002 SNOWMOBILE TRAIL PROGRAM**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County has completed twenty-eight years of participation in Wisconsin  
2 Snowmobile Aids Program by annually acquiring, developing, insuring, and maintaining county public  
3 snowmobile trails in accordance with Wisconsin Department of Natural Resources ("DNR") standards; and  
4

5 WHEREAS, the Wisconsin Snowmobile Aids Program provides funds for the costs of acquisition,  
6 development, and maintenance of public snowmobile trail systems in eligible counties; and  
7

8 WHEREAS, Manitowoc County is eligible to participate in the program and has budgeted for front  
9 end costs of the Snowmobile Program for 168.3 miles of trail;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
12 approves the trail system map as recommended by the Manitowoc County Planning and Park Commission  
13 at its April 23, 2001, meeting; and  
14

15 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby designates  
16 the Manitowoc County Planning and Park Commission as the agency to act on behalf of Manitowoc County  
17 in submitting applications seeking state snowmobile aids for eligible maintenance, acquisition, development,  
18 bridge rehabilitation, and insurance costs of the public snowmobile trail system; and  
19

20 BE IT FURTHER RESOLVED that the Planning and Park Director is authorized to sign documents  
21 and take the actions necessary to undertake, direct, and complete the 2001-2002 Snowmobile Program; and  
22

23 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and redevelopment  
24 of the snowmobile trails, said trails be designated as public snowmobile trails; and  
25

26 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limit of funds appropriated  
27 for such purposes in the approved 2001 Budget, provide for adequate maintenance of the trails and facilities  
28 that have been funded for acquisition and maintenance through the Wisconsin Snowmobile Trail Program  
29 in accordance with DNR requirements and funding eligibility criteria; comply with state and federal rules for  
30 the program; maintain the completed project in an attractive, inviting, and safe manner; keep facilities open  
31 to the general public during reasonable hours consistent with the type of facility; and obtain approval in  
32 writing from the DNR before any changes are made in the use of the project site.  
33

34 EFFECTIVE DATE: May 15, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: \$42,075 is included in the 2001 approved budget. The State of Wisconsin  
reimburses Manitowoc County for the total amount of funds spent for this program.

Supervisor Skubal moved, seconded by Supervisor Borremans to enact Ordinance 9(2001/2002-30)  
Amending the Zoning Map for David Endries, Ordinance 10 (2001/2002-31) Amending the Zoning Map for  
Donald Bubolz, Ordinance 11 (2001/2002-32) Amending Zoning Map for David Pekarske, and Ordinance  
12 (2001/2002-33) Amending the Zoning Map for Theodore J. Thorne. Upon vote, the motion carried  
unanimously.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(David Endries)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, April 23, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE1/4, NW1/4, Section 25, T18N-R21E, Town of Eaton,  
12 commencing at the N 1/4 Corner of said Section 25; thence westerly along the centerline of  
13 CTH C approximately 1700 feet; thence southerly approximately 1700 feet which is the point  
14 of real beginning; thence continue southerly approximately 800 feet; thence northeasterly along  
15 the north r/w of Church Street 1050 feet; thence northwesterly approximately 500 feet; thence  
16 southwesterly approximately 200 feet to the point of real beginning, said parcel containing  
17 approximately 8.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1  
18 Agriculture.  
19

20 EFFECTIVE DATE: May 15, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Donald Bubolz)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, April 23, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, SE1/4, Section 34, T20N-R21E, Town of Maple Grove,  
12 commencing at the E 1/4 Corner of said Section 34; thence southerly along the centerline of  
13 CTH W approximately 450 feet; thence westerly approximately 204 feet which is the point of  
14 real beginning; thence southwesterly approximately 373 feet; thence southerly approximately  
15 200 feet to the north r/w of USH 10; thence southeasterly along the north r/w of USH 10

16 approximately 312 feet; thence northeasterly approximately 172 feet; thence northerly  
17 approximately 286 feet to the point of real beginning, said parcel containing approximately 2.64  
18 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

19  
20 EFFECTIVE DATE: May 15, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 32

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(David Pekarske)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, April 23, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW1/4, NW1/4, Section 11, T19N-R22E, Town of Cato,  
12 commencing at the NW Corner of said Section 11; thence easterly approximately 33 feet to the  
13 east r/w of Hempton Lake Road which is the point of real beginning; thence southerly along the  
14 east r/w of Hempton Lake Road approximately 265 feet; thence easterly approximately 333 feet;  
15 thence northerly approximately 265 feet; thence westerly approximately 333 feet to the point  
16 of real beginning, said parcel containing approximately 2.03 acres of land, shall be and is hereby  
17 rezoned from A3 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: May 15, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 33

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Theodore J. Thorne)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, April 23, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the

6 petition be approved for the reasons stated in the report attached to this ordinance;

7  
8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:

10  
11 A parcel of land located in the NW1/4, SE1/4, Section 6, T21N-R23E, Town of Gibson,  
12 commencing at the center of said Section 6; thence southerly approximately 1320 feet; thence  
13 easterly approximately 325 feet which is the point of real beginning; thence continue easterly  
14 approximately 700 feet; thence northwesterly approximately 400 feet; thence westerly  
15 approximately 600 feet; thence southerly approximately 400 feet to the point of real beginning,  
16 said parcel containing approximately 6.42 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A2 Agriculture.

18  
19 EFFECTIVE DATE: May 15, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Public Safety Committee: Supervisor Juul invited everyone to attend the City of Two Rivers Fire Department Open House.

Transportation Coordinating Committee: Supervisor Barnes reported they will be meeting on Thursday, May 17<sup>th</sup> at 4:00 p.m. at the Manitowoc County Office Complex.

Ad Hoc Health Care Center Study Committee: Supervisor Hansen reported they will be scheduling three meetings once the land proposals have come in. They will be held in the Village of Kellnersville, Village of St. Nazianz, and the City of Manitowoc.

Chairperson Markwardt stated there would probably be a Committee of the Whole on June 5<sup>th</sup>.

Miscellaneous: Chairperson Markwardt stated he was looking for a supervisor to attend the WCA Resolutions Committee meeting in Madison in July. Also, he will be appearing the Memorial Day Parade in Position 29 and invited everyone to ride or walk along.

Chairperson Markwardt stated the next County Board meeting will be held on June 19, 2001 at 7:00 p.m.

Supervisor Behnke moved to adjourn at 9:50 p.m. Supervisor Muench seconded and the motion was adopted unanimously.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

June 19, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, 1701 Michigan Avenue, in the City of Manitowoc, being the 19th day of June, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:06 P.M.

The invocation was given by Supervisor Nate and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner.

The Clerk stated a correction to the May 15, 2001 minutes as follows: On page 1, 2<sup>nd</sup> line the session was at "Point Beach" not the Heritage Center. On motion by Supervisor Sloan, seconded by Supervisor Juul, the May 15, 2001 meeting minutes, as amended, were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications Additional communications were received from the Towns Association, the White House, Russell Steeber, Douglas County, Senator Baumgart, and Rick Henrickson. XI. Reports of County Supervisors, Officers, and Department Directors 2. Todd Reckelberg, Comptroller and Auditors. XII. Appointments by Chairperson C. Planning and Park Commission Appoint Edward J. Spurney. D. Public Works Committee Appoint Supervisor Bob Dobbs. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances O. Miscellaneous: Supervisor Kevin Behnke 25. Resolution in the Matter of the Town of Newton Zoning Ordinance for Robert Popp. 26. Resolution in the Matter of the Town of Newton Zoning Ordinance for Zoning and Land Use. Supervisor Henrickson moved, seconded by Supervisor Skubal, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input open at 7:15 p.m.

Don Goeke, Manitowoc, spoke on the three public hearings held last week on the Health Care Center proposals and stated he thought they were quite successful. He wants to know what other sites are available besides the one on Alverno Road. He also urged supervisors to look at the various results of what will happen if the Health Care Center is moved or rebuilt on the present site.

Chairperson Markwardt declared public input closed at 7:16 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

Ken Petersen, Sheriff, addressed the board regarding his departmental budget and the status on overtime. His total 2000 budget is in line for the year. Even though his overtime is high, he is making up for it in other parts of his budget. He also answered supervisors' questions.

Todd Reckelberg, Comptroller, introduced Michael Foth from Hawkins, Ash, Baptie & Company, LLP, the auditing firm who conducted the annual audit of the County for the year ending December 31, 2000. He reported on the management advisory comments and also noted that the general fund undesignated balance portion represents approximately 12 percent of the total Government and Proprietary Funds for the year. Their reports did not disclose any material instances of noncompliance, federal and state program findings and questions cost, material weaknesses, or reportable conditions. He also answered supervisors' questions.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Tom Bowens to the Local Emergency Planning Committee to complete Dennis Hernet's term expiring September 2001. Supervisor Skubal moved, seconded by Supervisor Behnke, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Laurel Vondrachek to the Board of Adjustment for a three year term expiring July 2004. Supervisor Sloan moved, seconded by Supervisor Kohlbeck, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Edward J. Spurney to the Planing & Park Commission for a seven year term expiring July 2008. Supervisor Dufek moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Supervisor Robert Dobbs to replace Supervisor Rick Henrickson on the Public Works Committee. Supervisor Geimer moved, seconded by Supervisor Mueller, to approve the appointment. Upon vote, the motion carried unanimously.

**COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:**

**Board of Health:** Supervisor Nate reported that the state has received billions of dollars in a settlement from the tobacco companies and they are spending it on non-tobacco, non-health related issues to balance the budget. She also stated that in the nursing industry overtime is producing fatigue and burnout among nurses, reduced job performance, and diminished quality of care. The Health Department continues to test Lake Michigan water along area beaches. A water advisory was issued for Red Arrow this past week. Neshotah Beach in Two Rivers tested safe this past week. They are also having a meeting this Friday to discuss the present status of the WIC Program.

**Executive Committee:** Supervisor Markwardt moved, seconded by Supervisor Behnke, to enact Ordinance 1 (2001/2002-34) Amending MCC Chs. 6 & 7 and Creating MCC Ch. 22 Providing for Use of Citations for Certain Ordinance Violations. Upon vote, the motion carried unanimously.

No. 2000/2001 - 34

**ORDINANCE AMENDING MCC CHS. 6 AND 7 AND CREATING MCC CH. 22 PROVIDING FOR USE OF CITATIONS FOR CERTAIN ORDINANCE VIOLATIONS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County Code presently authorizes the use of citations for certain ordinance  
2 violations; and  
3

4 WHEREAS, the Wisconsin Statutes authorizing the use of citations by counties have recently been  
5 amended; and  
6

7 WHEREAS, the Corporation Counsel has reviewed the changes to the Wisconsin Statutes and  
8 recommends that the Manitowoc County Code be revised to incorporate certain technical changes and to  
9 create a separate chapter providing for the use of citations for certain ordinance violations, and  
10

11 WHEREAS, the Executive Committee has reviewed the proposed changes and recommends that the  
12 Manitowoc County Code be so amended:  
13

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

17 Manitowoc County Code §§ 6.01(4)-(5), 6.02, and 6.03 are hereby repealed.  
18

19 Manitowoc County Code § 7.18 is hereby amended to read as follows:  
20

21 **7.18 Penalties and Schedule of Deposits.** Any person who violates any provision of Part V of this  
22 ordinance may be penalized by a forfeiture of not less than \$25 nor more than \$1,000. ~~The schedule of~~  
23 ~~deposits for enforcement of this ordinance through citation shall be as set forth on the following~~  
24 ~~"SCHEDULE OF DEPOSITS."~~  
25



Manitowoc County Code Chapter 22, Use of Citations For Certain Ordinance Violations, is hereby created to read as follows:

**CHAPTER 22**  
**USE OF CITATIONS FOR CERTAIN ORDINANCE VIOLATIONS**

**22.01 Purpose and Authority.** (1) The purpose of this ordinance is to provide for greater economy and efficiency in the enforcement of certain county ordinances and to guarantee the consistency and fairness of enforcement procedures.

(2) Pursuant to authority granted by Wis. Stat. § 66.0113, Manitowoc County hereby adopts and authorizes the use of a citation under this section to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

**22.02 Content of Citation.** (1) Citations issued pursuant to this chapter shall be in a form that has been approved by the Corporation Counsel and filed in the office of the County Clerk. Such citations shall provide for the following information:

(a) The name and address of the alleged violator.

(b) The factual allegations describing the alleged violation.

(c) The time and place of the offense.

(d) The section of the ordinance violated.

(e) A designation of the offense in a manner that can be readily understood by a person making a reasonable effort to do so.

(f) The time at which the alleged violator may appear in court.

(g) A statement which in essence informs the alleged violator:

1. That the alleged violator may make a cash deposit of a specified amount to be mailed to a specified official within a specified time.

2. That if the alleged violator makes such a deposit, he or she need not appear in court unless subsequently summoned.

3. That if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment imposed by Wis. Stat. § 757.05, a jail assessment imposed by Wis. Stat. § 302.46(1), a crime laboratories and drug law enforcement assessment imposed by Wis. Stat. § 165.755, any applicable consumer information assessment imposed by Wis. Stat. § 100.26, any applicable domestic abuse assessment imposed by Wis. Stat. § 973.055(1), and any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes, but not to exceed the amount of the deposit, or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

4. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, the court may issue a summons or a warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment under subd. 3., or the county may commence an action against the alleged violator to collect the forfeiture, the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment, any applicable consumer information assessment, any applicable domestic abuse assessment, and any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes.

5. That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the

violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under Wis. Stat. § 800.093.

(h) A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement which accompanies the citation to indicate that he or she read the statement required under par. (g) and shall send the signed statement with the cash deposit.

(i) Such other information as may be deemed necessary.

**22.03 Cash Deposits.** (1) Unless otherwise specified in the Manitowoc County Code for a specific violation, the cash deposit that is required for an ordinance violation shall be the minimum forfeiture set by Manitowoc County Code for the particular violation plus any additional assessments, costs, or fees authorized by the Wisconsin Statutes. The cash deposit for the violation of an ordinance for which no forfeiture or no minimum forfeiture is specified shall be \$25 plus any additional assessments, costs, or fees authorized by the Wisconsin Statutes. The assessments, costs, or fees may include, but are not limited to:

(a) Penalty Assessment of 23% as provided for by Wis. Stat. § 757.05.

(b) Jail Assessment of 1%, but not less than \$10, as provided for by Wis. Stat. § 302.46 (1).

(c) Circuit Court fee of \$25 as provided for by Wis. Stat. § 814.63 (1)(b).

(d) Crime laboratories and drug law enforcement assessment of \$5 as provided for by Wis. Stat. § 165.755.

(e) Court support services fee of \$40 as provided for by Wis. Stat. § 814.634.

(f) Justice information system fee of \$9 as provided for by Wis. Stat. § 814.635 (1)

(2) Continuing Violations. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(3) Except as provided in sub. (4), the cash deposit specified in the schedule established pursuant to sec. 22.04 shall be the presumptive penalty for each offense for which a citation has been issued.

(4) Repeat Violations. The cash deposit required for an ordinance violation, other than an offense listed in a Deposit Schedule adopted by the Wisconsin Judicial Conference, by a person who has been convicted of violating the same ordinance within twelve-months prior to the date of the current citation shall be twice the minimum forfeiture set by Manitowoc County Code for the particular violation plus any additional assessments, costs, or fees authorized by the Wisconsin Statutes. The cash deposit for the violation of an ordinance for which no forfeiture or no minimum forfeiture is specified shall be \$50 plus any additional assessments, costs, or fees authorized by the Wisconsin Statutes.

**22.04 Schedule of Cash Deposits.** (1) The following schedule specifies the cash deposit required for each violation:

SECTION	VIOLATION	FORFEITURE	COSTS	PENALTY	FEES	TOTAL
6.07	Unlawful Trespass to Land	50.00	25.00	11.50	64.00	150.50
6.08	Trespass to Dwellings	100.00	25.00	23.00	64.00	212.00
6.09	Entry onto Construction Site, Building Premises or School Grounds	50.00	25.00	11.50	64.00	150.50
6.10	Theft	200.00	25.00	46.00	64.00	335.00
6.11	Attempted Theft	50.00	25.00	11.50	64.00	150.50
6.12	Damage to Property	200.00	25.00	46.00	64.00	335.00

147	6.13	Worthless Checks	100.00	25.00	23.00	64.00	212.00
148							
149	6.14	Retail Theft	150.00	25.00	34.50	64.00	273.50
150							
151	6.15	Operating Vehicle on Airport Runway, Taxiway or Ramp	50.00	25.00	11.50	64.00	150.50
152							
153	6.15(3)	Imprudent Speed or Failure to Obey Traffic Sign - Airport	50.00	25.00	11.50	64.00	150.50
154							
155	6.15(4)	Pedestrians on Airport Runway, Taxiway, Ramp or Grounds	50.00	25.00	11.50	64.00	150.50
156							
157							
158	6.15(5)	Unlawful Parking on Airport Runway or Grounds	10.00	N/A	N/A	N/A	10.00
159							
160	6.16(4)	Violation of Parking Regulations Courthouse Parking Lots	5/10 after 72 hrs	N/A	N/A	N/A	5/10 after 72 hrs
161							
162	6.16(4)(e)	Defacing, Destroying No Parking Sign	50.00	25.00	11.50	64.00	150.50
163							
164	6.16(8)	Parking on Highway	10.00	N/A	N/A	N/A	10.00
165							
166	6.17(1)	Littering	50.00	25.00	11.50	64.00	150.50
167							
168	6.17(2)	Littering from Motor Vehicle	50.00	25.00	11.50	64.00	150.50
169							
170	6.17(3)	Littering-hazardous Wastes, Tires, Etc.	50.00	25.00	11.50	64.00	150.50
171							
172	6.17(4)	Depositing Contaminated Soils	500.00	25.00	115.00	64.00	704.00
173							
174	6.18(3)(a)	Operation of Unlawful Junkyard	75.00	25.00	17.25	64.00	181.25
175							
176	6.18(3)(b)	Unlawful Storage of Junk (Each Day of Violation Is a Separate Offense)	35.00	25.00	8.05	64.00	132.05
177							
178	6.19	Disorderly Conduct	100.00	25.00	23.00	64.00	212.00
179							
180	6.20	Disorderly Conduct with Injury	200.00	25.00	46.00	64.00	335.00
181							
182	6.21	Disorderly Conduct with a Motor Vehicle	50.00	25.00	11.50	64.00	150.50
183							
184	6.22	Carry Concealed Weapon	200.00	25.00	46.00	64.00	335.00
185							
186	6.23	Animals Running at Large	50.00	25.00	11.50	64.00	150.50
187							
188	6.231	Poisonous Snakes	100.00	25.00	23.00	64.00	212.00
189							
190	6.232(8)	Wolf Hybrid Confinement	100.00	25.00	23.00	64.00	212.00
191							
192	6.232(9)	Releasing Wolf Hybrid	1,000.00	25.00	230.00	64.00	1,319.00
193							
194	6.24(2)	Noise Prohibited	80.00	25.00	18.40	64.00	187.40
195							
196	6.25	Tire Squealing	50.00	25.00	11.50	64.00	150.50
197							
198	6.27	Lewd and Lascivious Behavior	100.00	25.00	23.00	64.00	212.00
199							
200	6.28	Discrimination in Housing	150.00	25.00	34.50	64.00	273.50
201							
202	6.29	Open after Hours	50.00	25.00	11.50	64.00	150.50
203							
204	6.30	Resisting or Obstructing Police Officer	200.00	25.00	46.00	64.00	335.00
205							
206	6.31	Harassment or Assault of Police Dog	100.00	25.00	23.00	64.00	212.00
207							
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224							

225	6.32	Alarm System-False or No Permit	25.00	25.00	5.75	64.00	119.75
226							
227							
228	6.33	Welfare Fraud	50.00	25.00	11.50	64.00	150.50
229							
230	6.34	Contributing to School Truancy	50.00	25.00	11.50	64.00	150.50
231							
232							
233	7.12(14)(e)(1)	Placard	5.00	25.00	1.15	64.00	95.15
234							
235	7.12(17)(2)(a)	Sale or Gift of Cigarettes or Tobacco Products (2nd Offense in 12 Months)	200.00	25.00	46.00	64.00	335.00
236	, (c), (cm),						
237	(d), or (e)						
238							
239	Chs. 8-13	Zoning Regulations (Separate Violation for Each Day)	25.00	25.00	5.75	64.00	119.75
240							
241							
242							
243	14.02(3)(a) or (b)	Violation of Park Closing Hours/dates	15.00	25.00	3.45	64.00	107.45
244							
245							
246	14.03(2)	Solicitation or Peddling in County Parks	25.00	25.00	5.75	64.00	119.75
247							
248							
249	14.03(3)	Operating Business or Concession in County Park	25.00	25.00	5.75	64.00	119.75
250							
251							
252	14.04(1)(a)	Boisterous, Unruly Behavior in County Parks	50.00	25.00	11.50	64.00	150.50
253							
254							
255	14.04(1)(b)	Interference with County Park Employee or Official	50.00	25.00	11.50	64.00	150.50
256							
257							
258	14.04(2)	Disturbing or Removing Property of Others Within County Park	50.00	25.00	11.50	64.00	150.50
259							
260							
261							
262	14.04(3)	Unreasonable, Unnecessary Noise in County Park	50.00	25.00	11.50	64.00	150.50
263							
264							
265	14.05(1)(a)	Destruction or Defacement of Trees or Park Grounds	50.00	25.00	11.50	64.00	150.50
266							
267							
268	14.05(1)(b)	Unlawful Entry to or Operation of Park Premises	50.00	25.00	11.50	64.00	150.50
269							
270							
271	14.05(2)(a)	Washing Cars, Clothing, Property in Lakes, County Parks	25.00	25.00	5.75	64.00	119.75
272							
273							
274							
275	14.05(2)(b)	Cleaning Fish or Game Except at Designated Sites	25.00	25.00	5.75	64.00	119.75
276							
277							
278	14.05(2)(c)	Unlawful Deposit of Refuse in County Park	50.00	25.00	11.50	64.00	150.50
279							
280							
281	14.06(1)(a)	Speeding, Excess, County Park	150.00	25.00	34.50	64.00	273.50
282							
283							
284	14.06(1)(b)	Reckless Driving, County Park	150.00	25.00	34.50	64.00	273.50
285							
286							
287	14.06(1)(c)	Driving Motor Vehicle on Hiking Trails or Other Off-road Areas	100.00	25.00	23.00	64.00	212.00
288							
289							
290							
291	14.06(1)(d)	Operating AT Motorcycle, Minibike, Etc. Off Designated Trails or Paths	50.00	25.00	11.50	64.00	150.50
292							
293							
294							
295	14.07(1)(a)	Setting Fire Outside Fireplaces	50.00	25.00	11.50	64.00	150.50
296							
297							
298	14.07(1)(b)	Leaving Fire Unattended	50.00	25.00	11.50	64.00	150.50
299							
300	14.07(2)	Unlawful Fireworks--parks	150.00	25.00	34.50	64.00	273.50
301							

14.07(3)	Possession of Loaded or Uncaged Firearms in County Park or Unlawful Hunting	150.00	25.00	34.50	64.00	273.50
14.08(1)	Pets in County Park	25.00	25.00	5.75	64.00	119.75
14.08(3)	Unlawful Hunting or Trapping in County Parks	100.00	25.00	23.00	64.00	212.00
14.08(4)	Riding or Leading Horses Other than on Designated Paths	50.00	25.00	11.50	64.00	150.50
14.09(1)	Golfing or Archery Outside Established Courses or Ranges	25.00	25.00	5.75	64.00	119.75
14.09(2)	Swimming, Wading, Bathing Adjacent to County Park or Boat Access	25.00	25.00	5.75	64.00	119.75
14.10(2)(a)	Sleeping or Camping in Park Outside Designated Area	25.00	25.00	5.75	64.00	119.75
14.10(2)(d)	Staying on Campsite after Expiration of Permit	25.00	25.00	5.75	64.00	119.75
14.10(2)(e)	Leaving Campsite Unattended	25.00	25.00	5.75	64.00	119.75
14.10(2)(f)	Moving Campsite Without Authorization	25.00	25.00	5.75	64.00	119.75
14.10(2)(g)	Entry to Campsite Outside Lawful Hours	25.00	25.00	5.75	64.00	119.75
14.10(2)(h)	Unlawful Campsite Parking	3/5 after 72 hrs	N/A	N/A	N/A	3/5 after 72 hrs
14.10(2)(j)	Unlawfully Obtaining Permit	25.00	25.00	5.75	64.00	119.75
14.10(2)(k)	Violating Posted Camp Restrictions	25.00	25.00	5.75	64.00	119.75
14.10(2)(l)	Violating Campground Rules	25.00	25.00	5.75	64.00	119.75
Wis. Stat. § 125.07(1)	Procure, Sell, Give Alcohol Beverages to Underage Person, State Statute, No Prior Offenses w/in 30 Mos.	100.00	25.00	23.00	64.00	212.00

(2) The County Clerk is authorized to revise the schedule of cash deposits and to adjust the amount of the cash deposit to reflect any changes in the Manitowoc County Code and any changes in the assessments, costs, or fees authorized by the Wisconsin Statutes. A copy of the schedule of deposits and any revised schedule of deposits shall be maintained in the office of the County Clerk.

**22.05 Payment and Receipt of Cash Deposits.** Cash deposits made pursuant to this chapter shall be paid to the Clerk of Court for the Manitowoc County Circuit Court. The Clerk of Court shall issue a receipt for all such cash deposits.

**22.06 Issuance.** (1) Citations may be issued by any law enforcement officer.

(2) The following county officials may issue citations with respect to ordinances which are directly related to their official responsibilities:

(a) Health Department Director.

(b) Planning and Park Director.

(c) Soil and Water Conservation Department Director.

374 (d) Zoning Code Administrator.

375  
376 (3) Officials granted the authority to issue citations pursuant to sub. (2) may delegate the authority to  
377 issue citations to employees, provided that the delegation is in writing and a copy of the written delegation  
378 is filed with the County Clerk. Authority delegated to an official or employee shall be revoked in the same  
379 manner by which it is conferred.

380  
381 **22.07 Filing.** The person issuing a citation shall, within five days of issuance, file a copy with the  
382 Clerk of the Court and provide a copy to Corporation Counsel or District Attorney, as appropriate.

383  
384 **22.08 Jurisdiction.** Pursuant to Wis. Stat. § 66.0113(2)(b), issuance of a citation by a person  
385 authorized to do so shall be deemed adequate process to give the appropriate court jurisdiction over the  
386 subject matter of the offense for the purpose of receiving cash deposits, if directed to do so, and for the  
387 purposes of sub. Wis. Stats. §§ 66.0113(3)(b) and (c). Issuance and filing of a citation does not constitute  
388 commencement of an action. Issuance of a citation does not violate Wis. Stat. § 946.68.

389  
390 **22.09 Violator's Options; Procedure on Default. (1)** The person named as the alleged violator in  
391 a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash  
392 deposit in the amount, within the time and to the court, clerk of court, or other official specified in the  
393 citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified  
394 in the citation, but the cash deposit may be retained for application against any forfeiture, restitution, penalty  
395 assessment, jail assessment, crime laboratories and drug law enforcement assessment, consumer information  
396 assessment, domestic abuse assessment, or any other applicable assessment, cost, or fee authorized by the  
397 Wisconsin Statutes, that may be imposed.

398  
399 (2) If a person appears in court in response to a citation, the citation may be used as the initial pleading,  
400 unless the court directs that a formal complaint be made, and the appearance confers personal jurisdiction  
401 over the person. The person may plead guilty, no contest, or not guilty. If the person pleads guilty or no  
402 contest, the court shall accept the plea, enter a judgment of guilty and impose a forfeiture, the penalty  
403 assessment imposed by Wis. Stat. § 757.05, the jail assessment imposed by Wis. Stat. § 302.46(1), the crime  
404 laboratories and drug law enforcement assessment imposed by Wis. Stat. § 165.755, any applicable consumer  
405 information assessment imposed by Wis. Stat. § 100.261, any applicable domestic abuse assessment imposed  
406 by Wis. Stat. § 973.055(1), and any other applicable assessment, cost, or fee authorized by the Wisconsin  
407 Statutes. If the court finds that the violation meets the conditions in Wis. Stat. § 800.093(1), the court may  
408 order restitution under Wis. Stat. § 800.093. A plea of not guilty shall put all matters in the case at issue, and  
409 the matter shall be set for trial.

410  
411 (3) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as  
412 the initial pleading and the violator shall be considered to have tendered a plea of no contest and submitted  
413 to a forfeiture, the penalty assessment imposed by Wis. Stat. § 757.05, the jail assessment imposed by Wis.  
414 Stat. § 302.46(1), the crime laboratories and drug law enforcement assessment imposed by Wis. Stat. §  
415 165.755, any applicable consumer information assessment imposed by Wis. Stat. § 100.261, any applicable  
416 domestic abuse assessment imposed by Wis. Stat. § 973.055(1), and any other applicable assessment, cost,  
417 or fee authorized by the Wisconsin Statutes, not exceeding the amount of the deposit. The court may either  
418 accept the plea of no contest and enter judgment accordingly or reject the plea. If the court finds the violation  
419 meets the conditions in Wis. Stat. § 800.093(1), the court may summon the alleged violator into court to  
420 determine if restitution shall be ordered under Wis. Stat. § 800.093. If the court accepts the plea of no  
421 contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of  
422 no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the  
423 court that the failure to appear was due to mistake, inadvertence, surprise, or excusable neglect. If the plea  
424 of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fee may be taxed  
425 against the violator, but a penalty assessment, a jail assessment, a crime laboratories and drug law  
426 enforcement assessment, if applicable, a consumer information assessment, a domestic abuse assessment, or  
427 any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes shall be assessed. If the  
428 court rejects the plea of no contest, an action for collection of the forfeiture, penalty assessment, jail  
429 assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information  
430 assessment, any applicable domestic abuse assessment, and any other applicable assessment, cost, or fee  
431 authorized by the Wisconsin Statutes may be commenced under Wis. Stat. § 778.10. The citation may be

used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment.

(4) If the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, the court may issue a summons or warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment accordingly if service was completed as provided under sub. (5) or an action for collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment, any applicable domestic abuse assessment, and any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes may be commenced under Wis. Stat. § 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment, any applicable domestic abuse assessment, and any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes. If the court considers the nonappearance to be a plea of no contest and enters judgment accordingly, the court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow the defendant not less than 20 days from the date of the judgment to pay any forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment, any applicable domestic abuse assessment imposed, and any other applicable assessment, cost, or fee authorized by the Wisconsin Statutes. If the defendant moves to open the judgment within 6 months after the court appearance date fixed in the citation, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise, or excusable neglect, the court shall reopen the judgment, accept a not guilty plea, and set a trial date.

(5) A judgment may be entered under sub. (4) if the summons or citation was served as provided under Wis. Stat. § 968.04(3)(b)2. or by personal service by a county employee.

**22.10 Relationship to other laws; nonexclusivity.** (1) The adoption of this chapter and the authorization and use of a citation under this chapter does not preclude the adoption of any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter.

(2) The issuance of a citation under this chapter does not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter does not preclude the issuance of a citation under this chapter.

Effective Date: This ordinance shall be effective upon publication.

Dated this 19th day of June 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Supervisor Markwardt moved, seconded by Supervisor Brey, to enact Ordinance 2 (2001/2002-35) Amending MCC Ch. 2 Pertaining to Disposition of Surplus and Abandoned Property. Upon vote, the motion carried unanimously.

No. 2000/2001 - 35

## **ORDINANCE AMENDING MCC CH. 2 PERTAINING TO DISPOSITION OF SURPLUS AND ABANDONED PROPERTY**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the Manitowoc County Code contains provisions for the disposition of surplus county property and for the disposition of abandoned property that comes into the County's possession; and

3 WHEREAS, the Public Works Department and the Sheriff's Department have indicated that the present  
4 provisions in the Manitowoc County Code do not provide adequate options for the effective and efficient  
5 disposition of surplus or abandoned personal property; and  
6

7 WHEREAS, the Corporation Counsel has reviewed the present Manitowoc County Code provisions  
8 and the Wisconsin Statutes and recommends that the Manitowoc County Code be revised to address the  
9 concerns of the Public Works and Sheriff's Departments; and  
10

11 WHEREAS, the Executive Committee has reviewed the proposed changes and recommends that the  
12 Manitowoc County Code be so amended:  
13

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

17 Manitowoc County Code § 2.03(3) is hereby amended as follows:  
18

19 (3) Surplus county property, not donated and required to be held for a special purpose, which cannot  
20 be allocated to another County Department under ~~paragraph sub. (2) above~~, may be sold. The Public Works  
21 Committee shall from time to time direct the County Clerk to advertise such property for sale at public  
22 auction or by sealed bid, by inserting at least one advertisement of such sale in the official County newspaper  
23 giving the time, date, ~~and place, and manner~~ of such sale; ~~or the times and location at which such property~~  
24 ~~can be viewed; and the deadline for submission of bids.~~ The property so advertised may then be sold by the  
25 Public Works Department to the highest bidder therefor, by lot or individually, whichever manner of sale is  
26 deemed to be in the best interest of the County. The net proceeds of any such sale shall be turned over to the  
27 county treasurer and credited to the appropriate fund as determined by the comptroller/auditor in accordance  
28 with generally accepted accounting principles. Obsolete, unserviceable, or unsalable surplus property may  
29 be discarded or otherwise disposed of as directed by ~~at the direction of~~ the Public Works Committee.  
30

31 Manitowoc County Code § 2.03(4) is hereby repealed.  
32

33 Manitowoc County Code § 2.035 is hereby created to read as follows:  
34

35 2.035 Abandoned Personal Property. (1) Authority. This section is enacted pursuant to authority  
36 granted under Wis. Stat. § 66.28.  
37

38 (2) Disposal of Personal Property. The Public Works Department shall act as the manager of  
39 abandoned or unclaimed personal property. Manitowoc County may, by any means determined to be in the  
40 best interest of the county, dispose of any personal property other than cash that has been abandoned or  
41 remains unclaimed for a period of 30 days after the county has taken possession of the property. The Public  
42 Works Committee may authorize the disposal of such property by any of the following means: sale at public  
43 auction; sale through an auction service; acceptance of an offer to purchase in response to a request for  
44 competitive bids or proposals; private sale; donation to a county agency, board, commission, department, or  
45 office; donation or sale to a city, town, or village located within Manitowoc County; donation to a charitable  
46 organization; or destruction of the property where appropriate. If the disposal is in the form of a sale, all  
47 receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale,  
48 shall be paid into the county treasury. If the property is not disposed of in a sale open to the public, the Public  
49 Works Department shall maintain an inventory of such property; a record of the date and method of disposal,  
50 including the consideration received for the property, if any, and the name and address of the person taking  
51 possession of the property. Such inventory shall be kept as a public record for a period of not less than 2  
52 years from the date of disposal of the property.  
53

54 (3) Disposal of cash. (a) Except as provided in sub. (b), personal property consisting of cash which  
55 has been abandoned or which remains unclaimed for a period of 30 days after the county takes possession  
56 of the property shall be turned over to the county treasurer and credited to the miscellaneous general revenues  
57 account general fund. If the property appears to be or is reported stolen, the county shall attempt to return  
58 it to the rightful owner  
59

60 (b) Abandoned or unclaimed personal property consisting of cash which was seized by a county-wide



multi-jurisdictional task force during an investigation or arrest relating to illegal gambling or the purchase and sale of controlled substances or which has been found to be contraband in a judicial proceeding shall be turned over to the county treasurer and placed in the sheriff's department contraband account to be used for the multi-jurisdictional task force.

(4) Disposal of abandoned or unclaimed flammable, explosive, or incendiary substances, materials, or devices. Any county officer may safely dispose of abandoned or unclaimed flammable, explosive, or incendiary substances, materials, or devices posing a danger to life of property in their storage, transportation, or use immediately after taking possession of the substances, materials or devices without a public auction. If the substance, material, or device appears to be or is reported stolen, the county officer shall attempt to return it to the rightful owner if it has a commercial value in the normal course of business usage and does not pose an immediate threat to life of property.

(5) Abandoned, unclaimed, or seized weapons or ammunition. The county shall retain or dispose of any abandoned, unclaimed, or seized dangerous weapon or ammunition under Wis. Stat. § 968.20.

Effective Date: This ordinance shall be effective upon publication.

Dated this 19th day of June 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Geimer, to adopt Resolution 3 (2001/2002- 36) Authorizing Litigation Settlement. Upon vote, the motion carried unanimously.

No. 2001/2002 - 36

## **RESOLUTION AUTHORIZING LITIGATION SETTLEMENT**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the City of Manitowoc ("City") placed special assessments against property owned by Wisconsin Central, Ltd. ("Wisconsin Central") in connection with the paving of Clay Pit Road; and

WHEREAS, Manitowoc County paid the special assessments to the City, but Wisconsin Central failed to pay the special assessments to the County in a timely manner; and

WHEREAS, Manitowoc County brought an action in rem to foreclose on the property owned by Wisconsin Central as a result of the delinquent special assessments; and

WHEREAS, Wisconsin Central paid the outstanding special assessments with interest and under protest, asserted certain legal defenses against the foreclosure action, and brought certain claims against the City; and

WHEREAS, Wisconsin Central, the City, and the County have engaged in voluntary mediation in an effort to resolve the on-going litigation and have agreed in principal to a settlement in which the City will pay Wisconsin Central the sum of \$35,000 and the County will pay Wisconsin Central the sum of \$5,000; and

WHEREAS, \$5,000 represents a fair approximation of the benefit gained by the County from having received and had the use of the money Wisconsin Central paid for the special assessments under protest; and

WHEREAS, the Finance Committee, Treasurer, and Corporation Counsel have reviewed the proposed settlement and recommend that the Board of Supervisors approve the settlement;

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it

authorizes the payment of the sum of \$5,000 to Wisconsin Central, Ltd. in full and final settlement of any and all claims in connection with *In Rem 1998, Parcel No. 29* and *Wisconsin Central Ltd. v. City of Manitowoc*, Case No. 98-CV-0220 (Manitowoc County Cir. Ct.), contingent upon the City and Wisconsin Central also entering into the settlement as described herein; and

BE IT FURTHER RESOLVED that the Corporation Counsel is directed to prepare and execute such papers on behalf of Manitowoc County as may be necessary to effect the foregoing settlement.

Dated this 19th day of June 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Transfers from the Contingency Fund \$5,000 to the Treasurer's Other Expense Account for payment of Settlement.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 4 (2001/2002-37) Authorizing the Issuance and Sale of \$5,000,000 Bond Anticipation Notes. Upon vote, the motion carried unanimously.

No. 2001/2002 - 37

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE  
OF \$5,000,000 BOND ANTICIPATION NOTES**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the Manitowoc County Board of Supervisors adopted an initial resolution (the "Initial Resolution") on April 17, 2001, authorizing the issuance of general obligation bonds (the "Securities") in an amount not to exceed \$13,500,000 for the public purpose of financing the design and construction of a Health Care Center Facility (the "Project"); and

WHEREAS, the Securities have not yet been issued and sold; and

WHEREAS, it is now necessary and desirable to anticipate the issuance of the Securities and to provide interim financing for the Project by the issuance and sale of bond anticipation notes in the principal amount of \$5,000,000 pursuant to Wis. Stat. § 67.12(1)(b);

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that:

Section 1. Sale of Notes. Manitowoc County, Wisconsin (the "County"), shall sell and deliver its \$5,000,000 Bond Anticipation Notes (the "Notes"), issued for the purpose above stated, to Bank One, Wisconsin, for the purchase price of \$5,000,000.

Section 2. The Notes. The County Board Chair and County Clerk shall make, execute, and deliver the Notes to said purchaser for and on behalf of the County. The Notes shall be registered as to both principal and interest in the denomination of Five Thousand Dollars (\$5,000) each, or whole multiples thereof, numbered from R-1 upward and dated June 29, 2001. The Notes shall mature on June 29, 2002 and shall bear interest at the rate of 3.37% per annum. Said interest shall be payable at maturity or upon earlier redemption.

The Notes shall be subject to call and prior payment at the option of the County in whole or from time to time in part by lot on December 27, 2001 or on any date thereafter at the price of par plus accrued interest.

Section 3. Form of Notes. The Notes shall be in substantially the form set forth on Exhibit A attached hereto.

Section 4. Security. The Notes shall in no event be a general obligation of the County and no lien shall be created upon any property of the County as a result of the issuance of the Notes. The County hereby

pledges to the payment of the Notes (a) proceeds of the Notes or other funds appropriated by the County for payment of interest on the Notes and (b) the proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund to be held by the County Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid. The County agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, the County will pay such deficiency out of the tax levy or other available funds of the County; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and applicable levy limitations, if any; and, provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the County to make any such appropriation or any further payment.

Section 5. Debt Service Fund. (a) Creation and Deposits. There be and there hereby is established in the treasury of the County a separate and distinct fund designated as the "Debt Service Fund for \$5,000,000 Bond Anticipation Notes dated June 29, 2001" ("Debt Service Fund"), and said Fund shall be maintained until the obligation evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any proceeds of the Notes representing capitalized interest on the Notes or other funds appropriated by the County for payment of interest on the Notes, as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities, to the extent necessary to pay principal of or interest on the Notes; (iv) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the County Board of Supervisors for that purpose; and (v) surplus monies in the Borrowed Money Fund as specified in Section 7 hereof.

(b) Use and Investment. No money shall be withdrawn from the Debt Service Fund and appropriated for any purposes other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and canceled; provided that such monies may be invested in permissible municipal investments under Wis. Stat. § 66.0603(1m), which investments shall continue as a part of the Debt Service Fund.

(c) Remaining Monies. When all of the Notes have been paid in full and canceled and all permitted investments disposed of, any money remaining in the Debt Service Fund shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Covenants of County. The County hereby covenants with the owners of the Notes that:

(a) It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Notes.

(b) It shall segregate the proceeds derived from the sale of the Securities into the trust fund herein created and shall permit the trust fund to be used for no purpose other than the payment of the principal of and interest on the Notes, until paid. After the payment of principal of and interest on the Notes in full, said trust fund may be used for such other purposes as the County Board of Supervisors may direct in accordance with law and the resolution authorizing the Securities.

(c) It has and will maintain sufficient debt issuance capacity to permit the issuance of the Securities in an amount sufficient to pay the Notes.

Section 7. Proceeds of the Notes. All monies received by the County upon the delivery of the Notes to the purchaser thereof, except for accrued interest, if any, shall be deposited by the County Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purpose for which the Notes are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Wis. Stat. § 66.0603(1m). Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purpose for which the Notes have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose, shall be deposited in the Debt Service Fund.

90 Section 8. No Arbitrage. All investments permitted by this Resolution shall be legal investments, but  
91 no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within  
92 the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") or the  
93 Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the  
94 County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates,  
95 circumstances, and reasonable expectations in existence on the date of closing which will permit the  
96 conclusion that the Notes are not "arbitrage bonds" within the meaning of said Code or Regulations.

97  
98 Section 9. Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the  
99 registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall  
100 be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or of  
101 interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and  
102 effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

103  
104 Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of  
105 the County Clerk, duly endorsed for transfer or accompanied by an assignment duly executed by the  
106 registered owner or his or her attorney duly authorized in writing. Upon such transfer, the County Board  
107 Chair and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or  
108 Notes of a like aggregate principal amount, series, and maturity, and the County Clerk shall record the name  
109 of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall  
110 cancel any Note surrendered for transfer.

111  
112 The County shall cooperate in any such transfer, and the County Board Chair and County Clerk are  
113 authorized to execute any new Note or Notes necessary to effect any such transfer.

114  
115 The fifteenth calendar day preceding any interest payment date shall be the record dates for the Notes.  
116 Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the  
117 Notes as they appear on the registration book of the County at the close of business on the corresponding  
118 record date.

119  
120 Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the  
121 projects financed by the Notes and their ownership, management, and use will not cause the Notes to be  
122 "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that  
123 it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of  
124 the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The  
125 County further covenants that it will not take any action, omit to take any action, or permit the taking or  
126 omission of any action within its control (including, without limitation, making or permitting any use of the  
127 proceeds of the Notes) if taking, permitting, or omitting to take such action would cause any of the Notes to  
128 be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause  
129 interest on the Notes to be included in the gross income of the recipients thereof for federal income tax  
130 purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the  
131 Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting  
132 that it will comply with the provisions of the Code and Regulations.

133  
134 (b) The County also covenants to use its best efforts to meet the requirements and restrictions of any  
135 different or additional federal legislation which may be made applicable to the Notes provided that in meeting  
136 such requirements the County will do so only to the extent consistent with the proceedings authorizing the  
137 Notes and the laws of Wisconsin, and to the extent that there is a reasonable period of time in which to  
138 comply.

139  
140 Section 11. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as  
141 "qualified tax-exempt obligations" for purposes of Section 265 of the Internal Revenue Code of 1986, as  
142 amended, relating to the ability of financial institutions to deduct interest expense that is allocable to carrying  
143 and acquiring tax-exempt obligations from income for federal income tax purposes.

144  
145 Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make  
146 the Notes eligible for the services provided by The Depository Trust Company, New York, New York, the  
147 County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously

executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the original purchaser(s) of the Notes on behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate setting forth the details and terms of the County's Undertaking for inclusion in the transcript of proceedings.

Section 14. Records. The County Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Notes.

Section 15. Closing; Manner of Executing Notes. The County Board Chair and County Clerk are hereby authorized and directed to execute and deliver the Notes to the purchaser thereof upon receipt of the borrowed funds, and accrued interest to date of delivery, if any. The County Board Chair and County Clerk may execute the Notes by manual or facsimile signature, but at least one of said officers shall sign the Notes manually.

The officers of the County hereby are directed and authorized to take all steps necessary or convenient to close this issue as soon as practicable hereafter, in accordance with the terms of sale thereof; and said officers are hereby authorized and directed to execute and deliver such documents, certificates, and acknowledgments as may be necessary or convenient in accordance therewith.

Dated this 19th day of June 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: \$5,000,000 principal payment will be financed by issuance of general obligation bonds in a like or greater amount depending on construction requirements. \$168,500 interest payment, if left to maturity, would be included in the 2002 budget.

Human Services Board: Supervisor Graunke moved, seconded by Supervisor Behnke, to adopt Resolution 5 (2001/2002-38) Requesting that W-2 Funding to Counties not be Cut in the 2001-2002 State Biannual Budget. Upon vote, the motion carried unanimously.

No. 2001/2002 - 38

**RESOLUTION REQUESTING THAT W-2 FUNDING TO COUNTIES  
NOT BE CUT IN THE 2001-2002 STATE BIENNIAL BUDGET**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the State of Wisconsin created the Wisconsin Works Program ("W-2") to reform welfare and make the receipt of public assistance based upon work; and

WHEREAS, the State of Wisconsin led the nation in welfare reform initiatives using federal dollars from the Temporary Assistance For Needy Families ("TANF") Program and is considered as a pioneer in

1 this area; and

2  
3 WHEREAS, Manitowoc County has done an outstanding job of administering W-2 for the State of  
4 Wisconsin since the program's inception, as evidenced by its passing a rigorous audit conducted by the  
5 Wisconsin Legislative Audit Bureau in April 2001 with flying colors; and

6  
7 WHEREAS, Manitowoc County suffered the single largest cut in state funding of any county or private  
8 provider of W-2 services for the current biennium; and

9  
10 WHEREAS, the Joint Finance Committee has proposed further reducing W-2 administrative funds and  
11 eliminating the use of Community Reinvestment Program funds that had been previously promised to W-2  
12 Program operators for the next biennium; and

13  
14 WHEREAS, Manitowoc County is suffering significant job losses and is under severe stress with  
15 service needs growing on a daily basis due to the softening economy; and,

16  
17 WHEREAS, the excellent direct services presently provided to residents through the W-2 program at  
18 the Manitowoc County Job Center would be severely hurt by a cut in funding;

19  
20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
21 requests that W-2 funding not be reduced further in the next biennium and that federal TANF dollars be used  
22 to adequately support services at the local level and not be syphoned off by the State of Wisconsin for other  
23 purposes; and

24  
25 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
26 resolution to the Governor of the State of Wisconsin, Department of Administration Secretary George  
27 Lightborn, Department of Workforce Development Secretary Jennifer Reinert, each legislator in the  
28 Wisconsin Senate and Assembly who represents constituents from Manitowoc County, the Wisconsin County  
29 Human Service Association, and the Wisconsin Counties Association.

Dated this 19th day of June 2001.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: None.

Supervisor Graunke moved, seconded by Supervisor Swade, to adopt Resolution 6 (2001/200-39) Supporting Youth Aids Proposal. Upon vote, the motion carried unanimously.

No. 2001/2002 - 39

## **RESOLUTION SUPPORTING YOUTH AIDS PROPOSAL**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Youth Aids funding was created in 1982 to provide each county with an annual allocation  
2 of state funds from which the county would pay for juvenile justice related costs; and

3  
4 WHEREAS, counties received approximately \$86.5 million in Youth Aids funding in 2000, while total  
5 county juvenile justice costs exceeded \$207 million annually; and

6  
7 WHEREAS, the Legislative Audit Bureau's 1999 Youth Aids Audit highlighted the dramatic increase  
8 in out-of-home placement and juvenile justice costs; and

9  
10 WHEREAS, the Legislative Audit Bureau indicates that county costs for juvenile justice out-of-home  
11 placement dispositions increased from \$89 million to \$129.5 million, or by 45.5%, from 1992 to 1997; and

13 WHEREAS, juvenile justice costs in Manitowoc County for calendar year 1999 were \$2,916,414 and  
14 out-of-home placement costs were \$1,478,698, while the Youth Aids allocation was only \$669,864; and,  
15

16 WHEREAS, Manitowoc County continues to receive less Youth Aids funding per capita from the State  
17 of Wisconsin than comparable counties; and,  
18

19 WHEREAS, rising costs associated with out-of-home placement expenditures and inadequate state  
20 funding means that limited dollars are available for earlier community-based intervention services; and,  
21

22 WHEREAS, research has shown that community-based programs, compared to institutional care, more  
23 effectively:  
24

- 25 1. provide long-term community safety through the reduction of recidivism by engaging juveniles  
26 in constructive and meaningful community-based activities;  
27
- 28 2. ensure that juvenile offenders are held accountable through active participation in activities to  
29 restore the harm caused by crime and to pay back the community;  
30
- 31 3. enhance the skills of youthful offenders to engage in sustaining employment;  
32
- 33 4. re-engage the offender with appropriate peers and adults to provide long-term reinforcement for  
34 involvement in responsible activities; and  
35
- 36 5. build upon the strengths of community members and reinforce the community's key role in  
37 crime prevention;  
38

39 and

40 WHEREAS, counties have long argued that community-based program funding is needed to stop the  
41 tide of juveniles graduating to the adult criminal justice system; and  
42

43 WHEREAS, the Wisconsin County Human Service Association has developed the following proposal:  
44

- 45 F. that the State fund 20% of a county's annual out-of-home placement costs out of GPR;  
46
- 47 G. that the county reinvest that 20% into community-based juvenile justice programs; and  
48
- 49 H. that the county evaluate and document the success or failure of those programs;  
50

51 and

52  
53 WHEREAS, this proposal would allow Manitowoc County to address unmet prevention needs and  
54 create new and innovative prevention and early intervention programs not currently available to Manitowoc  
55 County residents.  
56

57 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
58 the Wisconsin County Human Service Association's proposal; and  
59

60 BE IT FURTHER RESOLVED that Manitowoc County give priority to innovative programs  
61 addressing prevention and early intervention needs that are currently unmet; and  
62

63 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
64 resolution to the Governor of the State of Wisconsin, Department of Administration Secretary George  
65 Lightborn, Department of Corrections Secretary Jon Litscher, each legislator in the Wisconsin Senate and  
66 Assembly who represents constituents from Manitowoc County, the Wisconsin County Human Service  
67 Association, and the Wisconsin Counties Association.

Dated this 19th day of June 2001.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: None.

Supervisor Graunke reported that today was the annual Foster Care picnic. On behalf of the Human Services Board, she thanked all the businesses and homes for their support of the Foster Care Program.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck introduced Jessica Wanserski, the new Community Resource Development Agent, who started June 1<sup>st</sup>. She also stated that Rene Mellberg is the new Interim 4-H & Youth Development Agent.

Jessica Wanserski stated she is interested in hearing and helping supervisors with issues they have on their mind. She looks forward to working with everyone.

Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 7 (2001/2002-40) Approving Amendments to Commission on Aging By-Laws. Upon vote, the motion carried unanimously.

No. 2001/2002 - 40

**RESOLUTION APPROVING AMENDMENTS  
TO COMMISSION ON AGING BY-LAWS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the by-laws of the Manitowoc County Commission on Aging require that any amendment  
2 to those by-laws is subject to confirmation by the Manitowoc County Board of Supervisors; and  
3

4 WHEREAS, the Commission on Aging has proposed certain amendments to the by-laws so that they  
5 more closely reflect the changing needs of the department and elderly persons of Manitowoc; and  
6

7 NOW, THEREFORE, BE IT RESOLVED that the attached amendments to the by-laws of the  
8 Commission on Aging are hereby approved.

Dated this 19th day of June 2001.

Respectfully submitted by the Natural Resource and Education Committee.

FISCAL IMPACT: None.

**Proposed Amendments To  
Commission on Aging By-Laws**

**Article IV-B is amended to read as follows:**

The Commission shall consist of thirteen (13) persons. At least 51% of its members shall be senior citizens 60 years of age or over, ~~and at least one member shall be under the age of 30.~~ No more than two members shall be elected County officials.

**Article VI-A is amended to read as follows:**

The Commission will meet the second Tuesday of every month ~~in the County Office Building at 1701 Michigan Avenue, Manitowoc, WI~~ at the Manitowoc County Aging Resource Center office.

**Article VI-B is amended to read as follows:**

Written notice, stating the place, date, hour and purpose of the meeting shall be delivered to each member and publicly advertised not less than ~~10~~ 4 days before the date of such meeting.



**Article VII-B is amended to read as follows:**

The Commission shall ~~recomment~~recommend to its member of the board of the Area Agency on Aging its selection of priorities and services.

Supervisor Kohlbeck moved, seconded by Supervisor Muench, to adopt Resolution 7A (2001/2002-41) Adopting Bidder's Proof of Responsibility Questionnaire (Silver Lake Diversion Project). Upon vote, the motion carried unanimously.

No. 2001/2002 - 41

**RESOLUTION ADOPTING BIDDER'S PROOF OF RESPONSIBILITY QUESTIONNAIRE  
(SILVER CREEK DIVERSION PROJECT)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County has received a number of grants to perform a project for the  
2 diversion of Silver Creek from Silver Lake which involves state of the art technology; and  
3

4 WHEREAS, Manitowoc County has consulted with Foth & Van Dyke to provide general  
5 administrative and resident engineering services for the project and Foth & Van Dyke has recommended that  
6 Manitowoc County secure a bidder's proof of responsibility for the project; and  
7

8 WHEREAS, Wis. Stat. § 66.0901 requires that a municipality requiring a bidder's proof of  
9 responsibility must be submitted on a standard form of a questionnaire that is adopted and furnished by the  
10 municipality; and  
11

12 WHEREAS, the Land Conservation Committee recommends that the County Board adopt the Bidder's  
13 Proof of Responsibility Form, a copy of which is attached to this resolution, for the Silver Creek Diversion  
14 Project;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
17 the attached Bidder's Proof of Responsibility form for use for the Silver Creek Diversion Project.

Dated this 19th day of June 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None.

In recognition of June dairy month, Supervisor Kohlbeck introduced Lee and Barb Engelbrecht from the Dairy Promotion Committee, Bethany Duchow - the Dairy Princess, and Scott Gunderson-the Dairy Agent.

Legislative Study Committee: Supervisor Dobbs moved, seconded by Supervisor Henrickson, to adopt Resolution 8 (2001/2002-42) Supporting Assembly Bill 274. Upon vote, the motion carried unanimously.

No. 2001/2002 - 42

**RESOLUTION SUPPORTING ASSEMBLY BILL 274**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County owns and operates a 199 bed nursing facility; and  
2

3 WHEREAS, Manitowoc County has agreed to downsize its facility to 150 beds as required in a letter  
4 of agreement between the State Department of Health and Family Services, State Department of

Administration, and the Nursing Home Industry in exchange for Manitowoc County's operating Medicaid deficit to be fully reimbursed through 2003; and

WHEREAS, the above mentioned agreement requires that an on-going trust fund be created for future Nursing Home formula needs; and

WHEREAS, 2001 Assembly Bill 274 addresses the need to set up the trust fund as well as change the current limits of IGT money paid to nursing homes; and

WHEREAS, Senator Robert L. Cowles has proposed Senate Amendment 2 To 2001 Assembly Bill 274 to create a Medical Assistance Trust Fund; and

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports Assembly Bill 274 and Senate Amendment 2 and strongly urges State Legislators to do the same; and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc County and the Wisconsin Counties Association.

Dated this 19th day of June 2001.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: None.

Supervisor Dobbs moved, seconded by Supervisor Henrickson, to adopt Resolution 9 (2001/2002-43) Opposing 2001 Assembly bill 91 Classifying "county jailers" as "protective occupation participants" in the WI Retirement System.

Mark Christianson and Chris Kohlbeck, Sheriff's Department employees, stated they have worked for the county for 6 and 7 years respectively and they would not like to see themselves working at the age of 65. While working at the Sheriff's Department, they need to protect each other and inmates from themselves and feel at 65 this may be difficult to do.

Upon discussion and vote, the motion carried with 16 ayes and 9 noes. Supervisors Dobbs, Vogt, Lambert, Borremans, Graunke, Brey, Geimer, Wagner, & Strauss voted no; all other supervisors voted aye.

No. 2001/2002 - 43

#### **RESOLUTION OPPOSING 2001 ASSEMBLY BILL 91**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the Manitowoc County Sheriff's Department employs thirty-two full-time and five part-time corrections officers; and

WHEREAS, 2001 Assembly Bill 91 would classify "county jailers" as "protective occupation participants" in the Wisconsin Retirement System the same as those current protective occupation participants whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning; and

WHEREAS, 2001 Assembly Bill 91 would impose an unfunded state mandate on Manitowoc County and on counties throughout the state at a time when the state has placed restrictions on county budget increases; and

WHEREAS, the degree of danger or peril faced by county jailers in dealing with inmates differs from

1 that faced by police officers, fire fighters, deputy sheriffs, and others currently classified as protective  
2 occupation participants in the Wisconsin Retirement System;

3  
4 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes  
5 the enactment of 2001 Assembly Bill 91 and strongly urges State Legislators and other counties to do the  
6 same; and

7  
8 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
9 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
10 the Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents  
11 from Manitowoc County and the Wisconsin Counties Association.

Dated this 19th day of June 2001.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: Mailing costs.

Supervisor Dobbs asked supervisors to notify him of issues and concerns they would like his committee to review and urged them to attend upcoming meetings.

Personnel Committee: Supervisor Vogt reported they are working on a comprehensive travel policy for the county. All supervisors are asked to review the proposed policy. The Personnel Department is also reviewing a number of other policies before the elected county executive takes office. He also stated that health insurance will be an expensive item for 2002. They are looking at fully insured and self insured programs.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt Resolution 10 (2001/2002-44) Accepting Planning & Park Commission Report and Denying Zoning Amendment Petition for Donald Kapinos. Upon vote, the motion carried unanimously.

No. 2001/2002 - 44

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND PARK  
COMMISSION REPORT AND DENYING ZONING AMENDMENT  
PETITION IN THE MATTER OF DONALD KAPINOS**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a petition was submitted by Donald Kapinos on May 16, 2000, to rezone an  
2 approximately 9.64 acre parcel of land located in the NW 1/4, SE 1/4, Section 7, T21N-R22E, Town of  
3 Cooperstown, from A3 Agriculture to A2 Agriculture; and

4  
5 WHEREAS, the petition was referred to the Manitowoc County Planning and Park Commission for  
6 a recommendation and report; and

7  
8 WHEREAS, a public hearing was held on June 26, 2000, at 7:00 p.m. at the Manitowoc County Office  
9 Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice at which time the request was tabled  
10 until the May 29, 2001 meeting; and

11  
12 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
13 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
14 petition be denied for the reasons stated in the report attached to this resolution;

15  
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
17 the report of the Manitowoc County Planning and Park Commission denying the attached petition for  
18 amendment submitted by Donald Kapinos.

Dated this 19th day of June 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT:       None.

Supervisor Skubal moved, seconded by Supervisor Muench, to adopt Resolution 11 (2001/2002-45) Accepting Planning & Park Commission Report and Denying Zoning Amendment Petition for William Kolarik. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 45

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
REPORT AND DENYING ZONING AMENDMENT PETITION IN THE MATTER OF  
WILLIAM KOLARIK**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1       WHEREAS, a petition was submitted by William Kolarik on May 17, 2000, to rezone an  
2 approximately 7.23 acre parcel of land located in the SW 1/4, NW 1/4, Section 5, T21N-R22E, Town of  
3 Cooperstown, from A3 Agriculture to A2 Agriculture; and  
4

5       WHEREAS, the petition was referred to the Manitowoc County Planning and Park Commission for  
6 a recommendation and report; and  
7

8       WHEREAS, a public hearing was held on June 26, 2000, at 7:00 p.m. at the Manitowoc County Office  
9 Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice at which time the request was tabled  
10 until the May 29, 2001 meeting; and  
11

12       WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
13 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
14 petition be denied for the reasons stated in the report attached to this resolution;  
15

16       NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
17 the report of the Manitowoc County Planning and Park Commission denying the attached petition for  
18 amendment submitted by William Kolarik.

Dated this 19th day of June 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT:       None.

Supervisor Skubal moved, seconded by Supervisor Borremans to enact Ordinance 12(2001/2002-46) Amending the Zoning Map for John Ziegler, Ordinance 13 (2001/2002-47) Amending the Zoning Map for Roger Borgwardt, Ordinance 14 (2001/2002-48) Amending Zoning Map for Veterinary Associates LLC, and Ordinance 15 (2001/2002-49) Amending the Zoning Map for Tim Thor. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(John Ziegler)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Tuesday, May 29, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW 1/4, SE 1/4, Section 34, T17N-R22E, Town of Meeme,  
12 commencing at the center of said Section 34 which is the point of real beginning; thence  
13 southerly approximately 900 feet; thence easterly approximately 600 feet; thence northwesterly  
14 approximately 300 feet; thence northerly approximately 700 feet; thence westerly approximately  
15 400 feet to the point of real beginning, said parcel containing approximately 9.50 acres of land,  
16 shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
17

18 EFFECTIVE DATE: June 19, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Roger, William, and Todd Borgwardt)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Tuesday, May 29, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW 1/4, SW 1/4, Section 26, T18N-R22E, Town of Liberty,  
12 commencing at the SW Corner of said Section 26; thence northerly approximately 100 feet;  
13 thence easterly approximately 33 feet to the east r/w of Borgwardt Road which is the point of  
14 real beginning; thence continue easterly approximately 250 feet; thence northerly approximately  
15 250 feet; thence westerly approximately 250 feet; thence southerly approximately 250 feet to  
16 the point of real beginning, said parcel containing approximately 1.44 acres of land, shall be and  
17 is hereby rezoned from A3 Agriculture to A1 Agriculture.

18 EFFECTIVE DATE: June 19, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 48

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Veterinary Associates LLC)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Tuesday, May 29, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE 1/4, SE 1/4, Section 34, T20N-R21E, Town of Maple Grove,  
12 commencing at the E 1/4 Corner of said Section 34; thence southerly along the centerline of  
13 CTH W approximately 450 feet; thence westerly approximately 60 feet which is the point of real  
14 beginning; thence southwesterly approximately 144 feet; thence southerly approximately 286  
15 feet to the north r/w of USH 10; thence northeasterly along the north r/w of USH 10  
16 approximately 170 feet; thence northerly approximately 222 feet to the point of real beginning,  
17 said parcel containing approximately .82 acres of land, shall be and is hereby rezoned from A3  
18 Agriculture to A1 Agriculture.  
19

20 EFFECTIVE DATE: June 19, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 49

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Tim Thor)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Tuesday, May 29, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:

A parcel of land located in the NW 1/4, NE 1/4, Section 9, T19N-R21E, Town of Rockland, commencing at the N 1/4 Corner of said Section 9; thence easterly along the centerline of Goodwin Road approximately 325 feet; thence southerly approximately 335 feet which is the point of real beginning; thence continue southerly approximately 85 feet; thence westerly approximately 259 feet; thence northerly approximately 85 feet; thence easterly approximately 259 feet to the point of real beginning, said parcel containing approximately .50 acres of land, shall be and is hereby rezoned from A2 Agriculture to I1 Industrial.

EFFECTIVE DATE: June 19, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 16 (2001/2002-50) Creating Ch. 21 Pertaining to Non-metallic Mining Operations. Upon vote, the motion carried unanimously.

No. 2001/2002 - 50

**AN ORDINANCE CREATING MCC CHAPTER 21  
PERTAINING TO NONMETALLIC MINING OPERATIONS  
IN MANITOWOC COUNTY**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, Chapter 295 of the Wisconsin Statutes requires that all counties adopt an ordinance that establishes a reclamation program capable of ensuring compliance with the uniform state reclamation standards contained in the Statutes;

NOW THEREFORE, the Board of Supervisors of the County of Manitowoc, Wisconsin does ordain that Chapter 21 of the Manitowoc County Code be and is hereby created as follows:

**CHAPTER 21  
NONMETALLIC MINING OPERATIONS**

**PART I – GENERAL**

- 21.01 Purpose
- 21.02 Statutory Authority
- 21.03 Restrictions Adopted Under Other Authority
- 21.04 Interpretation
- 21.05 Severability
- 21.06 Applicability
- 21.07 Exemptions
- 21.08 Definitions
- 21.09 Administration
- 21.10 Effective Date

**PART II – STANDARDS**

- 21.11 Standards
- 21.12 General Standards
- 21.13 Surface Water and Wetlands
- 21.14 Ground Water Protection
- 21.15 Topsoil Management
- 21.16 Final Grading and Slopes

- 21.17 Topsoil Redistribution for Reclamation
- 21.18 Revegetation and Site Stabilization
- 21.19 Assessing Completion of Successful Reclamation
- 21.20 Maintenance

### PART III – PERMITTING

- 21.21 Nonmetallic Mining Reclamation Permit Application
- 21.22 Existing Mines
- 21.23 New Mines
- 21.24 Reclamation Plan
- 21.25 Financial Assurance
- 21.26 Public Notice and Right of Hearing
- 21.27 Nonmetallic Mining Reclamation Permit
- 21.28 Permit Denial
- 21.29 Alternative Requirements
- 21.30 Permit Duration
- 21.31 Permit Transfer
- 21.32 Previously Permitted Sites

### PART IV – ADMINISTRATION

- 21.33 Permit Modification
- 21.34 Permit Suspension and Revocation
- 21.35 Review
- 21.36 Annual Operator Reporting
- 21.37 Review Fees
- 21.38 Annual Fees
- 21.39 Regulatory Reporting and Documentation
- 21.40 Reporting, Certification, and Effect of Reclamation
- 21.41 Permit Termination

### PART V – ENFORCEMENT

- 21.42 Violations
- 21.43 Right of Entry and Inspection
- 21.44 Orders
- 21.45 Special Orders
- 21.46 Review of Orders
- 21.47 Citations
- 21.48 Enforcement
- 21.49 Penalties

### PART I – GENERAL

**21.01 Purpose.** The purpose of this chapter is to establish a local program to ensure effective reclamation of nonmetallic mining sites in Manitowoc County on which nonmetallic mining takes place in Manitowoc County and to adopt and implement the uniform statewide standards for nonmetallic mining reclamation required by Wis. Stat. § 295.12(1)(a) and contained in Wis. Admin. Code Ch. NR 135.

**21.02 Statutory Authority.** This chapter is adopted under authority of Wis. Stat. §§ 59.51 and 295.13(1) and Wis. Admin. Code § NR 135.32.

**21.03 Restrictions Adopted Under Other Authority.** This chapter is not intended to abrogate, annul, impair, interfere, or repeal any existing ordinance, permit, regulation, or rule which was previously adopted pursuant to other Wisconsin law and which does not concern nonmetallic mining reclamation. The provisions of this chapter shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes outside the reclamation requirements for nonmetallic mining sites required by Wis. Stat. Ch. 295, subch. I, and Wis. Admin. Code Ch. 295.



**21.04 Interpretation.** The provisions of this chapter shall be the applicable requirements for nonmetallic mining reclamation and shall be applied, construed, and interpreted so as to effectuate the purpose of this chapter and the purpose of Wis. Stat. § 295, subch. I, and Wis. Admin. Code § NR 135. If any term or requirement of this chapter is inconsistent with any provision or requirement of Wis. Stat. Ch. 295, subch. I, or Wis. Admin. Code Ch. 295, the more restrictive provision or requirements shall apply. Where a provision of this chapter is required by statute or administrative code and the provision is unclear, the provision shall be interpreted to be consistent with the provisions of Wis. Stat. Ch. 295, subch. I, and Wis. Admin. Code Ch. 295.

**21.05 Severability.** The provisions of this chapter are severable and if any provision or its application to any person or circumstance is declared unconstitutional or invalid, the remaining provisions or applications of this chapter that can be given effect without the invalid provision or application shall continue in effect.

**21.06 Applicability. (1)** This chapter applies to all nonmetallic mining sites within Manitowoc County operating on or commencing to operate after August 1, 2001, except as exempted by sec. 21.07, and to all nonmetallic mining sites located in a city, village, or town within Manitowoc County that has adopted an ordinance pursuant to Wis. Stat. § 295.14 and Wis. Admin. Code § NR 135.32(2).

**(2)** This chapter shall apply to nonmetallic mining conducted by or on behalf of the State of Wisconsin, by or on behalf of a municipality, or for the benefit or use of the state or any state agency, board, commission, or department.

**(3)** This chapter does not apply to nonmetallic mining sites where nonmetallic mining permanently ceases before August 1, 2001.

**21.07 Exemptions.** This chapter does not apply to the following activities:

**(1)** Nonmetallic mining at a site or that portion of a site which is subject to permit and reclamation requirements of the Wisconsin Department of Natural Resources under Wis. Stat. §§ 30.19, 30.195, or 30.20 and complies with Wis. Admin. Code Ch. 340.

**(2)** Excavations subject to the permit and reclamation requirements of Wis. Stat. §§ 30.30 or 30.31.

**(3)** Excavations or grading by a person solely for domestic or farm use at that person's residence or farm.

**(4)** Excavations or grading conducted for the construction, reconstruction, maintenance, or repairs of an airport, highway, railroad, or other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.

**(5)** Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.

**(6)** Excavations for building construction purposes conducted on the building site.

**(7)** Nonmetallic mining that affects less than one acre of total area over the life of the mine.

**(8)** Any mining operation where reclamation is required in a permit obtained under Wis. Stat. Ch. 293.

**(9)** Any activity required to prepare, operate, or close a solid waste disposal facility under Wis. Stat. Ch. 289 or a hazardous waste disposal facility under Wis. Stat. ch. 291 that is conducted on the property where the facility is located.

**(10)** Nonmetallic mining conducted to obtain gravel, sand, soil, or stone for construction, reconstruction, maintenance, or repair of all or part of an airport, highway, railroad, or other transportation facility if the nonmetallic mining is subject to Wisconsin Department of Transportation (DOT) requirements relating to restoration of the nonmetallic mining site. This exemption shall apply only to nonmetallic mining operations during the term of a DOT contract of limited duration and for the purpose of construction of a

specific transportation project where the DOT actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with those requirements. If a nonmetallic mining site is used to concurrently supply materials for a DOT project and for a project unrelated to the DOT project, the exemption in this paragraph shall apply provided that the site is required to be fully reclaimed under the DOT supervision pursuant to the project contract.

(11) Dredging and disposal of spoils from dredging for navigational purposes, to construct or maintain farm drainage ditches, and for the remediation of environmental contamination.

(12) Removal of material from the bed of Lake Michigan or Lake Superior by a public utility pursuant to a permit under Wis. Stat. § 30.21.

**21.08 Definitions.** In this chapter:

(1) “Alternative requirement” means an alternative to the reclamation standards of this chapter provided through a written authorization granted by sec. 21.29.

(2) “Applicable reclamation ordinance” means a nonmetallic mining reclamation ordinance, including this chapter, which applies to a particular nonmetallic mining site and which complies with the requirements of Wis. Stat. Ch. 295, subch. I, and Wis. Admin. Code Ch. NR 135, unless the Wisconsin Department of Natural Resources is the regulatory authority, in which case it means the relevant and applicable provision of Wis. Admin. Code Ch. NR 135.

(3) “Borrow site” means an area outside of a transportation project site from which gravel, sand, stone, or soil is excavated for use at the project site, but does not include commercial sources of gravel, sand, stone, or soil.

(4) “Contemporaneous reclamation” means the sequential or progressive reclamation of portions of a nonmetallic mining site affected by mining operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion at any one time by nonmetallic mining activities.

(5) “Department” means the Wisconsin Department of Natural Resources.

(6) “Environmental pollution” means the contaminating or rendering unclean or impure the air, land, or waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant life.

(7) “Existing mine” means a nonmetallic mine where nonmetallic mining occurred before August 1, 2001.

(8) “Financial assurance” means a commitment of funds or resources by an operator to a regulatory authority that satisfies the requirements in sec. 21.25 and that is sufficient to pay for reclamation activities required by this chapter.

(9) “Landowner” means the person who has title to land in fee simple or who holds a land contract for the land.

(10) “Municipality” means any city, town, or village.

(11) “Nonmetallic mineral” means a commodity, material, or product consisting principally of naturally occurring nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to, asbestos, beryl, clay, coal, diamond, feldspar, gravel, peat, sand, stone, talc, and topsoil.

(12) “Nonmetallic mining” or “mining” means all of the following:

(a) Operations or activities at a nonmetallic mining site for the extraction from the earth for sale or use by the operator of mineral aggregates or nonmetallic minerals such as asbestos, beryl, clay, coal, diamond, feldspar, gravel, peat, sand, stone, talc, and topsoil. Nonmetallic mining includes use of mining equipment

or techniques to remove material from the in-place nonmetallic mineral deposits, including drilling and blasting, as well as associated activities such as excavation, grading, and dredging. Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals such as agricultural crops, christmas trees, commercial sod, forest products, ornamental or garden plants, or plant nursery stock.

**(b)** Processes performed at a nonmetallic mining site that are related to the extraction, preparation, or processing of mineral aggregates or nonmetallic minerals obtained from the site. These processes include, but are not limited to, blasting, blending mineral aggregates or nonmetallic minerals with other mineral aggregates or nonmetallic minerals, crushing, dewatering, grading, screening, scalping, and stockpiling of materials.

**(13)** “Nonmetallic mining reclamation” or “reclamation” means the rehabilitation of a nonmetallic mining site to achieve land use specified in a nonmetallic mining reclamation plan, including removal or reuse of nonmetallic mining refuse, grading of the nonmetallic mining site, removal, storage, and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution, and, if practicable, the restoration of plant, fish, and wildlife habitat.

**(14)** “Nonmetallic mining reclamation plan” or “reclamation plan” means a plan for nonmetallic mining reclamation that has been prepared pursuant to this chapter.

**(15)** “Nonmetallic mining refuse” means waste soil, rock, mineral, and other natural material resulting from nonmetallic mining. Nonmetallic mining refuse does not include marketable byproducts resulting directly from or displaced by the nonmetallic mining that are scheduled to be removed from the nonmetallic mining site within a reasonable period of time after extraction.

**(16)** “Nonmetallic mining site” or “site” means all of the following:

**(a)** The location where nonmetallic mining is proposed or conducted.

**(b)** Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.

**(c)** Areas where nonmetallic mining refuse is deposited.

**(d)** Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining.

**(e)** Areas where grading or regrading is necessary.

**(f)** Areas where nonmetallic mining reclamation activities are carried out, such as channels for surface water diversion, revegetation test plots, or stockpile areas or where structures needed for nonmetallic mining reclamation are located.

**(17)** “Operator” means any person who is engaged in, or who has applied for a permit to engage in, nonmetallic mining, whether individually, jointly, or through agents, contractors, employees, subsidiaries, or subcontractors.

**(18)** “Registered geologist” means a person who is registered as a professional geologist pursuant to Wis. Stat. §§ 443.037 and 443.09.

**(19)** “Registered professional engineer” means a person who is registered as a professional engineer pursuant to Wis. Stat. §§ 443.04 and 443.09.

**(20)** “Regulatory authority” means:

**(a)** A municipality in which the nonmetallic mining is located and which has adopted an applicable reclamation ordinance.

(b) Manitowoc County if the municipality in which the nonmetallic mining is located has not adopted an applicable reclamation ordinance.

(c) Wisconsin Department of Natural Resources if there is no applicable reclamation ordinance enacted by the municipality or the county in which the nonmetallic mining site is located.

(21) "Replacement of topsoil" means the replacement or redistribution of the topsoil that was removed or disturbed by nonmetallic mining, or the provision of material to substitute for the topsoil that was removed or disturbed, for the purposes of providing adequate vegetative cover and stabilization of soil conditions to achieve a land use specified in the approved nonmetallic mining reclamation plan.

(22) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include soil or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Wis. Stat. Ch. 283, or source material, special nuclear material, or by-product material as defined in Wis. Stat. § 254.31(1).

(23) "Topsoil" means the surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability, and other attributes necessary to meet the success standards approved in a reclamation plan.

(24) "Topsoil substitute material" means soil or other unconsolidated material, either used alone or mixed with other beneficial material, which can provided the plant growth, site stability, and other attributes necessary to meet the success standards approved in a reclamation plan.

(25) "Unreclaimed acre" or unreclaimed acres" means those unreclaimed areas where nonmetallic mining has occurred after August 1, 2001, and reclamation has not been completed or nonmetallic mining reclamation has been completed but is not yet certified as reclaimed.

**21.09 Administration.** The provisions of this chapter shall be administered by the Manitowoc County Planning and Park Commission.

**21.10 Effective Date.** The provisions of this chapter shall take effect on June 1, 2001.

## PART II – STANDARDS

**21.11 Standards.** All nonmetallic mining sites subject to this chapter shall be reclaimed in conformance with the standards contained in this chapter.

**21.12 General Standards. (1) Refuse and Other Solid Wastes.** Nonmetallic mining refuse shall be reused in accordance with the approved reclamation plan. Other solid wastes shall be disposed of in accordance with applicable rules of the Department adopted pursuant to Wis. Stat. Chs. 289 and 291.

**(2) Area Disturbed and Contemporaneous Reclamation.** Nonmetallic mining shall be conducted, to the extent practicable, to minimize the area disturbed and to provide for reclamation of portions of the site while mining continues on other portions of the site.

**(3) Public Health, Safety, and Welfare.** All nonmetallic mining sites shall be reclaimed in compliance with federal, state, and local regulations governing public health, safety, and welfare.

**(4) Habitat Restoration.** When the land use required by the approved reclamation plan requires plant, fish, or wildlife habitat, the land shall be restored, to the extent practicable, to a condition at least as suitable for such habitat as existed before the land was affected by mining operations.

**(5) Compliance with Other Laws and Environmental Regulations.** Reclamation of nonmetallic mining

sites shall comply with all applicable federal, state, and local laws, including those related to environmental protection, zoning, and land use control.

**21.13 Surface Water and Wetlands.** Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with the Department's water quality standards for surface waters and wetlands contained in Wis. Admin. Code Chs. NR 102 and 105. Before disturbing the surface of a nonmetallic mining site and removing topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the approved reclamation plan. Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

**21.14 Ground Water Protection. (1) Groundwater Quantity.** A nonmetallic mining site shall be reclaimed in a manner that does not cause a permanent lowering of the water table, a significant reduction in the quantity of groundwater reasonably available for future users of groundwater, or adverse effects on surface waters.

**(2) Ground water Quality.** Nonmetallic mining reclamation shall be conducted in a manner that does not cause groundwater quality standards in Wis. Admin. Code Ch. NR 140 to be exceeded at a point of standards application defined in that chapter.

**21.15 Topsoil Management. (1) Removal.** Topsoil and topsoil substitute material shall be removed, protected, and redistributed to support reclamation and site stabilization. Topsoil shall be managed as specified in the approved reclamation plan in order to achieve the approved post-mining land use. Topsoil and topsoil substitute material removal shall be performed as required by the approved reclamation plan prior to any mining activity associated with any phase of the mining operation.

**(2) Volume.** The operator shall obtain the volume of soil required to perform final reclamation by removal of on-site topsoil or topsoil substitute material prior to mining or by obtaining topsoil or substitute material as needed to make up the volume of topsoil specified in the approved reclamation plan.

**(3) Storage.** Removed topsoil or topsoil substitute material shall either be used in contemporaneous reclamation or stored in an environmentally acceptable manner as required by the approved reclamation plan. Stockpiled topsoil or topsoil substitute material shall be protected from erosion, further disturbance, or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.

**21.16 Final Grading and Slopes. (1)** All areas affected by mining shall be graded in accordance with the approved reclamation plan to achieve a stable and safe condition consistent with the post-mining land use. The reclamation plan may designate areas such as stable slopes and rock faces which do not require final grading.

**(2)** Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline, unless alternative requirements are approved under sec. 21.29 and stable slopes can be demonstrated based on a site-specific engineering analysis. The engineering analysis shall show that an acceptable slope stability factor is attainable at a steeper slope and that the post-mining land use specified in the reclamation plan is not adversely affected. When the slope occurs at the edge of a body of water, the approved slope shall extend vertically 6 feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations to allow for a safe exit.

**(3)** All areas in the nonmetallic mine site where topsoil or topsoil substitute material is to be redistributed shall be graded or otherwise prepared prior to redistribution to provide optimum adherence between the topsoil or topsoil substitute material and the underlying material.

**21.17 Topsoil Redistribution for Reclamation.** Topsoil or topsoil substitute material shall be redistributed in accordance with the approved reclamation plan in a manner that minimizes compaction and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed, except where uniform redistribution is undesirable or impractical. Redistribution shall not be performed during or immediately after a precipitation event until the soils have sufficiently dried.

**21.18 Revegetation and Site Stabilization.** Except for permanent roads or similar surfaces identified in the approved reclamation plan, all surfaces affected by nonmetallic mining shall be reclaimed and stabilized in accordance with the approved reclamation plan. Such reclamation and stabilization shall be performed as soon as practicable after mining activity has permanently ceased in any part of the site.

**21.19 Assessing Completion of Successful Reclamation. (1)** Quantifiable criteria for assessing when reclamation is complete and when financial assurance may be released shall be specified in the approved reclamation plan.

**(2)** Compliance with the revegetation success standards in the approved reclamation plan shall be determined by on-site inspections by Manitowoc County or its agent; reports presenting results obtained during reclamation evaluations, including summarized data on revegetation, photo documentation, or other evidence; or a combination of inspections and reports.

**(3)** Where the post-mining land use specified in the approved reclamation plan requires the site be returned to a pre-mining condition, the operator shall obtain baseline data on the pre-mining plant community for use in the evaluating reclamation.

**(4)** Revegetation success may be determined by comparison to an appropriate reference area, comparison to baseline data acquired at the mining site prior to its being affected by mining, or comparison to an approved alternate technical standard.

**21.20 Maintenance.** After the operator states that reclamation is complete and prior to release of financial assurance, the operator shall perform all maintenance necessary to prevent erosion, sedimentation, or environmental pollution; comply with the standards of this chapter; or to meet goals specified in the approved reclamation plan.

### **PART III – PERMITTING**

**21.21 Nonmetallic Mining Reclamation Permit Application.** All operators of nonmetallic mining sites that operate on or after August 1, 2001, shall apply for a reclamation permit from Manitowoc County. All applications for reclamation permits under this section shall be accompanied by the following:

**(1)** A brief description of the general location and nature of the site.

**(2)** The legal description and tax parcel number of the property on which the site is located.

**(3)** The name, address, and telephone number of all persons or organizations who are owners or lessors of the property on which the site is located.

**(4)** The name, address, and telephone number of all persons or organizations who are operators at the site.

**(5)** Certification by the operator of the operator's intent to comply with the statewide nonmetallic mining reclamation standards established in this chapter.

**21.22 Existing Mines.** The operator of any nonmetallic mining site in operation on August 1, 2001, may apply for an automatic reclamation permit from Manitowoc County by providing the following information to the Manitowoc County Planning and Park Commission on or before August 1, 2001 :

**(1)** The information required by sec. 21.21.

**(2)** The first year's annual fee required by sec. 21.38.

**(3)** The operator's signed certification that it will provide Manitowoc County with a reclamation plan as required by sec. 21.24 and financial assurance as required by sec. 21.25.

**21.23 New Mines.** The operator of any nonmetallic mining site that engages in or plans to engage in nonmetallic mining operations after August 1, 2001, that has not obtained an automatic reclamation permit

pursuant to sec. 21.22 shall submit an application to the Manitowoc County Planning and Park Commission prior to beginning operations. The application shall include the following:

- (1) The information required by sec. 21.21.
- (2) The plan review and annual fees required by secs. 21.37 and 21.38.
- (3) The reclamation plan required by sec. 21.24.
- (4) The operator's signed certification that as a condition of the reclamation permit, it will provide the financial assurance required by sec. 21.25 prior to beginning operations.

**21.24 Reclamation Plan.** (1) All operators of nonmetallic mining sites subject to this chapter shall prepare and submit a reclamation plan to Manitowoc County that meets the following requirements:

(a) Plan. An operator who conducts or plans to conduct nonmetallic mining on or after August 1, 2001, shall submit a reclamation plan to Manitowoc County as required by this chapter.

(b) Site Information. The reclamation plan shall include information sufficient to describe the existing natural and physical conditions of the site, including, but not limited to:

1. Maps of the nonmetallic mining site including the general location; property boundaries; the areal extent, geologic composition, and depth of the nonmetallic mineral deposit; the distribution, thickness, and type of topsoil; the approximate elevation of ground water; the location of surface waters; and the existing drainage patterns.

2. Information available to the mine operator on biological resources, plant communities, and wildlife use at and adjacent to the proposed or operating mine site.

3. Existing topography as shown on contour maps of the site at 10 foot contour intervals.

4. Location of manmade features on or near the site.

5. For existing mines, a plan view drawing showing the location and extent of land previously affected by nonmetallic mining, including the location of stockpiles, wash ponds, and sediment basins.

(c) Post-Mining Land Use. The reclamation plan shall specify a proposed post-mining land use for the site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with all applicable local, state, or federal laws in effect at the time the plan is submitted. Land used for nonmetallic mineral extraction in areas zoned under an exclusive agricultural use ordinance pursuant to Wis. Stat. § 91.75 shall be restored to agricultural use.

(d) Reclamation Measures. The reclamation plan shall include a description of the proposed reclamation, including methods and procedures to be used, and a proposed schedule and sequence for the completion of reclamation activities for various stages of reclamation of the nonmetallic mining site. The following information shall be included:

1. A description of the proposed earthwork and reclamation, including final slope angles, high wall reduction, benching, terracing, and other structural slope stabilization measures.

2. The methods of topsoil or topsoil substitute material removal, storage, stabilization, and conservation that will be used during reclamation.

3. A plan or map that shows anticipated topography of the reclaimed site and any water impoundments or artificial lakes needed to support the anticipated future land use of the site.

4. A plan or map that shows surface structures, roads, and related facilities after the cessation of mining.

5. The estimated cost of reclamation for each stage of the project or the entire site if reclamation staging is not planned.

6. A revegetation plan that includes the timing and methods of seed bed preparation; rates and kinds of soil amendments; seed application timing, methods, and rates; and mulching, netting, and other techniques needed to accomplish soil and slope stabilization.

7. Quantifiable standards for revegetation adequate to show that a sustainable stand of vegetation has been established that will support the approved post-mining land use. Standards for revegetation may be based on the percent vegetative cover, productivity, plant density, diversity, or other applicable measures.

8. A plan and, if necessary, a narrative showing erosion control measures to be employed during reclamation activities to address how reclamation activities will be conducted to minimize erosion and pollution of surface and groundwater.

9. A description of any areas that will be reclaimed on an interim basis sufficient to qualify for the waiver of fees pursuant to sec. 21.40(4)(a) and that will be subsequently disturbed prior to final reclamation. The description shall include an identification of the proposed areas involved, methods of reclamation to comply with the standards of this ordinance, and timing of interim and final reclamation.

10. The criteria for assuring successful reclamation in accordance with the standards established in Part II of this chapter.

(e) Certification of Reclamation Plan. The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner and lessee, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation, except that such written certification is not required if the operator provides written evidence that the landowner and lessee have been provided with a written copy of the reclamation plan and that the operator has submitted a reclamation plan in accordance with sec. 21.24 for an existing mine or for a new or reopened mine that is located on land for which a lease agreement or memorandum of lease between the landowner and operator was recorded prior to August 1, 2001.

(2) Use of Existing Plans and Approvals. To avoid duplication, the permit application and submittals required under this subsection may incorporate existing plans or materials that meet the requirements of this chapter by reference. Previously completed documents that include reclamation plans shall satisfy the requirements of the reclamation plan, provided that the document has been approved by a county or municipality and Manitowoc County finds that the plan designates a post-mining land use and describes reclamation measures that meet the reclamation standards of this chapter.

(3) Approval of Reclamation Plan. Manitowoc County shall approve, conditionally approve, or deny the reclamation plan in writing.

(4) Site Copy of Approved Plan. The operator shall keep a copy of the approved reclamation plan at the nonmetallic mining site, if practicable, or at the operator's nearest office or place of business.

**21.25 Financial Assurance. (1) Requirement.** All operators of nonmetallic mining sites in Manitowoc County, other than the State of Wisconsin, any state agency, board, commission, or department, or any municipality, shall prepare and submit proof of financial assurance.

(2) Filing. Following approval of the nonmetallic mining reclamation permit, and as a condition of the permit, the operator shall file a financial assurance with Manitowoc County. The financial assurance shall provide that the operator shall faithfully perform all requirements in this chapter, any applicable reclamation ordinance, and the reclamation plan.

(3) Amount and Review. (a) Amount. The amount of financial assurance shall equal as closely as possible the cost to Manitowoc County, as determined by Manitowoc County, of hiring a contractor to complete either final reclamation or progressive reclamation according to the approved reclamation plan. The regulatory authority shall provide written notification to the operator of the amount of financial assurance required.



561       **(b) Review.** The amount of financial assurance may be reviewed periodically by Manitowoc County  
562 to assure it equals outstanding reclamation costs. The amount of financial assurance may be adjusted when  
563 required by Manitowoc County. Manitowoc County may adjust financial assurance based changes in the cost  
564 estimates for reclamation or in the prevailing or projected interest or inflation rates. The regulatory agency  
565 shall notify the operator in writing whenever adjustment is necessary and shall state the reasons for such  
566 adjustment.  
567

568       **(4) Multiple Projects.** Any operator who obtains a permit from Manitowoc County for two or more  
569 nonmetallic mining sites may elect, at the time the second or subsequent site is approved, to post a single  
570 financial assurance in lieu of separate financial assurance instruments for each nonmetallic mining site.  
571 However, no financial assurances previously posted on an individual mining site shall be released until the  
572 new financial assurance has been accepted by Manitowoc County.  
573

574       **(5) Multiple Jurisdictions.** In cases where more than one regulatory authority has jurisdiction, a  
575 cooperative financial security arrangement may be developed and implemented by the regulatory authorities  
576 to avoid requiring the permit holder to provide financial assurance to more than one regulatory authority for  
577 the same nonmetallic mining site.  
578

579       **(6) Duration of Financial Assurance.** Financial assurance shall be required during the period of time  
580 necessary to establish the post mining land use declared and approved of in the reclamation plan, and  
581 financial assurance may extend beyond the duration of the permit if necessary to accomplish successful and  
582 complete implementation of the reclamation plan.  
583

584       **(7) Form of Assurance. (a)** Financial assurance payable to Manitowoc County shall be provided by  
585 the operator and shall be by a bond or an alternate financial assurance. Alternate financial assurances may  
586 include, but are not limited to cash, certificates of deposits, established escrow accounts, government  
587 securities, irrevocable letters of credit, irrevocable trusts, liens, or other security interests. Financial assurance  
588 arrangements may include, subject to the approval of Manitowoc County, a blend of different options for  
589 financial assurance including a lien on the property on which the nonmetallic mining site occurs or a  
590 combination of financial assurance methods.  
591

592       **(b)** The financial assurance shall provide that it may not be canceled by the surety or other holder or  
593 issuer without at least a 90-day written notice to Manitowoc County by registered or certified mail.  
594 Certificates of deposit shall be automatically renewable or other assurances shall be provided at least 30 days  
595 before the maturity date. In the event of a notice of cancellation, the operator shall deliver a replacement  
596 proof of financial assurance to Manitowoc County at least 30 days prior to the expiration of the 90-day notice  
597 of cancellation. In the event that replacement financial assurance is not provided within the time required,  
598 all mining shall cease until such time a replacement financial assurance is provided.  
599

600       **(c)** Any interest from the financial assurance shall be paid to the operator.  
601

602       **(8) Certification of Completion and Release. (a)** The operator shall notify the regulatory authority by  
603 filing a notice of completion at the time that the operator believes that reclamation of the nonmetallic mining  
604 site or any portion thereof is complete as required under the approved reclamation plan.  
605

606       **(b)** Manitowoc County shall inspect the site or portion thereof as described in the notice of completion  
607 to determine if reclamation has been carried out in accordance with the approved reclamation plan.  
608

609       **(c)** Manitowoc County shall make a determination within 60 days of receipt of the notice of completion  
610 that:

611       1. Reclamation is fully completed for the entire site;

612       2. Reclamation is completed for a part of the site;

613       3. Reclamation is not yet complete; or  
614

615       4. It is not possible to assess whether reclamation is complete due to weather condition, snow cover,  
616 or other relevant factors.  
617  
618  
619

620 (d) Upon determining that reclamation has been completed for the entire site or any portion thereof  
621 as required under the approved reclamation plan, Manitowoc County shall issue a certificate of completion  
622 and shall release all or part of the financial assurance, as Manitowoc County deems appropriate.  
623

624 (9) Forfeiture. Financial assurance shall be forfeited if a permit is revoked and the appeals process has  
625 been completed; if a 90-day notice of cancellation of financial assurance is given and the operator fails to  
626 deliver a replacement proof of financial assurance within 60 days of such notice; or if an operator ceases  
627 mining operations and fails to reclaim the site in accordance with the reclamation plan.  
628

629 (10) Bankruptcy Notification. The operator of a nonmetallic mining site shall notify the regulatory  
630 authority by certified mail within 10 days of commencement of voluntary or involuntary proceedings under  
631 the United States bankruptcy code in which the operator is named as debtor.  
632

633 **21.26 Public Notice and Right of Hearing. (1) Public Notice. (a)** Except as provided in sub. (3) and  
634 (4), when Manitowoc County receives an application for a reclamation permit, it shall publish a public notice  
635 of the application no later than 30 days after receipt of a complete application.  
636

637 (b) The notice shall briefly describe the mining and reclamation planned at the nonmetallic mining site.  
638 The notice shall be published as a class 2 notice pursuant to Wis. Stat. § 985.07(2) in the official newspaper  
639 of Manitowoc County. The notice shall mention the opportunity for public hearing pursuant to this section  
640 and shall give the location at which the public may review the application and all supporting materials  
641 including the reclamation plan.  
642

643 (c) Manitowoc County shall forward a copy of the notice to the Town in which the nonmetallic mining  
644 operation is to take place, the owners of the property, and the property owners within 300 feet of the proposed  
645 operation.  
646

647 (2) Hearing. (a) Except as provided in sub. (3) and (4), Manitowoc County shall provide an opportunity  
648 for a hearing on an application or request to issue a nonmetallic mining reclamation permit and shall take and  
649 consider reclamation-related testimony.  
650

651 (3) Existing Mines. No public notice or hearing is required for a nonmetallic mining reclamation  
652 permit issued for an existing mine with a valid permit.  
653

654 (4) Local Transportation-Related Mines. No public notice or hearing is required for a nonmetallic  
655 mining reclamation permit issued for a local transportation-related mine.  
656

657 **21.27 Nonmetallic Mining Reclamation Permit. (1) Permit Required.** Except for nonmetallic  
658 mining sites that are exempt from this chapter under sec. 21.07, every operator of a nonmetallic mining site  
659 in Manitowoc County who engages in nonmetallic mining after September 1, 2001, shall obtain a reclamation  
660 permit issued under this section. No person may engage in nonmetallic mining or nonmetallic mining  
661 reclamation after September 1, 2001, without a reclamation permit issued pursuant to this chapter.  
662

663 (2) Automatic Permit for Existing Mines. (a) Manitowoc County shall, within 30 days of receipt of  
664 an application meeting the requirements of sec. 21.22, issue an automatic reclamation permit to the operator  
665 of a nonmetallic mining site that submits such an application.  
666

667 (b) Existing mines that are granted a reclamation permit pursuant to this subsection shall, within one  
668 year of receipt of the permit and consistent with deadlines established in this chapter, submit a reclamation  
669 plan that meets the requirements of sec. 21.24 and financial assurance that meets the requirements of sec.  
670 21.25. Manitowoc County may grant reasonable extensions to the deadlines when it finds extenuating  
671 circumstances exist.  
672

673 (3) Evaluation of Submittals for Existing Mines. (a) Mines covered by automatic permits issued under  
674 sub. 2 shall submit a reclamation plan in accordance with sec. 21.24 and proof of financial assurance in  
675 accordance with sec. 21.25. Manitowoc County may grant, in writing, reasonable extensions to submittal  
676 deadlines where extenuating circumstances exist.  
677

678 (b) If Manitowoc County determines that a previously completed document meets some, but not all,

of the requirements of this chapter, it shall request such supplemental information as may be necessary to satisfy the reclamation plan requirements of this section. Manitowoc County may, depending upon the nature and extent of the supplemental information requested, require a public hearing on whether to continue the reclamation permit.

(c) Within 30 days of receipt of the reclamation plan and evidence of financial assurance, previously completed documents that include a reclamation plan, or requested supplemental information, or a hearing, whichever is later, Manitowoc County shall make a written determination whether to approve the submittal and to approve continuing the nonmetallic mining reclamation permit.

(d) A reclamation permit continued pursuant to this section shall be deemed to satisfy the requirements of this chapter without any further action, approval, or submittal.

(4) Permit Issuance for New Mines. (a) Applications for reclamation permits for nonmetallic mining sites not in operation on August 1, 2001, that satisfy sec. 21.23 shall be issued a reclamation permit or otherwise acted on as provided herein.

(b) Unless denied pursuant to sec. 21.28, Manitowoc County shall approve in writing a request that satisfies the requirements of sec. 21.23 to issue a nonmetallic mining reclamation permit for a nonmetallic mine where mining has not yet taken place on or after August 1, 2001, or for an existing nonmetallic mine where mining does not take place on or after August 1, 2001.

(c) Manitowoc County may not issue an approval without prior or concurrent approval of the reclamation permit subject to conditions in sec. 21.27(6), if appropriate.

(d) Unless a public hearing is held, the permit decision shall be made no sooner than 30 days and no later than 90 days following receipt of the completed reclamation permit application and reclamation plan pursuant to this subchapter. If a public hearing is held, the regulatory authority shall issue the reclamation permit, subject to conditions pursuant to sec. 21.27(6), if appropriate, or shall deny the permit within 60 working days after the public hearing is completed.

(e) Permits issued pursuant to this subsection shall require compliance with a reclamation plan that has been approved and satisfies the requirements of sec. 21.24 and the provision of financial assurance in accordance with sec. 21.25 prior to beginning mining.

(5) Automatic Permit for Local Transportation-Related Mines. (a) Manitowoc County shall automatically issue an expedited permit under this subsection to any borrow site that:

1. Will be opened and reclaimed under contract with a municipality within a period not exceeding 36 months;

2. Is a nonmetallic mine which is intended to provide gravel, sand, soil, or stone for the construction, reconstruction, maintenance, or repair of an airport, highway, railroad, or other transportation facility under contract with the municipality;

3. Is regulated and will be reclaimed under contract with the municipality in accordance with the requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites;

4. Is not a commercial source;

5. Will be constructed, operated, and reclaimed in accordance with applicable zoning requirements, if any and;

6. Is not otherwise exempt from the requirements of this chapter under sub. 21.07.

(b) In this subsection, "municipality" has the meaning defined in Wis. Stat. § 299.01(8).

(c) The applicant for an automatic permit under this section shall notify Manitowoc County of the

terms and conditions of the contract with respect to reclamation of the proposed borrow site and shall provide evidence to Manitowoc County that the borrow site and its reclamation will comply with applicable zoning requirements, if any.

(d) Manitowoc County shall accept contractual provisions incorporating requirements of the Wisconsin Department of Transportation in lieu of a reclamation plan under sec. 21.24 and shall accept the contractual provisions in lieu of the financial assurance requirements under sec. 21.25.

(e) The public notice and hearing provisions do not apply to nonmetallic mining sites that are issued automatic permits under this subsection.

(f) Mines permitted under this subsection shall pay an annual fee to Manitowoc County as provided in sec. 21.38, but shall not be subject to the plan review fee provided in sec. 21.37.

(g) Manitowoc County shall issue the automatic permit within 7 days of the receipt of a completed application.

(h) If the borrow site is used to concurrently supply materials for other than the local transportation project, the automatic permitting in this subsection still applies provided the site will be reclaimed under a contractual obligation with the municipality in accordance with Wisconsin Department of Transportation requirements.

(i) Notwithstanding sec. 21.36, the operator of a borrow site under this subsection is required to submit only the information in an annual report necessary to identify the borrow site and to determine the applicable annual fee.

(6) Permit Conditions. (a) Manitowoc County may issue a reclamation permit or approve a reclamation plan subject to general or site-specific conditions if necessary to assure compliance with the nonmetallic mining reclamation requirements of this chapter.

(b) A new mine shall, as a condition of any permit, provide the required financial assurance prior to beginning mining.

**21.28 Permit Denial.** (1) An application for a nonmetallic mining reclamation permit shall be denied if Manitowoc County finds any of the following:

(a) The applicant has, after being given an opportunity to make corrections, failed to provide to Manitowoc County an adequate permit application, reclamation plan, financial assurance, or any other submittal required by Wis. Admin. Code Ch. NR 135 or this chapter.

(b) The proposed nonmetallic mining site cannot be reclaimed in compliance with the reclamation standard contained in Wis. Stat. Ch. 295, subch. I, Wis. Admin. Code Ch. NR 135, or this chapter.

(c) The applicant, or its agent, principal, or predecessor has, during the course of nonmetallic mining in Wisconsin within 10 years of the permit application or modification request being considered, shown a pattern of serious violations of this chapter or of federal, state, or local environmental laws related to nonmetallic mining reclamation.

(2) The following factors may be considered in determining whether there is a pattern of serious violations:

(a) Results of judicial or administrative proceedings involving the operator or its agent, principal, or predecessor.

(b) Suspensions or a revocation of nonmetallic mining reclamation permits pursuant to this chapter, other reclamation ordinances. Wis. Admin. Code Ch. NR 135.

(c) Forfeitures of financial assurance.

797 (3) A denial under this subsection shall be in writing and shall state the reasons for denial.

798  
799 (4) A decision to deny an application to issue a reclamation permit may be reviewed under sec. 21.35.

800  
801 **21.29 Alternative Requirements.** (1) An operator of a nonmetallic mining site may request an  
802 alternative requirement by submitting a written request to the Manitowoc County Board of Adjustment. The  
803 request for an alternative requirement may be included in an application to issue or modify a nonmetallic  
804 mining reclamation permit.

805  
806 (2) Manitowoc County may approve an alternative requirement to the reclamation standards established  
807 in this chapter if the operator demonstrates and Manitowoc County finds that all of the following criteria are  
808 met.

809  
810 (a) The nonmetallic mining site, the surrounding property, or the mining plan or reclamation plan has  
811 a unique characteristic that requires an alternative requirement.

812  
813 (b) An unnecessary hardship peculiar to the nonmetallic mining site or plan will result unless the  
814 alternative requirement is approved.

815  
816 (c) Reclamation in accordance with the proposed alternative requirement will achieve the planned post-  
817 mining land use and long-term site stability in a manner that will not cause environmental pollution or  
818 threaten public health, safety, or welfare.

819  
820 (3) The operator of a nonmetallic mining site requesting an alternative requirement shall demonstrate  
821 that it meets all the criteria contained in sub. 21.29(2).

822  
823 (4) The Board of Adjustment shall issue a written decision on a request for alternative reclamation  
824 requirements to the applicant. The decision shall state the reason why the request was approved or denied.

825  
826 (5) Manitowoc County shall provide written notice to the Department at least 10 days prior to any  
827 hearing held under sub. 21.29(2) on a request for an alternative requirement. A copy of any written decision  
828 on alternative requirements shall be provided to the Department within 10 days of issuance.

829  
830 **21.30 Permit Duration.** A nonmetallic mining reclamation permit issued under this chapter shall  
831 continue in effect during the operation and reclamation of the nonmetallic mining site unless suspended or  
832 revoked.

833  
834 **21.31 Permit Transfer.** (1) A nonmetallic mining reclamation permit issued under this chapter may  
835 be transferred to a new operator or owner, subject to the approval of Manitowoc County, upon written  
836 request.

837  
838 (2) The operator or owner to whom the permit is to be transferred shall provide Manitowoc County  
839 with proof of financial assurance and written certification that the new operator or owner will comply with  
840 all conditions of the permit.

841  
842 (3) The operator or owner from whom the permit is to be transferred shall maintain financial assurance  
843 until Manitowoc County has approved the transfer.

844  
845 (4) Manitowoc County shall approve a request for a permit transfer only upon receipt of financial  
846 assurance from the proposed permit holder and finding that the new permit holder will comply with all  
847 conditions of the permit. Manitowoc County shall approve or deny any request for a permit transfer in  
848 writing stating the reason for its approval or denial.

849  
850 **21.32 Previously Permitted Sites.** For any nonmetallic mining site which had a reclamation permit  
851 previously issued by another regulatory authority pursuant to Wis. Admin. Code Ch. NR 135 that becomes  
852 subject to reclamation permitting authority of Manitowoc County, the terms and conditions of the previously-  
853 issued municipal reclamation permit shall remain in force until modified by Manitowoc County pursuant to  
854 sub. 21.33.

856 **PART IV – ADMINISTRATION**

857  
858 **21.33 Permit Modification.** (1) Manitowoc County may issue an order modifying a nonmetallic  
859 mining reclamation permit issued under this chapter if it finds that there has been a change in conditions and  
860 that the nonmetallic mining site is no longer in compliance with Wis. Admin. Code Ch. NR 135 or this  
861 chapter. The order may require that an operator submit an additional, new, or revised application, proof of  
862 financial assurance, reclamation plan, or such other information as may be necessary to ensure compliance  
863 with Wis. Admin. Code Ch. NR 135 or this chapter.

864  
865 (2) The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter may  
866 submit a written request for modification of the permit to the Manitowoc County Planning and Park  
867 Commission if the operator desires to modify the permit or the approved reclamation plan. The request for  
868 permit or plan modification shall be acted upon using the standards and procedures specified in this chapter.

869  
870 (3) The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter shall  
871 submit a written request for modification of the permit to the Manitowoc County Planning and Park  
872 Commission if there are any changes to the area to be mined, the nature of the planned reclamation, or any  
873 other aspect of mining required by the approved reclamation plan. Such application for permit modification  
874 shall be acted on using the standards and procedures specified in this chapter.

875  
876 **21.34 Permit Suspension and Revocation.** (1) Grounds. Manitowoc County may suspend or revoke  
877 a nonmetallic mining reclamation permit issued pursuant to this chapter if it finds the operator has done any  
878 of the following:

879  
880 (a) Failed to submit a satisfactory reclamation plan within the time frames specified in this chapter.

881  
882 (b) Failed to submit or maintain financial assurance as required by this chapter.

883  
884 (c) Failed to follow the approved reclamation plan.

885  
886 (2) Procedure. If Manitowoc County finds grounds to revoke or suspend a nonmetallic mining  
887 reclamation permit, it may issue a special order revoking the permit or suspending it for up to 30 days.

888  
889 (3) During suspension, an operator shall not conduct nonmetallic mining or any other activity at the  
890 site, except for reclamation or measures to protect human health and the environment as ordered by the  
891 regulatory authority.

892  
893 (4) Upon revocation, an operator shall terminate all nonmetallic mining at the site, except for measures  
894 to protect human health and the environment as ordered by the regulatory authority. Additionally, the  
895 operator shall forfeit the financial assurance provided pursuant to this chapter to Manitowoc County. The  
896 county may use the forfeited financial assurance to reclaim the site to the extent needed to comply with this  
897 chapter and any applicable reclamation ordinance, with any monies remaining to be paid into the County's  
898 general fund.

899  
900 **21.35 Review.** Notwithstanding Wis. Stat. §§ 68.001, 68.03(8) and (9), 68.06, and 68.10(1)(b), any  
901 person who meets the requirements of Wis. Stat. § 227.42(1) may obtain a hearing on administrative appeal  
902 under Wis. Stat. § 68.11 on Manitowoc County's decision to issue, deny, or modify a nonmetallic mining  
903 reclamation permit by providing proper notice of appeal.

904  
905 **21.36 Annual Operator Reporting.** (1) Contents. The operator on nonmetallic mining sites shall  
906 submit annual reports that include all of the following:

907  
908 (a) The name and mailing address of the operator.

909  
910 (b) The location of the nonmetallic mining site, including legal description and tax key number or  
911 parcel identification number, if available.

912  
913 (c) The identification number of the applicable nonmetallic mining permit, if assigned by Manitowoc  
914 County.

(d) The amount of acreage that has been reclaimed to date on a permanent basis and the amount reclaimed on an interim basis.

(e) The amount of acreage currently affected by nonmetallic mining extraction and not yet reclaimed.

(f) A plan, map, or diagram accurately showing the acreage described in subs. (d) and (e).

(g) A written certification, signed by the operator, stating: "I certify that this information is true and accurate, and that the nonmetallic mining site described herein complies with all conditions of the applicable nonmetallic mining reclamation permit and Wis. Admin. Code Ch. NR 135."

(2) **Deadline.** The annual report shall cover activities during the calendar year and be submitted within 60 days following the end of the calendar year.

(3) **Reporting Period.** The operator of any active or intermittent nonmetallic mining site in Manitowoc County shall submit annual reports until nonmetallic mining reclamation at the site is certified as complete pursuant to sec. 21.40 or until release of financial assurance pursuant to sec. 21.25, whichever is later.

(4) **Inspection in Lieu of Report.** Manitowoc County may, at its sole discretion, obtain the information required to be included in the annual report by completing an inspection and preparing a written report of the inspection during the calendar year. If Manitowoc County determines that the operator need not submit an annual report pursuant to this subsection, it shall advise the operator in writing at least 30 days before the end of the applicable calendar year that the operator is not required to submit an annual report but is required to submit the certification required in sub. (1)g.

(5) **Retention of Reports.** Annual reports or written inspection reports shall be retained by Manitowoc County at the offices of the Manitowoc County Planning and Park Commission for at least 10 years after the calendar year to which they apply. These reports, or true and correct copies thereof, shall be made available to the Department upon written request or during inspection or audit activities carried out pursuant to Wis. Admin. Code Ch. 135.

**21.37 Review Fees.** (1) **Plan Review Fee.** Any person who submits a permit application under sub. 21.23 shall pay a non-refundable plan review fee of \$330.00. No plan review fee shall be required for an application for an automatic reclamation permit for an existing nonmetallic mining site or for an automatic permit for a local transportation-related mining site.

(2) **Modification Review Fee.** Any person who submits a request to modify an existing reclamation plan shall pay a non-refundable modification review fee of \$330.00.

**21.38 Annual Fees.** (1) The operator of a nonmetallic mining site subject to a reclamation permit issued under this chapter shall pay an annual fee to Manitowoc County that is based on the unreclaimed acres at the nonmetallic mining site on July 1 of each year, except that the annual fee for the first year for any new or reopened mine shall be based on the unreclaimed acres that are anticipated at the end of that calendar year.

(2) The annual fee shall be paid on or before September 1 of each year, except that the fee for the first year of a new or reopened mine shall be paid at the time a permit application is filed.

(3) The annual fee shall be paid for each calendar year in which nonmetallic mining takes place and shall continue to be paid for each subsequent year until final reclamation is certified as complete.

(4) (a) The annual fee shall be comprised of a Manitowoc County Fee and a Wisconsin Department of Natural Resources Fee.

(b) The Manitowoc County Fee shall equal, to the extent practicable, the cost of examination and approval of nonmetallic mining reclamation plans and the inspection of nonmetallic mining sites, except that for sites on which no nonmetallic mining has taken place during a calendar year, the annual fee for the following year shall be \$75 per acre. On or before June 1 of each year, Manitowoc County shall determine the amount of the annual fee for the next year, document the basis for the fee in writing, and make the amount of the fee and the documentation supporting the fee available for public inspection at the office of the

Manitowoc County Planning and Park Commission.

(c) The Department of Natural Resources Fee shall be equal to the amount specified in Wis. Admin. Code § NR 135.39(3), except that for sites on which no nonmetallic mining has taken place during a calendar year, the fee paid for the following year shall be \$15.00 per acre. Manitowoc County shall forward any fees collected under this subsection to the Department by March 31 of the year for which they are collected, except that any fees collected for new or reopened mines shall be paid by March 31 of the year following the year in which they are collected.

(5) If reclamation has occurred on portions of a nonmetallic mining site but has not been certified at the time the annual fee is due, the person paying the fee may request in writing that the fee or a portion of the fee be retained by Manitowoc County pending certification of completed reclamation. Upon such certification Manitowoc County shall refund such portion of the annual fee as may be appropriate.

**21.39 Regulatory Reporting and Documentation. (1) Reporting.** Manitowoc County shall submit an annual report to the Department by March 31 of each year. The report shall include the following information for the previous year's nonmetallic mining reclamation program:

- (a) The total number of nonmetallic mining reclamation permits in effect.
  - (b) The number of new permits issued within the jurisdiction of Manitowoc County.
  - (c) The total number of acres approved for nonmetallic mining.
  - (d) The number of new acres approved for nonmetallic mining.
  - (e) The number of acres being mined.
  - (f) The number of acres that have been reclaimed and have had financial assurance released.
  - (g) The number of acres that have been reclaimed and awaiting release from financial assurance requirements.
  - (h) The number and nature of public hearings, alternative requirements granted, permit modifications, violations, enforcement actions, penalties assessed, and bond or financial assurance forfeitures.
- (2) Documentation. Manitowoc County shall, to the best of its ability, maintain the following information and make it available to the Department for that agency's audit of Manitowoc County's reclamation program pursuant to Wis. Admin. Code Ch. NR 135:
- (a) Documentation of compliance with Wis. Admin. Code Ch. NR 135 and this chapter.
  - (b) Procedures employed by Manitowoc County regarding reclamation plan review and the issuance and modification of permits.
  - (c) Methods for review of annual reports received from operators.
  - (d) Method and effectiveness of fee collection.
  - (e) Procedures to accurately forward the Department's portion of collected fees in a timely fashion.
  - (f) Methods for conducting on-site compliance inspections and attendant reports, records, and enforcement actions.
  - (g) Responses to citizen complaints.
  - (h) Method of and accuracy in determining the amount of the financial assurance obtained from the operator to guarantee reclamation performance.



- 1033 (i) Maintenance and availability of records.
- 1034
- 1035 (j) Number and type of approvals for alternative requirements granted.
- 1036
- 1037 (k) Method of determining the success of reclamation in meeting the criteria contained in the
- 1038 reclamation plan and releasing financial assurance.
- 1039
- 1040 (l) Any changes in local funding, staffing, ordinances, or regulations or any other factor that affects
- 1041 the ability of Manitowoc County to implement its nonmetallic mining reclamation program under this chapter.
- 1042
- 1043 (m) Amount of fees collected in comparison to the amount of money actually expended for nonmetallic
- 1044 mining reclamation program administration.
- 1045
- 1046 (n) Any other performance criterion Manitowoc County deems necessary to ascertain compliance with
- 1047 Wis. Admin. Code Ch. NR 135.
- 1048
- 1049 **21.40 Reporting, Certification, and Effect of Reclamation.** (1) Reporting. The operator of a
- 1050 nonmetallic mining site may report reclamation or interim reclamation as specified in the approved
- 1051 reclamation plan for all or a portion of a nonmetallic mining site.
- 1052
- 1053 (2) Inspection. Manitowoc County shall inspect any nonmetallic mining site within 60 days of receipt
- 1054 of a report of reclamation or interim reclamation.
- 1055
- 1056 (3) Determination and Certification. Manitowoc County shall issue and make a determination in
- 1057 writing in accordance with sub. 21.25(8). If Manitowoc County determines that interim or final reclamation
- 1058 is complete, including revegetation as specified in a reclamation plan that conforms with sec. 21.24,
- 1059 Manitowoc County shall issue the operator a written certificate of completion.
- 1060
- 1061 (4) Effect of Certification. If reclamation is certified by Manitowoc County as complete for all or part
- 1062 of a nonmetallic mining site, then:
- 1063
- 1064 (a) No fee shall be assessed under sec. 21.38 for the area so certified.
- 1065
- 1066 (b) The financial assurance required by sec. 21.25 shall be released or appropriately reduced in the case
- 1067 of completion of reclamation of a portion of the mining site.
- 1068

1069 **21.41 Permit Termination.** When all final reclamation required by a reclamation plan conforming

1070 to sec. 21.24 and required by this chapter is certified as complete, Manitowoc County shall issue a written

1071 statement to the operator of the nonmetallic mining site terminating the reclamation permit.

1072

## 1073 **PART V – ENFORCEMENT**

1074

1075 **21.42 Violations.** A violation of this chapter, an order or permit issued pursuant to this chapter, or a

1076 reclamation plan required by sec. 21.24 and a permit issued under this chapter shall be deemed a violation

1077 of Wis. Stat. Ch. 295, subch. I, and Wis. Admin. Code Ch. NR 135.

1078

1079 **21.43 Right of Entry and Inspection.** (1) Manitowoc County may inspect any nonmetallic mining

1080 site subject to this chapter for the purpose of ascertaining compliance with the provisions of Wis. Stat. Ch.

1081 295, subch. I, Wis. Admin. Code Ch. NR 135, or this chapter.

1082

1083 (2) No person may refuse access to a nonmetallic mining site or to records relating to a site by an

1084 authorized employee, officer, or representative of Manitowoc County or the Department for the purpose of

1085 inspecting the site for compliance with the nonmetallic mining reclamation permit, Wis. Stat. Ch. 295, subch.

1086 I, Wis. Admin. Code Ch. NR 135, or this chapter.

1087

1088 (3) Any person who enters a site pursuant to this section shall obtain such training and use such safety

1089 equipment as may be necessary to comply with any federal, state, or local law, regulation, rule, or ordinance

1090 applicable to persons on the nonmetallic mining site.

1091

1092       **21.44 Orders.** Manitowoc County may issue orders as set forth in Wis. Stat. § 295.19(1)(a) to enforce  
1093 Wis. Stat. Ch. 295, subch. I, and Wis. Admin. Code Ch. NR 135, this chapter, a permit issued pursuant to this  
1094 chapter, or a reclamation plan required by sec. 21.24 and a permit issued under this chapter.  
1095

1096       **21.45 Special Orders.** Manitowoc County may issue special orders as set forth in Wis. Stat. §§  
1097 295.19(1)(b) and (c) suspending or revoking a nonmetallic mining reclamation permit or directing an operator  
1098 to immediately cease an activity regulated under Wis. Stat. Ch. 295, subch. I, Wis. Admin. Code Ch. NR 135,  
1099 or this chapter until the necessary plan approval is obtained.  
1100

1101       **21.46 Review of Orders.** Notwithstanding Wis. Stat. §§ 68.001, 68.03(8) and (9), 68.06, and  
1102 68.10(1)(b), any person holding a reclamation permit who is subject to an order pursuant to this section may  
1103 obtain a hearing on administrative appeal under Wis. Stat. § 68.11 with respect to the order by providing  
1104 proper notice of appeal.  
1105

1106       **21.47 Citations.** Manitowoc County may issue citations pursuant to Wis. Stat. § 66.119(1) and  
1107 Manitowoc County Code § 6.02 for violations of this chapter, a permit issued pursuant to this chapter, or a  
1108 reclamation plan required by sec. 21.24 and a permit issued under this chapter, Wis. Stat. Ch. 295, subch. I,  
1109 and Wis. Admin. Code Ch. NR 135. The issuance of a citation under this subsection shall not preclude  
1110 proceeding under any other ordinance or law relating to the same or any other matter, and the issuance of a  
1111 citation under this subsection shall not be precluded by proceedings under any other ordinance or law relating  
1112 to the same or any other matter.  
1113

1114       **21.48 Enforcement.** Manitowoc County may refer any order issued to abate violations of this chapter  
1115 to a district attorney, corporation counsel, municipal attorney, or the attorney general for enforcement. The  
1116 district attorney, corporation counsel, municipal attorney, or the attorney general may enforce those orders.  
1117

1118       **21.49 Penalties. (1)** Any violation of Wis. Stat. Ch. 295, subch. I, Wis. Admin. Code Ch. NR 135,  
1119 this chapter, a permit issued pursuant to this chapter, or a reclamation plan required by sec. 21.24 and a permit  
1120 issued under this chapter may result in forfeitures as provided in Wis. Stat. § 295.19(3).  
1121

1122       **(2)** Any person who violates Wis. Admin. Code Ch. NR 135 or an order issued under sec. 21.44 shall  
1123 forfeit not less than \$25 nor more than \$1,000 for each violation. A separate offense shall be deemed  
1124 committed on each day during or on which a violation occurs or continues. No penalty shall accrue during  
1125 the period that an order issued under sec. 21.31 is enjoined, stayed, or suspended.  
1126

1127       **(3)** Except as provided in sub. (2), any person who violates Wis. Stat. Ch. 295, subch. I, Wis. Admin.  
1128 Code Ch. NR 135, any approved reclamation plan, or an order issued pursuant to sec. 21.44 shall forfeit not  
1129 less than \$10 nor more than \$5,000 for each violation. A separate offense shall be deemed committed on  
1130 each day during or on which a violation occurs or continues. No penalty shall accrue during the period that  
1131 an order issued under sec. 21.44 is enjoined, stayed, or suspended.

Dated this 19th day of June 2001.

Respectfully submitted by the Planning & Park Commission.

FISCAL IMPACT:       Based upon permits issued for 720 acres at a county permit fee of \$75.00 per acre  
would generate \$54,000 in revenue. It is the intent of the Planning & Park  
Department to add an Associate Code Administrator. Total cost of this new  
position along with additional costs to the office is estimated to be \$54,000 at this  
time.

Supervisor Skubal moved, seconded by Supervisor Muench, to adopt Resolution 16A. (2001/2002-51)  
Authorizing Application for Park Grant for Silver Lake Public Access. Upon vote, the motion carried  
unanimously.

**RESOLUTION AUTHORIZING APPLICATION FOR  
PARK GRANT FOR SILVER LAKE PUBLIC ACCESS**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Wisconsin Legislature has enacted legislation providing matching grants for  
2 development projects in governmental park and recreation facilities, and  
3

4 WHEREAS, an opportunity has presented itself to improve the water quality of Silver Lake by  
5 diverting Silver Creek and relocating the parking lot, launch ramp, pedestrian bridge, and privy; and  
6

7 WHEREAS, it has been determined by the Lake Association, the Department of Natural Resources,  
8 the Department of Transportation, and the Manitowoc County Planning and Park Commission that dredging  
9 will be required to allow boat movement from the new launch ramp to the main body of Silver Lake, and  
10

11 WHEREAS, the total cost of the Silver Lake public access project will be \$26,000; the \$13,000, which  
12 is the County's share of the cost, has been provided by Manitowoc County Fish and Game Association; and  
13 \$13,000 in matching funds may be available from the State of Wisconsin; and  
14

15 WHEREAS, the Manitowoc County Planning and Park Commission at their regular meeting on  
16 Thursday, December 21, 2000, approved the proposed development project at Silver Lake and the proposed  
17 funding mechanisms.  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
20 and approves the Manitowoc County Planning and Park Commission's recommendation to submit an  
21 application to the Wisconsin Department of Natural Resources for financial assistance for a Silver Lake  
22 public access project, including dredging an area from a new launch ramp to the main body of the lake and  
23 relocating the existing privy; and  
24

25 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal rules for  
26 the program; may perform force account work; will maintain the completed project in an attractive, inviting,  
27 and safe manner; will keep the facilities open to the general public during reasonable hours consistent with  
28 the type of facility; and will obtain approval in writing from the Wisconsin Department of Natural Resources  
29 or the Wisconsin Waterways Commission, or both, before any change is made in the use of the project site;  
30 and  
31

32 BE IT FURTHER RESOLVED that the County Board Chair, the County Clerk, and the Director of  
33 the Planning and Park Department are authorized to execute such papers and to take such other action as may  
34 be necessary to apply for and accept a grant for the project and to undertake, direct, and complete the project  
35 upon receipt of the grant; and  
36

37 BE IT FURTHER RESOLVED that the 2001 Annual Budget is hereby amended by the amounts shown  
38 above and that the Comptroller/Auditor is hereby directed to record such information in the official books  
39 of the County for the year ending December 31, 2001, as may be required.

Dated this 19th day of June 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: Increases state grant revenue by \$13,000; increases public charges for service  
revenue by \$13, 000, and increases Planning and Park Department expenditures  
by \$26,000. No tax levy impact.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Public Safety Committee: Supervisor Juul reported they will be meeting next week Tuesday at 5:00 p.m. at the Courthouse. At their last meeting, they were approached by PSJS regarding receiving calls for the Coroner on the E-911 line. They are looking for a solution to this problem.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Henrickson, to adopt Resolution 17 (2001/2002-52) Authorizing Grant Application for 2002 Ag Clean Sweep Program. Upon vote, the motion carried unanimously.

No. 2000/2001-52

**RESOLUTION AUTHORIZING GRANT APPLICATION  
FOR 2002 AG CLEAN SWEEP PROGRAM**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County held its first Ag Clean Sweep program on May 13, 1994, and has held  
2 several others since then, all of which have been quite successful; and  
3

4 WHEREAS, the County Board recognizes the benefits of a program to remove banned, damaged, and  
5 otherwise unwanted pesticides and farm chemicals from Manitowoc County farms; and  
6

7 WHEREAS, the Public Works Committee recommends applying for a Department of Agriculture grant  
8 in the amount of \$10,000, which would have a Manitowoc County matching share of \$3,000 excluding in-  
9 kind services, and a Wisconsin Department of Natural Resources grant is in the amount of \$2,000 for the Ag  
10 Clean Sweep program;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
13 the Public Works Director to submit Ag Clean Sweep grant applications and, if successful, accept the grants  
14 for the 2002 Ag Clean Sweep program.

Dated this 19th day of June 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: If grant applications are successful, funding would be incorporated into the 2002 county budget.

Supervisor Dufek reported that the Committee authorized the Public Works Director to hire Plunkett Raysich Architects from Milwaukee. He stated they are the biggest nursing home architects in the state.

Transportation Coordinating Committee: Supervisor Barnes reported they are working on changing their by-laws as well as updating their safety and training policy for their vehicles.

Ad Hoc Health Care Center Study Committee: Supervisor Hansen reported they had wonderful meetings last week at three locations regarding the Health Care Center proposals. The committee felt like they were being rushed and have been given one more month to come to a decision. The project must be completed by July 2003. After that date, the county will lose \$109,000 per month in ITP funds. After discussion, it was decided to schedule a Committee of the Whole meeting on Thursday, July 5<sup>th</sup> at 7:00 p.m. with a special County Board meeting on Tuesday, July 10<sup>th</sup> at 7:00 p.m.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Muench, to adopt Resolution 18 (2001/2002-53) In the Matter of the Town of Centerville Zoning Ordinance for Donald Pritchard. Upon vote, the motion carried unanimously.

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(DONALD PRITCHARD)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the  
9 County Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors  
12 that it approves the Town of Centerville zoning ordinance which was adopted by the Town Board  
13 of the Town of Centerville on January 13, 1997, for Donald Pritchard.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Supervisor Mueller moved, seconded by Supervisor Borremans, to adopt Resolution 19 (2001/2002-54) In the Matter of the Town of Centerville Zoning Ordinance for William J. Roelse, Resolution 20 (2001/2002-55) In the Matter of the Town of Centerville Zoning Ordinance for Mark Giese dated 10/27/94, Resolution 21 (2001/2002-56) In the Matter of the Town of Centerville Zoning Ordinance for Mark Giese dated 3/31/97, Resolution 22 (2001/2002-57) In the Matter of the Town of Centerville Zoning Ordinance for Dan Kaderabek, Resolution 23 (2001/2002-58) In the Matter of the Town of Centerville Zoning Ordinance for Leonard Wagner, and Resolution 24 (2001/2002-59) In the Matter of the Town of Centerville Zoning Ordinance for Tom Goeke. Upon vote, the motion carried unanimously.

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(WILLIAM J. ROELSE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on October 20, 1994, for William Roelse.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

No. 2001/2002 - 55

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(MARK GIESE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on October 27, 1994, for Mark Giese.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

No. 2001/2002 - 56

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(MARK GIESE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on March 31, 1997, for Mark Giese.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

No. 2001/2002 - 57

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(DAN KADERABEK)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on May 12, 1997, for Dan Kaderabek.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

No. 2001/2002 - 58

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(LEONARD WAGNER)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on April 29, 1999, for Leonard Wagner.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

No. 2001/2002 - 59

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(TOM GOEKE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and  
3

4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and  
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of  
13 Centerville on September 26, 2000, for Tom Goeke.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Clyde Mueller.

FISCAL IMPACT: None.

Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 25 (2001/2002-60) in the  
Matter of the Town of Newton Zoning Ordinance for Robert Popp. Upon vote, the motion carried  
unanimously.

No. 2001/2002 - 60

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(ROBERT POPP)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. §  
2 60.62; and  
3

4 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County  
5 Board of Supervisors for approval; and  
6



7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;

10  
11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
13 Newton on June 13, 2001, for Robert Popp.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 26 (2001/2002-61) in the  
Matter of the Town of Newton Zoning Ordinance for Zoning and Land Use. Upon vote, the motion carried  
unanimously.

No. 2001/2002 - 61

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(ZONING AND LAND USE ORDINANCE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. §  
2 60.62; and

3  
4 WHEREAS, the Town of Newton has repealed the Zoning and Land Use Ordinance that it adopted  
5 October 13, 1999; and

6  
7 WHEREAS, the Town of Newton has submitted a new zoning ordinance to the Manitowoc  
8 County Board of Supervisors for approval; and

9  
10 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
11 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
12 Board;

13  
14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
15 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
16 Newton on June 13, 2001.

Dated this 19th day of June 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Supervisor Kohlbeck announced that the Wisconsin Associated County Extension Committees (WACEC)  
Conference will be held in Manitowoc County at the Holiday Inn this Sunday thru Tuesday noon.

Chairperson Markwardt stated the next County Board meeting will be held on July 17, 2001 at 7:00 p.m.

Supervisor Nate moved to adjourn at 8:32 p.m. Supervisor Sloan seconded and the motion was adopted  
unanimously.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS - DAY ONE  
MANITOWOC COUNTY, WISCONSIN

July 10, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, 1701 Michigan Avenue, in the City of Manitowoc, being the 10th day of July, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:02 P.M.

The invocation was given by Supervisor Muench and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Graunke was excused.

On motion by Supervisor Mueller, seconded by Supervisor Juul, the June 19, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications . 1. James Wyss - Manitowoc City Attorney/Personnel Director - Letter Regarding City Purchase of County Highway Shop Property. 2. Russell Steeber - Copy of His Letter to the Editor Regarding Health Care Center. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances O. Miscellaneous: Supervisor Don Markwardt 3. Resolution Regarding Manitowoc Company Land Sale. Supervisor Borremans moved, seconded by Supervisor Vogt, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Supervisor Brey moved, seconded by Supervisor Dobbs, to suspend Rule 20 (f) to allow for unlimited speaking. Upon vote, the motion carried unanimously.

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

Dr. John Goswitz, Town of Manitowoc, stated there was a referendum in April 1999 asking taxpayers if they wanted the Health Care Center moved. The referendum failed 3 to 1. He feels the Health Care Center should not be moved until another referendum has been voted upon. He also stated that if the Health Care Center is moved, the tax cost should be made very clear to the public.

Dean Graunke, Manitowoc, representing the property owners that border the south end of the Expo grounds, spoke to the Board regarding the opportunity to have a Right of First Refusal to purchase additional land to the north of their properties. They would appreciate the Right of First Refusal to acquire additional property to act as a buffer zone.

Atty. Arden Muchin, Manitowoc, addressed the Board concerned that the information given to the public is insufficient. He feels the appraisal on the property should be made available to the public to analyze. He also asked why there is only one buyer for the development of the property. He feels there are too many unanswered questions and that more time is needed to make a decision.

Don Goeke, Manitowoc, wanted to know what would happen when Dewey Street was extended according to the City of Manitowoc's street map. He wanted to know where the Health Care Center would be located if it stayed at the present site. He also asked what it would cost to remodel the existing building for offices. He feels there would be plenty of room to consolidate the small office buildings the county has into one and no need to purchase the M& I Bank property.

Supervisor Brey reported the County Board opposed, on a unanimous vote, the street map extending Dewey Street. He also stated the M&I Bank property acquisition was removed from the budget one and one-half years ago.

Chairperson Markwardt declared public input closed at 7:30 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

APPOINTMENTS BY CHAIRPERSON: None.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Study Committee: Supervisor Hansen reported the issue of the Health Care Center has been a long process. A decision on the location has to now be made.

Supervisor Hansen moved, seconded by Supervisor Behnke, to adopt Resolution 1 (2001/2002-62) Regarding Sale of Property to Commercial Horizons, L.L.C. Discussion followed.

In response to a question on the County's bond issue obligation, Todd Reckelberg, Comptroller, reported that the current principle and interest payments are \$2.2 million for the entire debt between 2001-2005. It then starts to decrease. He referred supervisors to page 107 of the Comprehensive Annual Financial Report that lists the County's debt.

Jeff Beyer, Public Works Director, stated that the utilities will cost the same on any of the sites. The cost is part of the project budget of \$13.5 million.

Supervisor Kohlbeck moved, seconded by Supervisor Swade, to amend Resolution 1 to include a Right of First Refusal for a period of 7 years for property owners by the Expo Grounds. Also, on page 1, line 32, the sum of "\$0" per acre was completed. Upon discussion and vote, the motion failed with 9 ayes and 15 noes. Supervisors Mueller, Skubal, Henrickson, Kohlbeck, Wagner, Bundy, Barnes, Vogt, and Swade voted aye. All other supervisors voted no.

Upon vote on the resolution, the motion carried with 14 ayes and 10 noes. Supervisors Skubal, Lambert, Sloan, Dufek, Grimm, Nate, Geimer, Wagner, Kohlbeck, and Mueller voted no; all other supervisors voted aye.

No. 2001/2002 - 62

**RESOLUTION ACCEPTING LETTER OF INTENT  
FROM COMMERCIAL HORIZONS, L.L.C.**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County solicited offers to purchase part or all of the property presently  
2 occupied by the Manitowoc Health Care Center but excluding approximately 14 acres surrounding the  
3 Manitowoc County Office Complex ("Property"); and  
4

5 WHEREAS, Commercial Horizons, L.L.C., submitted a proposal to purchase all of the Property for  
6 the sum of \$3,125,000 and has provided Manitowoc County with a Letter of Intent setting forth the terms and  
7 conditions of the proposed sale; and  
8

9 WHEREAS, the Manitowoc County Board of Supervisors believes that sale of the Property on the  
10 terms proposed by Commercial Horizons is in the best interests of Manitowoc County;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
13 the Letter of Intent with Commercial Horizons, L.L.C.; authorizes the County Board Chair and the County  
14 Clerk to execute the Letter of Intent; authorizes the County Board Chair and the County Clerk to enter into  
15 a formal offer to purchase embodying the terms and conditions contained in the Letter of Intent; and  
16 authorizes the County Board Chair and the County Clerk to execute or cause to be executed the papers  
17 necessary to sell the Property to Commercial Horizons, L.L.C.

Dated this 10th day of July 2001.

Respectfully submitted by Ad Hoc Health Care Center Study Committee.

FISCAL IMPACT: \$3,125,000, less incidental costs, would be placed in the appropriate fund to pay for construction of a new health care center; avoids approximately \$1,000,000 in infrastructure costs such as installation of roads and abandonment of utilities; avoids \$400,000-700,000 in building demolition costs; and permits the County to capture approximately \$2 million in Intergovernmental Transfer (IGT) funding.

Supervisor Hansen moved, seconded by Supervisor Behnke, to adopt Resolution 2 (2001/2002-63) Accepting Property from the City of Manitowoc for Manitowoc County Health Care Center.

Supervisor Geimer moved, seconded by Supervisor Bundy, to amend Resolution 2 to look at alternate properties and not to exceed \$609,000 that is in the Capital Investment Fund. Also, on page 2, line 38, "... for not more than \$609,000 and to close the transaction ...." was completed. Upon vote, the motion failed with 7 ayes and 17 noes. Supervisors Grimm, Skubal, Dobbs, Henrickson, Geimer, Bundy, and Swade voted aye; all other supervisors voted no.

Upon vote on the resolution, the motion carried with 14 ayes and 10 noes. Supervisors Sloan, Dufek, Grimm, Skubal, Mueller, Kohlbeck, Wagner, Geimer, Bundy, and Nate voted no; all other supervisors voted aye.

No. 2001/2002 - 63

**RESOLUTION ACCEPTING CITY OF MANITOWOC  
OFFER OF LAND RELATING TO  
MANITOWOC COUNTY HEALTH CARE CENTER**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the City of Manitowoc has offered Manitowoc County a parcel of land located near the  
2 northeast corner of the intersection of U.S. Highway 151 and South Alverno Road in the City of Manitowoc  
3 consisting of approximately 14 acres ("Property"); and  
4

5 WHEREAS, the City's offer is contingent upon the construction of a new Manitowoc County Health  
6 Care Center on the Property; the transfer of title of the existing Manitowoc Health Care Center lands to  
7 Commercial Horizons or another private, non tax exempt entity; and the termination of a 1989 Purchase  
8 Agreement between Manitowoc County and City of Manitowoc regarding land that was part of the original  
9 I-43 Industrial Park; and  
10

11 WHEREAS, the City of Manitowoc has provided Manitowoc County with such assurances with  
12 respect to zoning and development and use of the land surrounding the Property as are legally permissible;  
13 and  
14

15 WHEREAS, the City of Manitowoc Plan Commission voted unanimously to recommend to the City  
16 of Manitowoc Common Council confirmation of the location and transfer of the Property and the Common  
17 Council has voted unanimously to accept the Plan Commission report; and  
18

19 WHEREAS, Manitowoc County Board of Supervisors believes that the Property offered by the City  
20 provides an appropriate and suitable location for a new Manitowoc County Health Care Center;  
21

22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
23 the City of Manitowoc's Offer of Land Related to Manitowoc County Health Care Center and authorizes the  
24 County Board Chair and the County Clerk to execute, or cause to be executed, the papers necessary to accept  
25 the City's Offer, to effect the transfer of the Property to Manitowoc County, and to construct a new health  
26 care center on the Property.

Dated this 10th day of July 2001.

Respectfully submitted by Ad Hoc Health Care Center Study Committee.

FISCAL IMPACT: Transfers approximately 14 acres of land valued at over \$112,000 to Manitowoc County and forgoes approximately \$35,000 in potential revenue under 1989 Purchase Agreement, for a net financial benefit to County of approximately \$77,000.

Finance Committee: Supervisor Grimm reported that health insurance will cost \$981,000 in addition to last years cost.

Board of Health: Supervisor Nate reported the Health Department received an award for outstanding prevention in Wisconsin. They also will be looking at filling the WIC Director position.

Miscellaneous: Supervisor Markwardt moved, seconded by Supervisor Sloan, to adopt Resolution 3 (2001/2002-64) Regarding Manitowoc Company Land Sale.

Corporation Counsel explained that this is a fresh offer from the Manitowoc Company. It is substantially the same but some of the time lines have been changed from 60 to 45 days to accommodate the building schedule.

Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 64

### **RESOLUTION REGARDING MANITOWOC COMPANY LAND SALE**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc Company has offered to purchase certain property owned by Manitowoc  
2 County ((Tax Key No. 835-102-010-02, hereinafter the "Property") and has stated its intention to build a state  
3 of the art office building to meet its present and future needs for corporate headquarters office space; and  
4

5 WHEREAS, the offered purchase price of Two Hundred Thirty-Two Thousand Five Hundred Dollars  
6 (\$232,500) was reviewed and found acceptable by the Public Works Committee and the Committee of the  
7 Whole; and  
8

9 WHEREAS, the Manitowoc County Board of Supervisors previously authorized the sale of the  
10 Property to the Manitowoc Company in Resolution No. 1999/2000-176 on February 29, 2000, but the parties  
11 were unable to complete the sale at that time; and  
12

13 WHEREAS, the Manitowoc Company has renewed its offer to purchase the Property and proposes  
14 to close the sale on or before September 11, 2001; and  
15

16 WHEREAS, it remains in the best interests of Manitowoc County, the Manitowoc Company, and the  
17 City of Manitowoc to proceed with the sale of the Property to the Manitowoc Company;  
18

19 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
20 ratifies the actions described by Resolution No. 1999/2000-176 and authorizes the County Board Chair and  
21 the County Clerk to execute, or cause to be executed, the papers necessary to accept the Manitowoc  
22 Company's Offer To Purchase the Property dated July 9, 2001, and to effect the sale of the Property to the  
23 Manitowoc Company.

Dated this 10th day of July 2001.

Respectfully submitted by Don C. Markwardt, County Board Chair.

FISCAL IMPACT: \$232,500, less incidental costs, would be placed in the County's Economic Development Capital Projects Fund for future property transactions. Incidental costs associated with the sale of the Property including an allowance of approximately \$15,000 related to utilities, would be incurred.

Chairperson Markwardt stated the next County Board meeting will be held on July 17, 2001 at 7:00 p.m.

Supervisor Dufek moved to adjourn at 9:02 p.m. Supervisor Borremans seconded and the motion was adopted unanimously.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

July 17, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, 1701 Michigan Avenue, in the City of Manitowoc, being the 17th day of July, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Acting Chair Tom Lambert at 7:03 P.M.

The invocation was given by Supervisor Skubal and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 22 members present; Supervisors Barnes, Behnke, Brey, Bundy, Dobbs, Dufek, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Geimer and Markwardt were excused. Supervisor Borremans arrived at 7:20 p.m.

On motion by Supervisor Dufek, seconded by Supervisor Brey, the July 10, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications Additional communications were received from Kenosha County, Jim FitzGerald-DA, WCA, Waushara County, and Senator Baumgart. XII. Appointments by Chairperson A. Solid Waste Management System Advisory Committee Appoint William Handlos, Scott Thorenson, Randy Neils, Harvey Jannette, Donna Kieckbusch, and Mark Wendt. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances O. Miscellaneous: Resolution 13 was removed. Supervisor Kevin Behnke 14. Resolution in the Matter of the Town of Newton Zoning Ordinance for Gene Fischer. 15. Resolution in the Matter of the Town of Newton Zoning Ordinance for Henry Luebke. Supervisor Sloan moved, seconded by Supervisor Barnes, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Acting Chair Lambert declared public input open at 7:08 p.m.

Don Goeke, Manitowoc, thanked Supervisor Dufek for his position on the Health Care Center issue. He thought it inappropriate that a single supervisor would be saying what the future of the County Extension office would be.

Acting Chair Lambert declared public input closed at 7:09 p.m.

APPOINTMENTS BY CHAIRPERSON:

Acting Chair Lambert recommended the appointment of William Handlos, Scott Thorenson, Randy Neils, Harvey Jannette, Donna Kieckbusch, and Mark Wendt to the Solid Waste Management System Advisory Committee for three year terms expiring July 2004. Supervisor Swade moved, seconded by Supervisor Mueller, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Board of Health: Supervisor Nate reported several Board members attended the Wisconsin Association of Local Health Departments and Boards meeting on July 12<sup>th</sup> in Kimberly where they discussed disease prevention procedures, immunization guidelines, diabetes control and chronic disease programs. The Health Department announced that Neshotah Beach in Two Rivers was not safe to swim. The Health Department is offering free bacteria and nitrate well water testing for wells that serve families with children under one year of age or pregnant women. Carcasses left on the roadways are becoming a problem after the DNR announced it would end its removal of carcasses along the highways of our County. The DNR does allow law enforcement officers, county highway workers and wardens to remove deer from the road and drag them a few feet into the ditch, or onto the shoulder. Also, she reported that their Clerk Interpreter gave her two week notice today so they will be looking to fill this position.

Supervisor Nate moved, seconded by Supervisor Skubal, to adopt Resolution 1 (2001/2002-65) to Fill and Fund the WIC Director Position. Upon vote, the motion carried unanimously.

**RESOLUTION TO FILL AND FUND THE WIC DIRECTOR POSITION**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County Health Department provides women, infant, and children  
2 (“WIC”) services to the residents of Manitowoc County under a contract with the Department of Health and  
3 Family Services; and  
4

5 WHEREAS, the WIC program provided \$674,000 in food and infant formula vouchers to Manitowoc  
6 County WIC recipients in the year 2000; and  
7

8 WHEREAS, the contract requires that the Health Department carry out the WIC program based on  
9 policies and procedures provided by the US Department of Agriculture and the Department of Health and  
10 Family Services; and  
11

12 WHEREAS, the WIC program policies require that nutrition education be provided under the  
13 direction of a Registered Dietician; and  
14

15 WHEREAS, the Aging Resource Center requires the services of a registered dietician to provide  
16 oversight of the Senior Nutrition Program and is willing to contract with the Health Department for those  
17 services; and  
18

19 WHEREAS, the current WIC Director/Registered Dietician is unable to continue to provide the  
20 required oversight of nutrition education services due to a medical disability and, as a result, the Health  
21 Department is out of compliance with the WIC contract;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Health Department be allowed to fill the position  
24 of WIC Director as a full time position to fulfill the terms of the WIC contract and provide registered dietician  
25 services for the Senior Nutrition Program during the extended disability leave of the incumbent and thereafter;  
26 and  
27

28 BE IT FURTHER RESOLVED that \$17,910 be transferred from the contingency fund to the Health  
29 Department Budget for the purpose of paying salary and benefits for the replacement WIC Director; and  
30

31 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001  
32 Annual Budget is hereby amended by the amount stated above and that the Comptroller/Auditor is hereby  
33 directed to record such information in the official books of the County for the year ending December 31,  
34 2001, as may be required.

Dated this 17th day of July 2001.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Transfers \$17,190 from the contingent fund to appropriate WIC accounts.

Executive Committee: Dan Fischer, County Clerk reported the Executive Committee will be meeting on  
Tuesday, August 7<sup>th</sup>. Land use planning and other issues will be discussed.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 2  
(2001/2002- 66) Authorizing the Issuance and Providing for the Sale of Not to Exceed \$6,660,000 General  
Obligation Refunding Bonds, Series 2001A. Upon vote, the motion carried unanimously.



**RESOLUTION AUTHORIZING THE ISSUANCE AND  
PROVIDING FOR THE SALE OF NOT TO EXCEED \$6,660,000  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2001A**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County, Wisconsin (the "County"), has outstanding its General Obligation  
2 Refunding Bonds, Series 1992A, dated September 1, 1992 (the "1992 Bonds"); and  
3

4 WHEREAS, it is in the best interest of the County to refund the 1992 Bonds in order to achieve debt  
5 service cost savings; and  
6

7 WHEREAS, it is necessary and desirable that the monies needed for such refunding be borrowed  
8 through the issuance by the County of general obligation bonds pursuant to Wis. Stat. § 67.04;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the County borrow an amount not to exceed  
11 \$6,660,000 by issuing its general obligation bonds for the public purpose of refunding obligations of the  
12 County, including interest on them; and  
13

14 BE IT FURTHER RESOLVED that:  
15

16 Section 1. Issuance of Bonds. The bonds authorized by this resolution shall be issued as an issue  
17 of bonds designated "General Obligation Refunding Bonds, Series 2001A" (the "Bonds") in an aggregate  
18 amount not to exceed \$6,660,000.  
19

20 Section 2. Sale of Bonds. The County Board hereby authorizes and directs that the Bonds be offered  
21 for public sale. At its meeting on August 21, 2001, the County Board shall consider such bids for the Bonds  
22 as may have been received and take action thereon.  
23

24 Section 3. Notice of Bond Sale. The County Clerk be and hereby is directed to cause notice of the  
25 sale of the Bonds to appear in such newspapers and at such times as the County Clerk may determine and to  
26 cause copies of complete Official Notice of Bond Sale and other pertinent data to be forwarded to interested  
27 bidders as the County Clerk may determine.  
28

29 Section 4. Official Statement. The County Clerk shall cause an Official Statement concerning this  
30 issue to be prepared by the County's financial advisor, Robert W. Baird & Co. The appropriate County  
31 officials shall determine when the Official Statement is final for purposes of Securities and Exchange  
32 Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization  
33 of such Statement under this resolution.

Dated this 17th day of July 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Fiscal impact will be determined at sale at August County Board meeting. Current  
estimate is a net present value savings of \$345,936 over the nine year period.

Supervisor Grimm moved, seconded by Supervisor Muench, to adopt Resolution 3 (2001/2002-67) Opposing  
Grace Periods for Delinquent Tax Payers. Upon vote, the motion carried unanimously.

**RESOLUTION OPPOSING GRACE PERIODS FOR DELINQUENT TAX PAYERS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, county treasurers make every effort to inform taxpayers of payment deadlines through  
2 a variety of media; and  
3

4 WHEREAS, the majority of taxpayers pay their property taxes in a timely manner and the State of  
5 Wisconsin has not provided a grace period for any other tax payment; and  
6

7 WHEREAS, enactment of grace period legislation for property taxes would result in additional costs  
8 for computer programming, staffing, and lost revenues; serves the interests of only a few taxpayers; and  
9 penalizes thousands; and  
10

11 WHEREAS, the Wisconsin County Treasurers Association would like to maintain uniformity in tax  
12 collection; has strongly opposed previous grace period proposals; and has unanimously voted to oppose all  
13 legislation allowing a grace period for late payment of property taxes;  
14

15 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors strongly  
16 recommend the current law remains unchanged and strongly opposes enactment of any legislation allowing  
17 a grace period for property taxes; and  
18

19 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
20 resolution to the Governor of the State of Wisconsin, the Assembly Ways and Means Committee, each  
21 legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc County, and  
22 the Wisconsin County Treasurers Association.

Dated this 17th day of July 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

Health Care Center Committee: Supervisor Behnke reported they will continually work on ways to capture efficiencies on moving from the old facility to the new one.

Highway Committee: Supervisor Sloan reported the Highway Department has completed their asphalt project in the Villages of Mishicot and Maribel. They continue to work on chip sealing.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported the County Forage Council completed a twilight meeting for area producers showing the latest in equipment. The UW-Extension is looking at pilot testing a software program to lower weed control costs in corn and soybeans.

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 4 (2001/2002-68) Authorizing Acceptance of TANF Grant Funding. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING ACCEPTANCE  
OF TANF GRANT FUNDING**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN:

1 WHEREAS, the mission of the Manitowoc County UW-Extension Office is to serve as an  
2 educational resource dedicated to improving the quality of people's lives by providing research-based  
3 knowledge to strengthen the social, economic, and environmental prosperity of youth, families, communities,  
4 agricultural, and business enterprises in Manitowoc County; and  
5

6 WHEREAS, the Manitowoc County UW-Extension Office is committed to providing education  
7 through methods that are most beneficial for our clientele; and  
8

9 WHEREAS, partnerships are one method through which we are able to access and educate a more  
10 diverse clientele; and  
11

12 WHEREAS, Steps to Success, a Temporary Assistance for Needy Families (TANF) federal grant,  
13 provides after-school programming for low-income youth ages 6-18 targeting youth who are at risk in  
14 academics, as well as economic need, and provides programming close to their home in their neighborhood  
15 schools; and  
16

17 WHEREAS, the federal government has provided a TANF Grant to Holy Family Memorial Hospital  
18 for a Steps to Success program to be administered by Holy Family Memorial Hospital ("HFM"); and  
19

20 WHEREAS, HFM would like UW-Extension to provide the research-based education and support  
21 through a memorandum of understanding for teaching services under which a UW-Extension educator will  
22 use funds provided by HFM to secure teaching services through a temporary employment agency; and  
23

24 WHEREAS, the use of a contract employee retained teaching services through a temporary  
25 employment agency will not increase the number of Manitowoc County employees or increase the  
26 Manitowoc County budget for payroll or benefits;  
27

28 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County UW-Extension Office is  
29 authorized to participate in a memorandum of understanding regarding teaching services with Holy Family  
30 Memorial Hospital, to accept \$20,000 in pass-through grant funding from Holy Family Memorial Hospital  
31 to support the Steps to Success community partnership, and to secure teaching services for the Steps to  
32 Success program through a temporary employment agency at a total cost not to exceed \$20,000; and  
33

34 BE IT FURTHER RESOLVED that the 2001 Annual Budget is hereby amended by the amounts  
35 shown above and that the Comptroller/Auditor is hereby directed to record such information in the official  
36 books of the County for the year ending December 31, 2001, as may be required.

Dated this 17th day of July 2001.

Respectfully submitted by the Natural Resources and Education Committee.

FISCAL IMPACT: Increases budgeted revenues and expenses by \$20,000. No tax levy impact.

Supervisor Kohlbeck reported that individuals have been invited to participate in a seven week Caregiver Seminar beginning July 16<sup>th</sup>. Also, they have been notified by the Dept. of Transportation that they have to rebid their transportation services contract by August 1<sup>st</sup> and it needs to be in place by October 1<sup>st</sup>. Supervisor Kohlbeck asked Tom Ward, Director of Soil & Water to address the Board regarding the Silver Lake Project.

Tom Ward, Director of Soil & Water, passed around a sample of blue green, toxic water taken from Silver Lake. On July 6<sup>th</sup> they opened the two bids for the Silver Lake Project, with the lowest being \$411,672. After totaling the grants and funding obtained for this project, there is a shortfall of \$81,566. They will not

be able to proceed with the project this year because of the shortage, unless more donations would be received by the end of next week.

Legislative Study Committee: Supervisor Dobbs reported that the future of the medicaid money doesn't look good. The State took \$108 million from the medicaid fund to balance the general fund. This version of the budget will shift costs to the property tax. It increases state charges for children being placed in state juvenile programs. Legislation will be discussed at the next Legislative Review Committee meeting.

Personnel Committee: Supervisor Vogt reported they received the preliminary report from Jarvis for the 2002 health insurance increase. It may increase 18% to 20%. They are still looking at self-insurance as well. He also stated they are having some problems with department directors assigning new duties to positions prior to obtaining the Personnel Committee's approval and then requesting a reclassification. This will need to be taken care of before department budgets are done and the Personnel Committee can deny these reclassifications.

Supervisor Vogt moved, seconded by Supervisor Dufek, to adopt Resolution 5 (2001/2002-69) Approving Revision to the Personnel Policy Manual. Upon vote, the motion carried unanimously.

No. 2001/2002 - 69

## **RESOLUTION APPROVING REVISION TO THE PERSONNEL POLICY MANUAL**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County Board of Supervisors has adopted a Personnel Policy Manual  
2 to establish uniform personnel policies and procedures and to insure compliance with all local, state, and  
3 federal employment laws, rules, and regulations; and  
4

5 WHEREAS, Manitowoc County recognizes that travel is a necessary part of performing the County's  
6 business; and  
7

8 WHEREAS, Manitowoc County recognizes the need for its Personnel Policy Manual to include a  
9 travel policy to insure the uniform reimbursement of expenses incurred by travelers engaged in official  
10 Manitowoc County business;  
11

12 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
13 Personnel Policy Manual be revised to include Section 26 - Travel Policy.

Dated this 17th day of July 2001.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Undeterminable.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 6(2001/2002-70) Amending the Zoning Map for Jon & Kelly Miller, Ordinance 7 (2001/2002-71) Amending the Zoning Map for Dolores Avery, Ordinance 8 (2001/2002-72) Amending Zoning Map for Craig and Gary Kohls, Ordinance 9 (2001/2002-73) Amending the Zoning Map for Alan E. Miller, and Ordinance 10 (2001/2002-74) Amending Zoning Map for Steve Fredericks and Debbie Thompson. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Jon and Kelly Miller)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, June 25, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE 1/4, NW 1/4, Section 16, T21N-R23E, Town of Gibson,  
12 commencing at the center of said section 16; thence easterly approximately 400 feet; thence  
13 northerly approximately 33 feet to the north r/w of East Tuma Lake Road which is the point  
14 of real beginning; thence continue northerly approximately 300 feet; thence westerly  
15 approximately 800 feet; thence southerly approximately 300 feet; thence easterly  
16 approximately 800 feet to the point of real beginning, said parcel containing approximately  
17 5.51 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
18

19 EFFECTIVE DATE: July 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Dolores Avery)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, June 25, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW 1/4, NE 1/4, Section 34, T21N-R23E, Town of Gibson,  
12 commencing at the N 1/4 corner of said section 34; thence easterly approximately 209 feet  
13 which is the point of real beginning; thence continue easterly approximately 209 feet; thence  
14 southerly approximately 209 feet; thence westerly approximately 209 feet; thence northerly  
15 approximately 209 feet to the point of real beginning, said parcel containing approximately  
16 1.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
17

18           EFFECTIVE DATE: July 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT:       None.

No. 2001/2002 - 72

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Craig and Gary Kohls)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1           WHEREAS, a public hearing was held on Monday, June 25, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4           WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8           NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11           A parcel of land located in the NW 1/4, SE 1/4, Section 8, T20N-R24E, Town of Mishicot,  
12 commencing at the center of said section 8; thence easterly approximately 1320 feet to the  
13 west r/w of CTH B; thence southerly approximately 650 feet which is the point of real  
14 beginning; thence continue southerly approximately 25 feet; thence westerly approximately  
15 600 feet; thence northerly approximately 25 feet; thence easterly approximately 600 feet to  
16 the point of real beginning, said parcel containing approximately .34 acres of land, shall be  
17 and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
18

19           EFFECTIVE DATE: July 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT:       None.

No. 2001/2002 - 73

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Alan E. Miller)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1           WHEREAS, a public hearing was held on Monday, June 25, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4           WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8           NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW 1/4, SE 1/4, Section 6, T21N-R24E, Town of Mishicot,  
12 commencing at the S 1/4 corner of said Section 6; thence easterly approximately 750 feet;  
13 thence northerly approximately 33 feet to the north r/w of Zander Road which is the point  
14 of real beginning; thence continue northerly approximately 350 feet; thence northeasterly  
15 approximately 550 feet; thence southerly approximately 650 feet; thence westerly  
16 approximately 450 feet to the point of real beginning, said parcel containing approximately  
17 5.20 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

18  
19 EFFECTIVE DATE: July 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 74

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Steve Fredericks & Debbie Thompson)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, June 25, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE 1/4, NE 1/4, Section 5, T21N-R22E, Town of  
12 Cooperstown, commencing at the E 1/4 corner of said Section 5; thence westerly  
13 approximately 33 feet; thence northerly approximately 33 feet to the north r/w of Parizek  
14 Road which is the point of real beginning; thence continue northerly approximately 425 feet;  
15 thence westerly approximately 700 feet; thence southerly approximately 425 feet; thence  
16 easterly approximately 700 feet to the point of real beginning, said parcel containing  
17 approximately 6.83 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
18 Agriculture.  
19

20 EFFECTIVE DATE: July 17, 2001.

Respectfully submitted by the Manitowoc County Planning & Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal reported he attended the Utility Tax meeting on Tuesday in Oshkosh. Also, he stated he attended the WCA Land Use Environmental Steering Committee where they discussed taking land out of agricultural use. This is in the state budget. They are looking at a 50/50 plan.

Public Safety Committee: Supervisor Juul moved, seconded by Supervisor Nate, to adopt Resolution 11 (2001/2002-75) Authorizing Out-of-State Travel by Nancy H. Crowley. Upon discussion and vote, the motion carried with 21 ayes and 2 noes. Supervisor Dufek and Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE  
TRAVEL BY NANCY H. CROWLEY**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Nancy H. Crowley, Manitowoc County Emergency Management Director, has been  
2 invited by Point Beach Nuclear Plant to attend the “Nuclear Emergency Planning: Regulatory Update and  
3 Program Improvement” course at Harvard College in Boston, Massachusetts, on August 14-17, 2001; and  
4

5 WHEREAS, this course will include regulatory updates, communicating with the media, improving  
6 program effectiveness through the Reactor Oversight program, and creative training techniques and improved  
7 human performance; and  
8

9 WHEREAS, the Emergency Management Director acts as the county’s primary emergency  
10 preparedness specialist and will benefit from a course that should result in her having better methods for  
11 evaluating and improving the county’s radiological emergency preparedness program; and  
12

13 WHEREAS, all expenses (course fee, airfare, hotel, meals, and surface transportation) will be borne  
14 by the Wisconsin Electric Power Company;  
15

16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors hereby  
17 grants permission for Nancy H. Crowley to attend the Nuclear Emergency Planning course in Boston,  
18 Massachusetts, August 14-17, 2001.

Dated this 17th day of July 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: All expenses will be fully reimbursed to County by WEPCO and the revenue and  
expenses have been included in the budget.

Supervisor Juul stated they will be meeting on July 24<sup>th</sup> at 5:00 p.m.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Sloan, to adopt Resolution 12  
(2001/2002-76) Authorizing Application for Household Clean Sweep Grant. Upon vote, the motion carried  
unanimously.

**RESOLUTION AUTHORIZING APPLICATION  
FOR HOUSEHOLD CLEAN SWEEP GRANT**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County recognizes the benefits of a program to control the disposal and  
2 storage of potentially hazardous household waste; and  
3

4 WHEREAS, the County’s Clean Sweep Programs are intended to offer education and assistance to  
5 citizens in the identification, proper handling and disposal of household hazardous waste through distribution  
6 of public information materials, presentations to citizen groups, and a designated day for the collection and  
7 disposal of household hazardous waste; and  
8

9 WHEREAS, Manitowoc County has successfully organized and conducted Clean Sweep Programs  
10 in the past, has declared its intent to conduct annual Clean Sweep Programs subject to public response and



the appropriation of funding, is planning a collection for May 19, 2001, and can apply for a state grant for the Household Clean Sweep Program; and

WHEREAS, if successful in receiving a State Grant for the Household Clean Sweep Program, Manitowoc County will carry out all activities described in the state grant application; will allow employees from the Department of Natural Resources (D.N.R.) access to inspect the Clean Sweep Program site; will maintain records documenting all expenditures made during and for the Clean Sweep Program; and will submit any required final report to the D.N.R. describing all Clean Sweep Program activities, achievements, and problems, comparing the actual program with the activities and objectives proposed in the application, including samples of information/education brochures, data on participation rates, waste quantities collected, documentation of the project costs, and a section on recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes the Public Works Director to submit, and if awarded accept, a state grant application for the Household Hazardous Waste Grant Program with the intent of administering a Clean Sweep Program in Manitowoc County in 2002.

Dated this 17th day of July 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Reduces the amount of tax levy required for the Household Clean Sweep by the amount of the grant if one is awarded to Manitowoc County.

Supervisor Dufek reported the Board should be in the new County Board meeting room at UW-Manitowoc County in September.

Transportation Coordinating Committee: Supervisor Barnes reported the state has required them to have a Transit Services and Safety Training Policy for their vehicles. They have a draft of this policy in the Aging Resource Center for review, which is available from July 20 - August 3<sup>rd</sup>.

Ad Hoc Health Care Center Study Committee: Supervisor Hansen thanked all the supervisors for their hard work over the past nine months. He feels supervisors have set a standard for future boards demonstrating professionalism and respect for one another. He asked that the citizen members on the committee be sent a thank you.

Acting Chair Lambert noted that the entire County Board was very appreciative of the Ad Hoc Health Care Center Study Committee for their professionalism and hard work on this difficult issue.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 14 (2001/2002-77) In the Matter of the Town of Newton Zoning Ordinance for Gene Fischer and Resolution 15 (2001/2002-78) In the Matter of the Town of Newton Zoning Ordinance for Henry Luebke. Upon vote, the motion carried unanimously.

No. 2001/2002 - 77

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(GENE FISCHER)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. § 60.62; and

WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County Board; and

7 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County  
8 Board of Supervisors for approval;

9  
10 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
11 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
12 Newton on June 13, 2001, for Gene Fischer.

Dated this 17th day of July 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

No. 2001/2002 - 78

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(HENRY LUEBKE)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. §  
2 60.62; and

3  
4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have  
5 adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County Board;  
6 and

7  
8 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County  
9 Board of Supervisors for approval;

10  
11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
13 Newton on June 13, 2001, for Henry Luebke.

Dated this 17th day of July 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Supervisor Dufek moved to adjourn at 7:45 p.m. Supervisor Swade seconded and the motion was adopted  
unanimously. The next County Board meeting will be held on August 21, 2001 at 7:00 p.m.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

August 21, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, 1701 Michigan Avenue, in the City of Manitowoc, being the 21st day of August, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:05 P.M.

The invocation was given by Supervisor Graunke and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 22 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, & Vogt.  
Supervisors Juul, Henrickson, & Wagner were excused.

On motion by Supervisor Brey, seconded by Supervisor Mueller, the July 17, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications. Additional communications were received from the Metalware Corporation and Racine County. XII. Appointments by Chairperson A. Solid Waste Management System Advisory Committee appointments were postponed. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances C. Finance Committee: Resolution 4a. Authorizing Sale of Tax-Foreclosed Property to Melvin Gindt. N. Miscellaneous: Personnel Committee and Planning & Park Commission 15. Resolution Approving Creation of Associate Planner Position. Supervisor Borremans moved, seconded by Supervisor Muench, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input open at 7:08 p.m. There was no one present who wished to speak so public input was then closed.

Representative Bob Ziegelbauer reported that the state budget made it through the legislature earlier than other budgets in recent history. Governor McCallum is working on vetoes now. He stated that he voted against the Conference Committee's version of the budget because of the tax increases. He also answered supervisors questions on land use, cost of recycling, 14 new assistant district attorney positions, and the school funding formula.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Tom Bowens, Tim Veith and alternate: Kevin Hoffman to the Local Emergency Planning Committee for two year terms expiring September 2003. Supervisor Swade moved, seconded by Supervisor Strauss, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Board of Health: Supervisor Nate reported that the summer intern position is done. Also, Neshotah Beach was closed today because of high e-coli. They are in search of an interpreter. They are also monitoring the food stands at the Manitowoc County Fair. Also, individuals can bring water samples to their Fair Booth to be tested for nitrates.

Executive Committee: Chairperson Markwardt moved, seconded by Supervisor Skubal, to adopt Resolution 1 (2001/2002-79) Approving Web Site Policies. Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING WEB SITE POLICIES**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County is in the process of establishing an Internet website that will serve  
2 as the Manitowoc County Virtual Government Center; and

3  
4 WHEREAS, operation of the website requires that the county adopt policies to inform the public and  
5 to protect the county's legal interests; and

6  
7 WHEREAS, the Information Systems Director and the Corporation Counsel recommend the inclusion  
8 of a Disclaimer, E-Mail Policy, and Public Records Notice as part of the website; and

9  
10 WHEREAS, the Strategic Planning Committee recommends the inclusion of a Vision Statement as  
11 part of the website;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
14 approves the recommended Disclaimer, E-mail Policy, Public Records Notice, and Vision Statement.

Dated this 21st day of August 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Chairperson Markwardt moved, seconded by Supervisor Nate, to adopt Resolution 2 (2001/2002-80) Creating the Ad Hoc Health Care Center Construction Committee and Appointing Six Members. Upon vote, the motion carried unanimously.

**RESOLUTION CREATING AN AD HOC  
HEALTH CARE CENTER CONSTRUCTION COMMITTEE**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County Board of Supervisors has authorized the construction of a 150-bed  
2 Health Care Center; and

3  
4 WHEREAS, experience with construction of the Manitowoc County Jail has shown the desirability  
5 of creating an ad hoc committee to provide administrative, legislative, management, and and policy-making  
6 oversight for major capital projects; and

7  
8 WHEREAS, Manitowoc County has created the office of County Executive to be first elected in  
9 April 2002;

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board hereby creates  
12 a six member ad hoc Health Care Center Construction Committee; and

13  
14 BE IT FURTHER RESOLVED that the Construction Committee will consist of the County Board  
15 Chair, Ricky Sloan as a representative of the Public Works Committee, Kevin Behnke as a representative of  
16 the Health Care Center Committee, Jim Brey as a representative of the Finance Committee, and Ron  
17 Schwalbe and Jim Morrow as representatives of the public. Each elected member will serve for the duration  
18 of his or her elected term and may be reappointed to the Construction Committee for the duration of any  
19 subsequent term, and each citizen member will serve for the duration of the Construction Committee; and

20 BE IT FURTHER RESOLVED that the Construction Committee shall be responsible for providing  
21 administrative, legislative, management, and policy-making oversight during the construction of the new  
22 Manitowoc County Health Care Center until such time as a County Executive is sworn into office, and the  
23 Construction Committee shall continue to be responsible for providing legislative and policy-making  
24 oversight after a County Executive is sworn into office until the Construction Committee is discharged from  
25 its duties by a vote of the County Board.

Dated this 21st day of August 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Mileage reimbursement at the rate authorized by the County Board. Amount  
indeterminable.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 3  
(2001/2002-81) Denying Claim of Lyle and Darlene Schuricht. Upon vote, the motion carried unanimously.

No. 2001/2002 - 81

**RESOLUTION DENYING CLAIM OF  
LYLE AND DARLENE SCHURICHT**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Lyle & Darlene Schuricht have filed a Notice Giving Rise To Claim and Claim Pursuant  
2 To Sec. 893.80 ("Notice And Claim") seeking total damages in the amount of \$450,000 as the result of the  
3 removal of 9 junk vehicles from their property pursuant to a court order; and  
4

5 WHEREAS, Manitowoc County provided a copy of the claim to its insurance carrier, the insurance  
6 carrier investigated the claim and recommends that it be denied, the Corporation Counsel has reviewed the  
7 claim and concurs in the recommendation of the insurance carrier; and  
8

9 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and  
10 recommends that the claim be denied;  
11

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

Dated this 21st day of August 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Grimm moved, seconded by Supervisor Skubal, to adopt Resolution 4 (2001/2002-82) Amending  
Information Systems Department Budget to Deploy a Standard Office Productivity Software Suite. Upon  
discussion and vote, the motion carried unanimously.

**RESOLUTION AMENDING INFORMATION SYSTEMS DEPARTMENT BUDGET  
TO DEPLOY A STANDARD OFFICE PRODUCTIVITY SOFTWARE SUITE**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, one significant mandate of the newly created Information Systems ("IS") Department  
2 is to centralize and standardize IS functions including the purchase, management, and deployment of office  
3 productivity software suites; and  
4

5 WHEREAS, it is Manitowoc County's policy to comply with all software licensing requirements for  
6 application software used within county government; and  
7

8 WHEREAS, County Departments operated in autonomous IS environments prior to creation of the  
9 IS Department and this resulted in disparate implementation of office productivity suites and inadequate  
10 documentation of software licensing compliance; and  
11

12 WHEREAS, lack of standardization significantly reduces the ability to share information between  
13 Departments and other agencies due to incompatibilities in documents and inadequate documentation exposes  
14 the County to the risk of copyright infringement litigation; and  
15

16 WHEREAS, the Information Systems Department operates as an Internal Service Fund and has  
17 monies available in appropriate funds to pay for standardization of the County's official office productivity  
18 suite;  
19

20 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
21 Information Systems Department is authorized to expend \$73,500 from the internal service fund to purchase  
22 and deploy sufficient copies of Office XP Standard in support of this standardization and compliance project;  
23 and  
24

25 BE IT FURTHER RESOLVED the 2001 Annual Budget is hereby amended by the amounts shown  
26 above and that the Comptroller/Auditor is hereby directed to record such information in the official books  
27 of the County for the year ending December 31, 2001, as may be required.

Dated this 21st day of August 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: **No Tax Levy Impact.** Increases authorized expenditures from the Information  
Systems Fund by \$73,500 and lowers the internal fund balance by the same amount.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 4a. (2001/2002-83) Authorizing  
Sale of Tax-Foreclosed Property to Melvin Gindt. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING SALE OF  
TAX-FORECLOSED PROPERTY TO MELVIN GINDT**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County has taken title to a parcel of land located at 913 South 26th Street,  
2 Manitowoc, Wisconsin ("Property"), through an in rem tax-foreclosure, which has an assessed value of  
3 \$6,400 and an estimated fair market value of the property is \$6,600;

4  
5 WHEREAS, the amount of unpaid taxes and special assessments at the time of foreclosure was  
6 \$5,379.73 and the County's total costs against the property are \$5,503.96; and

7  
8 WHEREAS, Melvin Gindt has offered to purchase the Property for the sum of \$6,400 provided that  
9 Manitowoc County will reimburse up to \$2,400 in costs incurred for the removal of lead laterals located on  
10 the Property so that a house can be built on the Property; and

11  
12 WHEREAS, the Finance Committee has reviewed the offer and believes that it is in the interests of  
13 Manitowoc County to sell the property on the terms stated so that the Property can be returned to the tax rolls  
14 at an increased value;

15  
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
17 authorizes the Manitowoc County Treasurer to accept the bid from Melvin Gindt and authorizes the County  
18 Board Chair and the County Clerk to execute such documents as may be necessary to effect the sale.

Dated this 21st day of August 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Revenue of \$6,400 which may be offset by up to \$2,400 in credits.

Health Care Center Committee: Supervisor Behnke reported staffing levels continue to be discussed. They are having discussions on the design of the new Health Care Center and took a tour of the Outagamie County facility. He also stated he met with the Angel Association last week to discuss their concerns on moving items to the new facility.

Supervisor Behnke moved, seconded by Supervisor Graunke, to adopt Resolution 5 (2001/2002-84) Recognizing the Annual Health Care Center Inspection. Upon vote, the motion carried unanimously.

**RESOLUTION RECOGNIZING THE ANNUAL  
HEALTH CARE CENTER INSPECTION**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County owns and operates a Skilled Care Nursing Home; and

2  
3 WHEREAS, the facility operates under strict Federal and State regulations and is inspected each year  
4 for compliance with those regulations; and

5  
6 WHEREAS, the Skilled Nursing Home had no violations during the annual inspection ending on  
7 July 31, 2001; and  
8

9 WHEREAS, the average number of violations for nursing homes in Wisconsin is five;

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
12 congratulates the staff at the Manitowoc County Health Care Center for a deficient free annual inspection;  
13 and  
14

15 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors extends its  
16 gratitude to the Health Care Center staff for their dedication to providing high quality care to this county's  
17 most vulnerable citizens.

Dated this 21st day of August 2001.

Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: None.

Highway Committee: Supervisor Lambert reported the construction projects are all going well and on schedule.

Human Services Board: Supervisor Graunke invited supervisors to attend their next meeting on Thursday, August 23<sup>rd</sup> at 5:15 p.m. where they will be discussing their budget for next year.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported the Extension Office is working on an English and Spanish Program for the Hispanic population in the County to assist them in obtaining work and a driver's license. The Silver Lake Project is going ahead.

Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 6 (2001/2002-85) Authorizing Out-of-State Travel for Tony Smith. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2001/2002 - 85

## **RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL FOR TONY SMITH**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Tony Smith, Soil Conservationist with Manitowoc County Soil & Water Conservation  
2 Department, is implementing non-point source pollution watershed programs in Manitowoc County, and  
3

4 WHEREAS, a "Monitoring and Modeling Non-Point Source Pollution in Agricultural Landscapes  
5 Workshop" will be conducted in Indianapolis, Indiana on August 27 - 30, 2001, and  
6

7 WHEREAS, the Manitowoc County Land and Water Resource Plan approved on September 21,  
8 1999, requires a monitoring program pursuant to Wis. Stat. Ch. 92; and  
9

10 WHEREAS, Tony Smith has received funding from the Wisconsin Department of Agriculture, Trade  
11 and Consumer Protection to attend this conference;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
14 authorizes Tony Smith to attend the "Monitoring and Modeling Non-Point Source Pollution in Agricultural  
15 Landscapes Workshop" on August 27 - 30, 2001, in Indianapolis, Indiana.

Dated this 21st day of August 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None, except three days out of the County.



Legislative Study Committee: Supervisor Dobbs moved, seconded by Supervisor Behnke, to adopt Resolution 7 (2001/2002-86) Supporting 2001 Assembly Bill 161. Upon vote, the motion carried unanimously.

No. 2001/2002 - 86

**RESOLUTION SUPPORTING 2001 ASSEMBLY BILL 161**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, current laws impose an excise tax of gasoline and diesel fuel which is passed along to  
2 consumers; and

3  
4 WHEREAS, 2001 Assembly Bill 161 exempts every Wisconsin municipality, county, school district,  
5 University of Wisconsin System institution, or technical college district from the excise tax and would reduce  
6 fiscal losses to local governmental units by \$15.23 million;

7  
8 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
9 supports and endorses 2001 Assembly Bill 161; and

10  
11 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
12 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
13 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
14 constituents from Manitowoc County.

Dated this 21st day of August 2001.

Respectfully submitted by the Legislative Review Committee.

Supervisor Dobbs moved, seconded by Supervisor Strauss, to adopt Resolution 8 (2001/2002-87) Supporting Assembly Joint Resolution 13. Upon discussion and vote, the motion carried with 14 ayes and 8 noes. Supervisors Lambert, Sloan, Dufek, Hansen, Nate, Mueller, Skubal, & Kohlbeck voted no; all other supervisors voted aye.

No. 2001/2002 - 87

**RESOLUTION SUPPORTING ASSEMBLY JOINT RESOLUTION 13**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Wisconsin Constitution presently sets a four-year term for county sheriffs and a two-  
2 year term for other county officers;

3  
4 WHEREAS, 2001 Assembly Joint Resolution 13 proposes a constitutional amendment that would  
5 change the terms of office from 2 year to 4 years for clerks of circuit court, coroners, county clerks, district  
6 attorneys, elected surveyors, registers of deeds, and treasurers;

7  
8 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
9 supports and endorses 2001 Assembly Joint Resolution 13; and

10  
11 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
12 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
13 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
14 constituents from Manitowoc County.

Dated this 21st day of August 2001.

Respectfully submitted by the Legislative Review Committee.

Supervisor Dobbs moved, seconded by Supervisor Behnke, to adopt Resolution 9 (2001/2002-88) Supporting 2001 Senate Bill 114. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 88

**RESOLUTION SUPPORTING 2001 SENATE BILL 114**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the State of Wisconsin receives moneys as part of the Attorneys General Master  
2 Tobacco Settlement of November 23, 1998 ("Tobacco Settlement"); and  
3

4 WHEREAS, only a portion of the Tobacco Settlement moneys are deposited in the tobacco control  
5 fund and the remaining moneys are deposited into the general fund;  
6

7 WHEREAS, 2001 Senate Bill 114 requires that all of the Tobacco Settlement moneys received after  
8 the effective date of the bill be placed in the tobacco control funds and provides for those moneys to be spent  
9 on the operation of the tobacco control board and on programs and operations related to or affected by the  
10 growing of tobacco and the manufacture and use of tobacco products;  
11

12 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
13 supports and endorses 2001 Senate Bill 114; and  
14

15 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
16 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
17 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
18 constituents from Manitowoc County.

Dated this 21st day of August 2001.

Respectfully submitted by the Legislative Review Committee.

Supervisor Dobbs moved, seconded by Supervisor Bundy, to adopt Resolution 10 (2001/2002-89) Opposing Joint Finance Committee Motion 1058. Upon vote, the motion carried unanimously.

No. 2001/2002 - 89

**RESOLUTION OPPOSING JOINT FINANCE COMMITTEE MOTION 1058**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Joint Finance Committee has approved Motion 1058 relating to vehicle fines and  
2 forfeitures and additional prosecutors which outlines a funding mechanism that caps the amount of money  
3 that counties receive from fines and forfeitures at the 2000-2001 level, sends the additional revenues to the  
4 state, distributes half of those revenues to the common school fund, and only returns half of those revenues  
5 to the counties to pay for prosecutors; and  
6

7 WHEREAS, Motion 1058 is a significant policy change and shifts the cost for District Attorneys,  
8 now a state-funded program, back to the counties using dollars collected at the local level; and  
9

10 WHEREAS, additions to county District Attorney offices will require more county revenue and  
11 expenditures for support staff, but the funding mechanism limits the county's retained revenue to pay for  
12 support staff; and  
13

14 WHEREAS, the Manitowoc County Clerk of Court has increased the amount of fines and forfeitures  
15 receipted annually through the use of aggressive collection methods and staffing allocations, but the cap  
16 provides a significant disincentive for the county to devote its limited resources toward this effort, is a  
17 disservice to the county in its efforts to control tax levies, and denies county taxpayers the benefits that flow  
18 from local initiatives; and  
19

20 WHEREAS, the need for additional Assistant District Attorneys is well known and state funding for  
21 additional Assistant District Attorneys is overdue; and  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors requests  
24 that Governor Scott McCallum veto that part of the budget that caps the amount that counties retain for fines  
25 and forfeitures imposed by the court under Wis. Stat. chs. 341-347, 349, and 351; veto that part of the budget  
26 that distributes half of the additional revenues to the common school fund; and veto that part of the budget  
27 that provides for State District Attorney positions to be paid from funds collected by the counties; and  
28

29 BE IT FURTHER RESOLVED further resolved that the Manitowoc County Board of Supervisors  
30 urges the Governor and the Wisconsin Legislature to provide adequate state funding for the needed additional  
31 Assistant District Attorney positions on the same basis and using the same funding mechanism as existing  
32 positions; and  
33

34 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
35 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
36 the Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents  
37 from Manitowoc County; and the Wisconsin Counties Association.

Dated this 21st day of August 2001.

Respectfully submitted by Legislative Review Committee.

FISCAL IMPACT: Indeterminable. Motion 1058 caps county revenue from fines and forfeitures at a level yet to be determined by the State, but which is presently estimated at \$138,438. Manitowoc County would lose any revenue from fines and forfeitures in excess of this amount, but will remain responsible for the increased costs of collection and will be required to pay for additional support staff in the District Attorney's office without any increased revenue.

Personnel Committee: Supervisor Vogt reported the Jail Administration and Personnel approached the Sheriff's Department Local 986B AFSCME with a different work schedule to help reduce overtime in the Sheriff's Department. This schedule was not approved by union members. He also stated that they discussed a new position in the Clerk of Courts Office for collection of fines. He also updated the Board on the health insurance discussions that will be taking place.

Supervisor Vogt moved, seconded by Supervisor Dufek, to enact Ordinance 11 (2001/2002-90) Repealing Manitowoc County Code § 5.11 Regarding Reimbursement of Expenses. Upon vote, the motion carried unanimously.

No. 2001/2002 - 90

### **ORDINANCE REPEALING MANITOWOC COUNTY CODE § 5.11**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County Code § 5.11 provides general guidance regarding the reimbursement  
2 of expenses incurred in the performance of Manitowoc County business; and  
3

4 WHEREAS, the general guidance provided by Manitowoc County Code § 5.11 is no longer required  
5 because the Manitowoc County Board of Supervisors adopted a comprehensive travel policy at its July 17,

2001 meeting that provides specific policies and procedures regarding the reimbursement of expenses incurred in the performance of Manitowoc County business;

NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as follows:

Manitowoc County Code § 5.11 is hereby repealed.

EFFECTIVE DATE: Upon publication.

Dated this 21st day of August 2001.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 12 (2001/2002-91) Amending the Zoning Map for Richard Raynier, and Ordinance 13 (2001/2002-92) Amending the Zoning Map for Jerold Brigham. Upon vote, the motion carried unanimously.

No. 2001/2002 - 91

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Richard Raynier)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

WHEREAS, a public hearing was held on Friday, July 20, 2001, at 10:00 a.m. at the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the petition be approved for the reasons stated in the report attached to this ordinance;

NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as follows:

A parcel of land located in the NW1/4, SE1/4, Section 16, T20N-R24E, Town of Mishicot, commencing at the center of said Section 16; thence southerly approximately 1140 feet; thence easterly approximately 1122 feet which is the point of real beginning; thence continue easterly approximately 218 feet; thence southerly approximately 200 feet; thence westerly approximately 218 feet; thence northerly approximately 200 feet to the point of real beginning, said parcel containing approximately 1.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

EFFECTIVE DATE: August 21, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Jerold Brigham)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Friday, July 20, 2001, at 10:00 a.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration  
5 of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, NW1/4, Section 30, T21N-R24E, Town of Mishicot,  
12 commencing at the west 1/4 Corner of Section 30; thence easterly approximately 200 feet;  
13 thence northerly approximately 550 feet which is the point of real beginning; thence continue  
14 northerly approximately 550 feet; thence easterly approximately 400 feet; thence southerly  
15 approximately 550 feet; thence westerly approximately 400 feet to the point of real beginning,  
16 said parcel containing approximately 5.0 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A2 Agriculture.  
18

19 EFFECTIVE DATE: August 21, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal reported the Wisconsin Counties Utility Tax Association Annual Breakfast Meeting will be on Tuesday, September 11<sup>th</sup> at 7:30 a.m. at the Pioneer Inn in Oshkosh.

Public Works Committee: Supervisor Dufek reported the new County Board meeting room will be ready in September.

Transportation Coordinating Committee: Supervisor Barnes reported that on September 4<sup>th</sup> at 9:00 a.m. they will be rebidding the Transportation Contract. He also commended the Manitowoc County Figure Skating Club for their participation and achievement in competition in Missouri where they received over 20 medals.

Miscellaneous: Supervisor Vogt moved, seconded by Supervisor Muench, to adopt Resolution 15 (2001/2002-93) Approving Creation of Associate Planner Position. Upon discussion and vote, the motion failed with 14 ayes and 8 noes. The resolution required a two-thirds vote. Supervisors Lambert, Bundy, Grimm, Dobbs, Brey, Kohlbeck, Graunke, & Geimer voted no; all other supervisors' voted aye.

**RESOLUTION CREATING AN ASSOCIATE PLANNER POSITION**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the State of Wisconsin required that counties adopt a non-metallic mining reclamation  
2 ordinance by June 2001 and the Manitowoc County Board of Supervisors adopted such an ordinance at its  
3 June 2001 meeting; and  
4

1 WHEREAS, administration of the non-metallic mining reclamation ordinance will require additional  
2 staff time equal to one full-time equivalent position; and  
3

4 WHEREAS, fees paid by persons and businesses regulated by the non-metallic mining reclamation  
5 ordinance will pay for the cost of wages and fringe benefits for the full-time equivalent position in the  
6 Planning and Park Department; and  
7

8 WHEREAS, the annual cost for salary and fringe benefits for the Associate Planner is \$49,249.44  
9 and hiring an Associate Planner for the last four months of 2001 will increase Planning and Park Department  
10 personnel costs by \$16,416.48;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
13 approves the creation of a 1.0 full-time equivalent Associate Planner position in the Planning and Park  
14 Department; and  
15

16 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001  
17 Annual Budget is hereby amended by the amounts shown above and that the Comptroller/Auditor is hereby  
18 directed to record such information in the official books of the County for the year ending December 31,  
19 2001, as may be required; and  
20

21 BE IT FURTHER RESOLVED that if sufficient funding for the Associate Planner is no longer  
22 provided through the administration of the non-metallic mining ordinance, the position will be eliminated and  
23 removed from the table of authorized positions for Manitowoc County.

Dated this 21st day of August 2001.

Respectfully submitted by the Personnel Committee and Planning & Park Commission.

FISCAL IMPACT: No tax levy impact. Cost of position paid for by fees collected through the Non-metallic Mining Ordinance Reclamation ordinance. Total annual cost of the position (wages and fringe benefits) are as follows:

Wages	\$33,924.00
FICA	\$ 2,595.19
WRS	\$ 3,494.17
Health Insurance	\$ 8,844.00
Dental Insurance	\$ 228.72
Life Insurance	\$ 47.49
Long Term Disability Ins.	\$ 115.34
Worker Compensation	\$ 30.53
Total Cost	\$49,279.44

Funding the position for the last four months of 2001 will increase Planning and Park Department expenditures by \$16,416.48. Sufficient fees have already been received under the non-metallic mining ordinance to fully fund the position.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Dufek moved to adjourn at 8:28 p.m. Supervisor Borremans seconded and the motion was adopted unanimously. The next County Board meeting will be held on September 18, 2001 at 7:00 p.m.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

September 18, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 18th day of September, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:10 P.M.

The invocation was given by Supervisor Hansen and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Nate was excused.

On motion by Supervisor Behnke, seconded by Supervisor Dufek, the August 21, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: VIII. PUBLIC INPUT. 1. Cindy Stover, Executive Director - Domestic Violence Center. IX. Communications. 15. Manitowoc County Villages Assn - Notification of Quarterly Meeting to be Held on October 17, 2001. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances K. Public Safety Committee: Resolution 13a. Authorizing Out-of-State Travel by Nancy H. Crowley. N. Miscellaneous: Supervisor Behnke 17. Resolution in the Matter of the Town of Newton Zone Change for William A. Pohlmann. The motion to reconsider the vote on "Resolution Creating an Associate Planer Position" from the August 21<sup>st</sup> meeting was moved to precede the Board of Health Committee Report. Supervisor Brey moved, seconded by Supervisor Behnke to move Resolution 16 to follow the motion to reconsider. All supervisors were in agreement. Supervisor Brey moved, seconded by Supervisor Graunke, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input open at 7:23 p.m.

Cindy Stove, Executive Director of the Domestic Violence Center, addressed the Board regarding the impact of domestic violence in our community and throughout the United States. She stated there is a need to increase public understanding of this important problem. A number of organizations are helping in the effort to end domestic violence.

Chairperson Markwardt presented a Proclamation to Cindy Stover proclaiming October as Domestic Violence Awareness Month.

Ann Gretz and June Schultz, Holy Family Memorial Medical Center and the "Steps to Success Program", addressed the Board, explaining that the Steps to Success Program is an event that celebrates, supports, and recognizes after school programs in the United States. They have proclaimed October 11<sup>th</sup> as "Lights on After School Program". There will be a rally followed by a march from Washington Junior High School to Jefferson School. They asked citizens to turn on their lights from 4 to 8 p.m. to show support for this program.

Dan Pawlitzke, Economic Development Supervisor for the City of Two Rivers, spoke in opposition to the zone change in the Town of Manitowoc for Henry Schurr.

Greg Buckley, City Manager for the City of Two Rivers, commented on the proposed zone change for Henry Schurr stating it is incompatible with the Industrial Park. He also stated that the Drumm property being offered as a site for the Health Care Center would be centrally located, close to medical facilities and bus routes, and offer possible future expansion. The price should not be a barrier to this site.

Curt Drumm, Metalware Corporation, addressed the Board on the possible location of the county's medical facility. He stated their property has been discussed as far back as three years ago. Property in the area has been selling for \$50,000 to \$130,000 per acre and he doesn't think \$13,000 per acre is overpriced. He urged supervisors to take the time to consider the offer and the needs of Manitowoc County.

Wesley Drumm, Metalware Corporation, stated there is access on three sides to the proposed property that is available for the new Health Care Center. This property is available and it is convenient for the people. A right of first refusal can be discussed. He would like to see supervisors reconsider the location for the new Health Care Center.

Don Goeke, Manitowoc, addressed the Board, stated he was concerned about the expense, cash flow, and relocation of the Health Care Center and felt that supervisors were doing a disservice to the public.

Chairperson Markwardt declared public input closed at 7:52 p.m.

#### REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

Sharon Cornils, Personnel Director, stated that they have gone to market requesting quotes to obtain the best possible health insurance package for the county. She introduced Mardi Burns from Jabas & Associates, who presented a summary on the county's health insurance. Quotes were requested from three fully insured carriers and seven self-funded carriers to try to get the best deal possible. It indicates there will be a 19.58% projected increase for next year's contract. She also produced data analysis showing what types of claims are occurring and offered five recommendations on how claims experience can be improved to manage the health insurance costs. She also answered supervisors' questions.

#### APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Don Markwardt to the Bay-Lake Regional Planning Commission for a six year term expiring October 2008. Supervisor Skubal moved, seconded by Supervisor Barnes, to approve the appointment. Upon vote, the motion carried unanimously.

#### COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Supervisor Brey moved, seconded by Supervisor Behnke to reconsider the vote on Resolution (2001/2002-94) from the August 21<sup>st</sup> meeting "Creating an Associate Planner Position". Upon vote, the motion carried with 18 ayes and 6 noes. Supervisors Henrickson, Bundy, Barnes, Grimm, Dobbs, & Geimer voted no; all other supervisors voted aye.

Amendment #1: Supervisor Lambert moved, seconded by Supervisor Bundy, to amend the resolution on line 17 changing "1.0 full-time equivalent" to ".5". Upon discussion and vote, the motion failed with 5 ayes and 19 noes. Supervisors Bundy, Barnes, Lambert, Dobbs, & Geimer voted aye; all other supervisors voted no.

Amendment #2: Supervisor Brey moved, seconded by Supervisor Graunke, to amend the resolution amending line 27 by deleting the period at the end of the line and inserting "; and"; and Insert a new paragraph which reads: "BE IT FURTHER RESOLVED that the need for the Associate Planner position shall be reevaluated when the Planning and Parks Department has completed all land use plans for Manitowoc County that are necessary to comply with Wisconsin's Smart Growth legislation and that the position will be eliminated and removed from the table of authorized positions for Manitowoc County if it is no longer required." Upon discussion and vote, the amendment passed with 20 ayes and 4 noes. Supervisors Grimm, Lambert, Dobbs, & Geimer voted no; all other supervisors voted aye.

Upon vote on the main motion, the resolution passed with 19 ayes and 5 noes. Supervisors Kohlbeck, Grimm, Lambert, Dobbs, & Geimer voted no; all other supervisors voted aye.



**RESOLUTION CREATING AN ASSOCIATE PLANNER POSITION**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the State of Wisconsin required that counties adopt a non-metallic mining reclamation  
2 ordinance by June 2001 and the Manitowoc County Board of Supervisors adopted such an ordinance at its  
3 June 2001 meeting; and  
4

5 WHEREAS, administration of the non-metallic mining reclamation ordinance will require additional  
6 staff time equal to one full-time equivalent position; and  
7

8 WHEREAS, fees paid by persons and businesses regulated by the non-metallic mining reclamation  
9 ordinance will pay for the cost of wages and fringe benefits for the full-time equivalent position in the  
10 Planning and Park Department; and  
11

12 WHEREAS, the annual cost for salary and fringe benefits for the Associate Planner is \$49,249.44  
13 and hiring an Associate Planner for the last four months of 2001 will increase Planning and Park Department  
14 personnel costs by \$16,416.48;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
17 approves the creation of a 1.0 full-time equivalent Associate Planner position in the Planning and Park  
18 Department; and  
19

20 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2001  
21 Annual Budget is hereby amended by the amounts shown above and that the Comptroller/Auditor is hereby  
22 directed to record such information in the official books of the County for the year ending December 31,  
23 2001, as may be required; and  
24

25 BE IT FURTHER RESOLVED that if sufficient funding for the Associate Planner is no longer  
26 provided through the administration of the non-metallic mining ordinance, the position will be eliminated and  
27 removed from the table of authorized positions for Manitowoc County.

Dated this 18th day of September 2001.

Respectfully submitted by the Personnel Committee and the Planning & Park Commission.

FISCAL IMPACT: No tax levy impact. Cost of position paid for by fees collected through the Non-metallic Mining Ordinance Reclamation ordinance. Total annual cost of the position (wages and fringe benefits) are as follows:

Wages	\$33,924.00
FICA	\$ 2,595.19
WRS	\$ 3,494.17
Health Insurance	\$ 8,844.00
Dental Insurance	\$ 228.72
Life Insurance	\$ 47.49
Long Term Disability Ins.	\$ 115.34
Worker Compensation	\$ 30.53
Total Cost	\$49,279.44

Funding the position for the last four months of 2001 will increase Planning and Park Department expenditures by \$16,416.48. Sufficient fees have already been received under the non-metallic mining ordinance to fully fund the position.

LEGAL NOTE: This resolution amends the 2001 budget and requires a two-thirds vote.

Supervisor Bundy moved, seconded by Supervisor Henrickson, to adopt Resolution 16 (2001/2002-95) Authorizing Negotiations and Purchase of Metal Ware Property for the New Health Care Center. Upon discussion and vote, the motion failed with 9 ayes and 15 noes. Supervisors Henrickson, Bundy, Juul, Barnes, Grimm, Lambert, Swade, Dobbs, & Geimer voted aye; all other supervisors voted no.

No. 2001/2002 - 95

**RESOLUTION AUTHORIZING NEGOTIATIONS  
AND PURCHASE OF METAL WARE PROPERTY  
FOR THE NEW HEALTH CARE CENTER**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Ad Hoc Health Care Center Study Committee stated in its March 29, 2001 report  
2 to the County Board that it intended to "make the residents of the center their primary concern" and that we  
3 "must consider the most appropriate site for the men and women who will call our facility home;" and  
4

5 WHEREAS, there is concern that the County has not given sufficient consideration to alternative sites  
6 in its haste to make a decision to build the new \$13.5 million health care center because of a fear that it may  
7 lose state aid if the new center is not completed by July 2003, even though there is no signed agreement or  
8 any other guarantee that the state funding will continue; and  
9

10 WHEREAS, the Public Works Department has a history of completing projects in a timely manner,  
11 as demonstrated by the Manitowoc County Highway Department Shop and the addition to the University of  
12 Wisconsin Center; and  
13

14 WHEREAS, it appears that the City of Manitowoc was given time to modify its offer and to identify  
15 a total of 14 acres at the site of Alverno Road; and  
16

17 WHEREAS, Wes Drumm and Metal Ware Corporation, which was originally approached about the  
18 availability of a 26 acre parcel on Woodland Drive, was not made aware of any time deadlines and was not  
19 given the same opportunity to modify its offer to identify a 14 acre parcel; and  
20

21 WHEREAS, the Metal Ware Corporation Woodland Drive site is far more accessible and is more  
22 desirable than the Alverno Road site; and  
23

24 WHEREAS, Wes Drumm met with the Public Works Committee on September 5th and stated his  
25 willingness to negotiate with the County Board to arrive at a fair price and indicated that he could reduce the  
26 \$300,000 price offered to the County by \$100,000; and  
27

28 WHEREAS, it appears that the County Board accepted the Alverno Road site because it was not  
29 presented with any other meaningful choice; and  
30

31 WHEREAS, the Woodland Drive site appears to be a viable and desirable site for the new health care  
32 center;  
33

34 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors directs  
35 the County Board Chair and the County Clerk/Administrative Coordinator to enter into negotiations with  
36 Metal Ware Corporation for the purchase of approximately 14 acres of land located near Woodland Drive  
37 for the construction of the new health care center; and  
38

39 BE IT FURTHER RESOLVED that the County Board Chair and the County Clerk/Administrative  
40 Coordinator are authorized to execute such documents as may be required to purchase approximately 14 acres  
41 of land upon such terms as they deem reasonable at a price not to exceed \$190,000 using monies from a  
42 General Fund account designated for future capital projects with the option to repay such monies from a  
43 future bond issue; and  
44

45 BE IT FURTHER RESOLVED that the County Board Chair and the County Clerk/Administrative  
46 Coordinator are authorized to secure the assistance of the Corporation Counsel, the Comptroller/Auditor, the  
47 Public Works Director, and such other County employees, officials, and officers as may be required; and  
48

49 BE IT FURTHER RESOLVED that the County Board Chair and the County Clerk/Administrator  
50 Coordinator shall report back to the County Board at its next meeting or sooner, if necessary, regarding the  
51 status of their negotiations for the purchase of the land.

Dated this 18th day of September 2001.

Respectfully submitted by Supervisors Kathie Bundy, Bob Dobbs, and Allan Geimer.

FISCAL IMPACT: Authorizes the expenditure of up to \$190,000 to be taken from a General Fund account designated for future capital projects and with the option to repay the account from a future bond issue.

Board of Health: Supervisor Muench reported they met on September 5<sup>th</sup> and they discussed space needs with some options that may be available. They also discussed the West Niles Virus which has been found in Milwaukee. The Public Works Department will be having a tire collection this fall to lessen the chance of this virus. The hand washing stations at the County Fair were discussed and it was decided to recommend that more of them be made available outside the animal barns next year. The Board is required to conduct a community assessment to find out if health needs are being met. Also, at this time the Health Department does not have any tetanus vaccine. Their supplier will not send more than 30 doses at a time. Flu clinics will not begin until November because of a shortage of vaccine.

Executive Committee: Chairperson Markwardt reported their next meeting will be on October 2<sup>nd</sup> and the November County Board meeting is scheduled for the 20th.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 1 (2001/2002-96) Authorizing the Sale of \$6,655,000 General Obligation Refunding Bonds. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 96

**RESOLUTION AUTHORIZING THE SALE OF  
\$6,655,000 GENERAL OBLIGATION REFUNDING BONDS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, on July 17, 2001, the County Board of Supervisors of Manitowoc County, Wisconsin  
2 (sometimes hereinafter called the "County") adopted a resolution (the "Initial Resolution") authorizing the  
3 issuance of general obligation bonds in an amount not to exceed \$6,660,000 for the public purpose of  
4 refunding obligations of the County, including interest on them; and  
5

6 WHEREAS, the County has determined to issue bonds in the amount of \$6,655,000 pursuant to the  
7 Initial Resolution; and  
8

9 WHEREAS the County has duly received bids for its proposed issue of \$6,655,000 General  
10 Obligation Refunding Bonds (the "Bonds"); and  
11

12 WHEREAS it has been determined that the best bid received was that submitted by Harris Trust &  
13 Savings Bank and associates;  
14

15 NOW, THEREFORE, BE IT RESOLVED that:  
16

17 Section 1. Award. The bid of Harris Trust & Savings Bank and associates, for the purchase price  
18 of \$6,655,211.50, be and it hereby is accepted and the Chairperson and County Clerk are authorized and  
19 directed to execute an acceptance of the offer of said successful bidder on behalf of the County. The good

faith deposit of the successful bidder shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2(a). The Bonds. The Chairperson and County Clerk shall make, execute and deliver the Bonds to said purchaser, for and on behalf of the County. The Bonds shall be negotiable, general obligation bonds of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated October 1, 2001. The Bonds shall mature on December 1 of each of the years and in the amounts set forth below and shall bear interest at the rates per annum set forth below. The Bonds described in Section 2(B) (the "Term Bonds") shall be subject to mandatory redemption by lot on December 1 of each of the years and in the amounts specified in Section 2(B), and in the manner specified in Section 2(B).

Year	Principal Amount	Interest Rate
2002	\$605,000	3.50%
2003	715,000	3.50
2004	730,000	3.50
2005	760,000	3.50
2006	795,000	3.50
2007	830,000	3.60
2008	855,000	3.75
2009	890,000	3.85
2010	475,000	3.95

Interest shall be payable on June 1 and December 1 of each year, commencing June 1, 2002.

Bonds maturing in the years 2009 and 2010 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on December 1, 2008 or on any date thereafter at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Bonds to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Bonds of that maturity which are to be redeemed shall be selected by lot.

Section 2(b). Mandatory Redemption of Term Bonds. The Bonds maturing on December 1 of each of the following years are Term Bonds:

N/A

The Term Bonds shall be subject to mandatory redemption on December 1 of each of the years and in the amounts set forth below at the price of par plus accrued interest.

For Term Bonds Maturing in the Year

Year	Amount
	\$

N/A

For Term Bonds Maturing in the Year

Year	Amount
	\$

N/A

The Term Bonds to be so redeemed in each such year shall be selected by lot from among the Term Bonds then outstanding. Notice of each such redemption shall be given in the manner and at the times specified in the bond form established in Section 3 hereof.

Section 3. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A.

Section 4. Tax Provisions. (a) Direct Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Bonds as the same become due, the full faith, credit and resources of the County are

hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrevocable tax in such years and in such amounts as are sufficient to meet such principal and interest payments when due; said tax is hereby levied in the following years and in the following minimum amounts:

<u>Year of Levy</u>	<u>Amount</u>
2001	\$886,335.83
2002	934,970.00
2003	924,945.00
2004	929,395.00
2005	937,795.00
2006	944,970.00
2007	940,090.00
2008	943,027.50
2009	493,762.50

(b) Tax Collection. The County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(c) Additional Funds. If in any year there shall be insufficient funds from the tax levy to pay the principal of or interest on the Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

Section 5. Debt Service Fund and Account. (a) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for \$6,655,000 'General Obligation Refunding Bonds' dated October 1, 2001" (the "Debt Service Account") and said Account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (iv) any premium which may be received by the County over and above the par value of the Bonds and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(b) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

(c) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

138 Section 6. Borrowed Money Fund. All monies received by the County upon the delivery of the Bonds  
139 to the purchaser thereof except for accrued interest and premium, if any, shall be deposited by the County  
140 Treasurer into a Borrowed Money Fund and such fund shall be maintained separate and distinct from all other  
141 funds of the County and shall be used for no purpose other than the purpose for which the Bonds are issued.  
142 In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund  
143 of the County or of any special revenue fund of the County that is supported by property taxes. In order to  
144 accomplish the purpose for which the Bonds are issued, proceeds of the Bonds shall be transferred to the  
145 Escrow Account, as provided in Section 14 hereof. Monies in the Borrowed Money Fund may be temporarily  
146 invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted  
147 investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued  
148 has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot  
149 be needed for such purpose shall be deposited in the Debt Service Account.  
150

151 Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but  
152 no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within  
153 the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") or the  
154 Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the  
155 County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates,  
156 circumstances and reasonable expectations in existence on the date of closing which will permit the  
157 conclusion that the Bonds are not "arbitrage bonds," within the meaning of said Code or Regulations.  
158

159 Section 8. Fiscal Agent. The County will enter into a contract with Associated Trust Company,  
160 National Association, Green Bay, Wisconsin (the "Fiscal Agent") to serve as its fiscal agent with respect to  
161 the Bonds pursuant to Wis. Stats. Sec. 67.10(2), which contract shall be in substantially the form attached  
162 hereto as Exhibit B. The Chairperson and County Clerk are hereby authorized to enter into such contract on  
163 the County's behalf. Such contract may provide among other things, for the performance by the Fiscal Agent  
164 of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.  
165

166 Section 9. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the  
167 registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any  
168 Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and  
169 payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All  
170 such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent  
171 of the sum or sums so paid.  
172

173 Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office  
174 of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the  
175 registered owner or his attorney duly authorized in writing. Upon such transfer, the Fiscal Agent shall deliver  
176 in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series  
177 and maturity and shall record the name of each transferee in the registration book. No registration shall be  
178 made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.  
179

180 The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized  
181 to execute any new Bond or Bonds necessary to effect any such transfer.  
182

183 The fifteenth day of each calendar month next preceding each interest payment date shall be the record  
184 dates for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the  
185 registered owners of the Bonds as they appear on the registration book of the Fiscal Agent at the close of  
186 business on the corresponding record date.  
187

188 Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the  
189 projects financed by the Bonds and the Refunded Obligations defined in Section 13 and their ownership,  
190 management and use will not cause the Bonds or the Refunded Obligations to be "private activity bonds"  
191 within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the  
192 provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds  
193 including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants  
194 that it will not take any action, omit to take any action or permit the taking or omission of any action within  
195 its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if  
196 taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or

a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of Wisconsin, and to the extent that there is a reasonable period of time in which to comply.

Section 11. Qualified Tax-Exempt Obligations. Pursuant to Section 265(b)(3)(D)(ii) of the Code, the Bonds are deemed designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York, the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Call of Refunded Obligations. The County has outstanding its General Obligation Refunding Bonds, Series 1992A, dated September 1, 1992 (the "1992 Bonds"). The 1992 Bonds maturing in the years 2002 through 2010 (the "Refunded Obligations") are called for prior payment on December 1, 2001 at the price of par plus accrued interest to the date of redemption.

The Escrow Agent shall be directed pursuant to the Escrow Agreement referred to in Section 14 hereof to give notice of the call of the Refunded Obligations.

Section 14. Escrow Agent; Escrow Agreement; Escrow Account. Associated Trust Company, National Association, Green Bay, Wisconsin (the "Escrow Agent") is hereby appointed Escrow Agent of the County, for the purpose of ensuring the payment of the principal of and interest on the Refunded Obligations.

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form attached hereto as Exhibit C (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County of any such modifications), with the Escrow Agent, for the purpose of effecting the provisions of this Resolution.

The Bond proceeds allocable to refunding the Refunded Obligations shall be deposited in an Escrow Account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement. The use, investment and disbursement of the Bond proceeds by the Escrow Agent in the manner provided in the Escrow Agreement is authorized and approved.

Upon transfer to the Escrow Account of the proceeds of the Bonds and any other necessary funds allocable to refunding the Refunded Obligations, the taxes heretofore levied to pay debt service on the Refunded Obligations shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Refunded Obligations, but such abatement shall not affect the County's pledge of its full faith, credit and resources to make such payments. The Escrow Account created by the Escrow Agreement shall hereafter serve as the debt service account (or sinking fund) for the Refunded Obligations. The Escrow Agent shall serve as custodian of said debt service account (or sinking fund).

Section 15. SLGS Subscriptions. The Escrow Agent and Robert W. Baird & Co. Incorporated are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and to purchase other U.S. government securities on behalf of the County in such amount as is necessary in order to carry out the refunding authorized by this resolution pursuant to Section 67.04, Wisconsin Statutes.

256 Section 16. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the  
257 benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC  
258 Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and  
259 Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and  
260 operating data and timely notices of the occurrence of certain events in accordance with the Rule. The  
261 Undertaking shall be enforceable by the holders of the Bonds or by the original purchaser(s) of the Bonds on  
262 behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking  
263 shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the  
264 County to comply with the provisions of the Undertaking shall not be an event of default with respect to the  
265 Bonds).

266  
267 The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds,  
268 shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth  
269 the details and terms of the County's Undertaking.

270  
271 Section 17. Designation of Maturities. For purposes of State law, the Bonds are designated as being  
272 issued to pay and discharge the debts incurred by the County through the issuance of the Refunded  
273 Obligations and the obligations refunded by the Refunded Obligations in the order in which those debts were  
274 incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which  
275 were incurred first, consistent with the designation of maturities of the Refunded Obligations set forth in  
276 Section 17 of the resolution adopted on August 18, 1992 authorizing the sale of the Refunded Obligations.

277  
278 Section 18. Records. The County Clerk shall provide and keep a separate record book and shall record  
279 a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing  
280 these Bonds.

281  
282 Section 19. Bond Insurance. If the purchaser of the Bonds determines to obtain municipal bond  
283 insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary  
284 to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such  
285 additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson  
286 and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment  
287 procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default  
288 and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition,  
289 appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided  
290 herein.

291  
292 Section 20. Closing. The Chairperson and County Clerk are hereby authorized and directed to execute  
293 and deliver the Bonds to the purchaser thereof upon receipt of the purchase price. The Chairperson and  
294 County Clerk may execute the Bonds by manual or facsimile signature, but, unless the County has contracted  
295 with the Fiscal Agent to authenticate the Bonds, at least one of said officers shall sign the Bonds manually.

296  
297 The officers of the County hereby are directed and authorized to take all necessary steps to close the  
298 bond issue as soon as practicable hereafter, in accordance with the terms of sale thereof, and said officers are  
299 hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as  
300 may be necessary or convenient in accordance therewith.

Dated this 18th day of September 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: See attached.



EXHIBIT A  
(Form of Bond)

REGISTERED

REGISTERED

UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
MANITOWOC COUNTY

GENERAL OBLIGATION REFUNDING BOND

Number	Rate	Maturity Date	Date of Original Issue	Amount	CUSIP
R-			October 1, 2001	\$	

KNOW ALL MEN BY THESE PRESENTS: That Manitowoc County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to \_\_\_\_\_, or registered assigns, the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) on the maturity date specified above, together with interest thereon from October 1, 2001 or the most recent payment date to which interest has been paid, unless the date of registration of this Bond is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable on June 1 and December 1 of each year, with the first interest on this issue being payable on June 1, 2002. For the prompt payment of this Bond with interest hereon as aforesaid, the full faith, credit and resources of the County have been and are hereby irrevocably pledged.

Bonds of this issue maturing in the years 2009 and 2010 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on December 1, 2008, or on any date thereafter, at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Bonds to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Bonds of that maturity which are to be redeemed shall be selected by lot.

Bonds maturing in the years \_\_\_\_ and \_\_\_\_ are also subject to mandatory redemption by lot as provided in the Resolution authorizing the sale of the Bonds at the redemption price of par plus accrued interest to the date of redemption and without premium.

Notice of any call of the Bonds for redemption shall be given by the mailing of a notice thereof by registered or certified mail at least thirty (30) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. The principal of this Bond shall be payable only upon presentation and surrender of this Bond at the principal office of Associated Trust Company, National Association, Green Bay, Wisconsin, the Fiscal Agent, or any successor thereto. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Fiscal Agent to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Bond is transferable only upon the books of the County kept for that purpose at the principal office of the Fiscal Agent, or any successor thereto, by the registered owner in person or his duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new Bond or Bonds of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County and Fiscal Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Bonds are issuable solely as

negotiable, fully-registered Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Bond is one of an issue aggregating \$6,655,000, each of which is of like original issue date and tenor except as to numbers, interest rates, redemption privilege and maturities, issued for the public purpose of refunding obligations of the County, including interest on them, pursuant to an initial resolution duly adopted by the County Board of Supervisors and in full conformity with the Constitution and laws of the State of Wisconsin thereunto enabling.

This Bond is a "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended.

It is hereby recited and certified that all acts, conditions and things required by law to be done precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, time and manner; that a direct, annual irrevocable tax has been levied by the County sufficient in times and amounts to pay the interest on this Bond when it falls due and also to pay and discharge the principal hereof at maturity; and that this Bond, together with all other existing indebtedness of the County, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, Manitowoc County, Wisconsin has caused this Bond to be executed in its behalf by its duly qualified and acting Chairperson and County Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

MANITOWOC COUNTY, WISCONSIN

By: \_\_\_\_\_  
County Board Chair

By: \_\_\_\_\_  
County Clerk

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

\_\_\_\_\_

the within Bond, and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated:

\_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

\_\_\_\_\_

Supervisor Grimm reported they continue to work on the budget.

Health Care Center Committee: Supervisor Behnke reported that Michael Thomas met with the Union and they have an agreement to start the Intern Program. The program will take three high school students, who will obtain credits and become Certified Nursing Assistants. Also, they approved the posting of two medical technician positions which will give a CNA an opportunity to upgrade with some additional schooling and allow them to pass out medications.

Supervisor Behnke moved, seconded by Supervisor Graunke, to adopt Resolution 2 (2001/2002-97) Increasing the Health Care Center Rates. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 97

### **RESOLUTION INCREASING HEALTH CARE CENTER RATES**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County Health Care Center is charged with the responsibility of providing  
2 a quality nursing home service for the people of Manitowoc County; and  
3

4 WHEREAS, the rates charged for the services provided by the Health Care Center must be reviewed  
5 and approved by the Manitowoc County Board of Supervisors, but have not been revised or reviewed by the  
6 County Board since September 26, 2000; and  
7

8 WHEREAS, the Manitowoc County Health Care Center Committee has reviewed the current rate  
9 structure and has found it to be in need of modification to more accurately reflect the cost of providing these  
10 services;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
13 authorizes the Health Care Center Administrator to make the following changes in the non-Medicare unit  
14 rates at the Health Care Center effective November 1, 2001:  
15

16 Super Skilled (ISN)	From 145.00 per day to 155.00 per day
17 Skilled Nursing Care	From 135.00 per day to 145.00 per day
18 Intermediate Care Levels 1&2	From 118.00 per day to 128.00 per day
19 Developmentally Disabled	From 150.00 per day to 160.00 per day

Dated this 18th day of September 2001.

Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: Estimated to increase revenue by \$36,500 for 2002. This amount will be  
Incorporated into the 2002 recommended budget request.

Supervisor Behnke moved, seconded by Supervisor Kohlbeck, to adopt Resolution 3 (2001/2002-98) Creating an Account to Accept Donations for the New Manitowoc County Health Care Center. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 98

### **RESOLUTION CREATING AN ACCOUNT TO ACCEPT DONATIONS FOR THE NEW MANITOWOC COUNTY HEALTH CARE CENTER**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County has decided to build a new Health Care Center; and

2  
3 WHEREAS, the citizens of Manitowoc County have expressed an interest to make considerable  
4 donations to assist in the building project;

5  
6 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
7 authorizes and directs the Manitowoc County Comptroller, Health Care Center Administrator, and Treasurer  
8 to create such trust accounts as may be necessary to accommodate donations designated for the new Health  
9 Care Center building project.

Dated this 18th day of September 2001.

Respectfully submitted by the Manitowoc Health Care Committee.

FISCAL IMPACT: None.

Highway Committee: Supervisor Lambert moved, seconded by Supervisor Sloan, to adopt Resolution 4 (2001/2002-99) Authorizing Posting of Temporary Speed Limits. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002-99

#### **RESOLUTION AUTHORIZING POSTING OF TEMPORARY SPEED LIMITS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Wis. Stat. § 349.11(10) permits local authorities and county highway committees to  
2 authorize the posting of temporary lower mandatory speed limits under certain circumstances; and

3  
4 WHEREAS, posting a temporary lower mandatory speed limits where a highway is being constructed,  
5 reconstructed, maintained, or repaired promotes the safety of highway construction and maintenance workers,  
6 pedestrians, and highway users;

7  
8 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
9 Highway Committee is authorized to designate temporary lower mandatory speed limits as permitted by Wis.  
10 Stat. § 349.11(10) provided that any such speed limit is temporary; that the area in which such a limit is  
11 posted shall be terminated by posting a regulatory speed limit sign informing the public of the speed limit  
12 outside of the area where construction, reconstruction, maintenance, or repair work is being performed; and  
13 that signs posting such a limit shall be removed, covered, or otherwise obscured when highway construction  
14 or maintenance workers or their equipment are not present on the shoulders or traveled portion of the  
15 highway; and

16  
17 BE IT FURTHER RESOLVED that in addition to such temporary lower mandatory speed limits as  
18 may be designated by the Highway Committee, the County Highway Commissioner is authorized to post  
19 advisory speed limit signs in areas of highway construction, reconstruction, maintenance, or repair suggesting  
20 such a speed limit as the Highway Commissioner deems appropriate to promote the safety of highway  
21 construction and maintenance workers, pedestrians, and highway users.

Dated this 18th day of September 2001.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

Supervisor Lambert moved, seconded by Supervisor Geimer, to adopt Resolution 4a (2001/2002-100) Petitioning for Airport Improvement Aid. Upon vote, the motion carried unanimously.

No. 2001/2002 - 100

**RESOLUTION PETITIONING  
FOR AIRPORT IMPROVEMENT AID**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

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

4 WHEREAS, Manitowoc County desires to develop or improve the Manitowoc County Airport, located  
5 in Manitowoc County, Wisconsin and desires to make a PETITION FOR AIRPORT PROJECT to the  
6 Secretary of Transportation stating that:  
7

8 The airport should generally conform to the requirements for a General Aviation type airport  
9 as defined by the Federal Aviation Administration;  
10

11 The character, extent, and kind of improvements desired under the project are to reconstruct  
12 Runway 7/25 and its parallel taxiway; reconstruct Runway 17/35 and its parallel taxiway; install  
13 High Intensity Runway Lights (HIRLs), Runway End Identifier Lights (REILs), and Precision  
14 Approach Path Indicators (PAPIs) on Runway 17/35; reconstruct and extend the airport service  
15 road; and any necessary related work; and  
16

17 The airport project is necessary to meet the existing and future needs of the airport;  
18

19 and  
20

21 WHEREAS, airport users have been consulted in formulating the proposed improvements; and  
22

23 WHEREAS, a public hearing will be held prior to the filing of this petition in accordance with Wis.  
24 Stat. § 114.33(2), as amended, and a transcript of the hearing is transmitted with the petition; and  
25

26 WHEREAS, Manitowoc County is required by Wis. Stat. § 114.32(5) to designate the Secretary as its  
27 agent to accept, receive, receipt for, and disburse any funds granted by the United States under the federal  
28 Airport and Airway Improvement Act and is authorized by law to designate the Secretary as its agent for  
29 other purposes;  
30

31 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that a  
32 petition for Federal or State aid, or both, in the following form is hereby approved:  
33

34 The petitioner, desiring to sponsor an airport development project with Federal and State Aid  
35 or State Aid only, in accordance with the applicable State and Federal laws, respectfully  
36 represents and states:  
37

38 1. That the airport, which it is desired to develop, should generally conform to the  
39 requirements for a General Aviation type airport as defined by the Federal Aviation  
40 Administration.  
41

42 2. The character, extent, and kind of improvements desired under the project are as  
43 follows: Reconstruct Runway 7/25 and its parallel taxiway; reconstruct Runway 17/35 and its  
44 parallel taxiway; install High Intensity Runway Lights (HIRLs), Runway End Identifier Lights  
45 (REILs) and Precision Approach Path Indicators (PAPIs) on Runway 17/35; reconstruct and  
46 extend airport service road; and any necessary related work.  
47

48                   3.     That the airport project, which your petitioner desires to sponsor, is necessary for  
49     the following reasons: to meet the existing and future needs of the airport;

50  
51     and

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

63  
64             BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc County's agent  
65     and is requested to agree to act as such in matters relating to the airport development project described above;  
66     is hereby authorized as Manitowoc County's agent to make all arrangements for the development and final  
67     acceptance of the completed project whether by contract, agreement, force account, or otherwise and  
68     particularly to accept, receive, receipt for, and disburse federal monies or other monies, either public or  
69     private, for the acquisition, construction, improvement, maintenance and operation of the airport; to acquire  
70     property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stats. Ch. 32; to  
71     supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the  
72     Secretary; to execute any assurances or other documents required or requested by any agency of the federal  
73     government; and to comply with all federal and state laws, rules, and regulations relating to airport  
74     development projects; and

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

79  
80             BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate the airport in  
81     accordance with the conditions established in Wis. Admin. Code Ch. Trans 55 or in accordance with any  
82     Airport Owner Assurances enumerated in any Federal Block Grant Agreement necessary to fund the proposed  
83     improvements; and

84  
85             BE IT FURTHER RESOLVED that the County Board Chair and the County Clerk are authorized to  
86     sign and execute any Agreement and Federal Block Grant Owner Assurances authorized by this Resolution  
87     and necessary to fund the proposed improvements.

              Dated this 18th day of September 2001.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT:           Indeterminable.

Human Services Board: Supervisor Graunke reported on the budget work that had been done by the Human Services Board.

Supervisor Graunke moved, seconded by Supervisor Behnke, to adopt Resolution 5 (2001/2002-101) Reauthorizing Use of Certain Placements for Short-Term Detention of Juveniles. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION REAUTHORIZING USE OF CERTAIN PLACEMENTS  
FOR SHORT-TERM DETENTION OF JUVENILES**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Wis. Stat. § 938.06(5)(d) permits a county board of supervisors, by resolution, to  
2 authorize the court to use placement in a secure or non-secure detention facility or the juvenile portion of the  
3 county jail as a disposition under s. 938.34 (3) (f), as a sanction under s. 938.355 (6m) (a) 1g. or as a place  
4 of short-term detention under s. 938.355 (6d) or 938.534 (1) (b) 1. or 2. or to use commitment to a county  
5 department under s. 51.42 or 51.437 for special treatment or care in an inpatient facility, as defined in s. 51.01  
6 (10), as a disposition under s. 938.34 (6) (am); and

7  
8 WHEREAS, Wis. Stat. § 938.355(6d) provides for the short term detention of juveniles who violate  
9 the terms of a court order; and

10  
11 WHEREAS, all three judges of the Manitowoc County Circuit Court judges have requested that the  
12 County Board authorize such placements under Wis. Stat. § 938.355(6d); and

13  
14 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution No. 1999/2000-127  
15 authorizing such placement, but a technical correction to that resolution is required;

16  
17 NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of the County of Manitowoc,  
18 Wisconsin that, pursuant to its authority under Wis. Stat. § 938.06(5)(d) and as required by Wis. Stat. §  
19 938.355(6d)(e), it authorizes placement in a secure or non-secure detention facility as a place of short term  
20 detention under Wis. Stat. §§ 938.355(6d) and 938.534(1)(b) 1. and 2.

21  
22 EFFECTIVE DATE: This resolution shall take effect immediately.

Dated this 18th day of September 2001.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Indeterminable.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported the Request for Proposals for the Transportation Program are due on September 26<sup>th</sup>. She also stated the water testing conducted at the County Fair had a good response with 200 people. Also, 700 people came into the office to have their water tested. The UW-Extension is participating on an Advisory Committee on October 3<sup>rd</sup> from 7 to 9 p.m. regarding what direction the educational programs in Manitowoc County are headed.

Personnel Committee: Supervisor Vogt reported they met tonight to approve a structural change in the Clerk of Court Office to improve the collection of fines. They also approved structural changes at Public Safety Joint Services where 4 part time employee positions will change to 2 full time positions. They also approved the replacement for the Financial Director at the Highway Department.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt Resolution 6 (2001/2002-102) Concurring in the Bay-Lake Regional Planning Commission 2001 Annual Report. Upon vote, the motion carried unanimously.

**RESOLUTION CONCURRING IN THE  
BAY-LAKE REGIONAL PLANNING COMMISSION  
2001 ANNUAL REPORT**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County has years participated in the Bay-Lake Regional Planning  
2 Commission's Overall Economic Development Program for the District serving Brown, Door, Florence,  
3 Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan Counties; and  
4

5 WHEREAS, an annual report must be prepared to maintain a current perspective of the economic  
6 development issues of the County and District; and  
7

8 WHEREAS, an annual report is necessary to maintain eligibility for funding from the Economic  
9 Development Administration for the District and emphasizes the importance of local issues to other Federal  
10 and State agencies; and  
11

12 WHEREAS, personnel from this County and the Bay-Lake Regional Planning Commission have  
13 participated in the preparation of the annual report; and  
14

15 WHEREAS, the Manitowoc County Planning and Park Commission recommended at its August 27,  
16 2001 meeting that the Manitowoc County Board of Supervisors concur with the Comprehensive Economic  
17 Development Strategy Annual Report for 2001,  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
20 concurs with the Bay-Lake Regional Planning Commission 2001 Annual Report on Comprehensive  
21 Economic Development Strategy; and  
22

23 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors actively supports  
24 and participates in the economic development activities of the Bay-Lake Regional Planning Commission;  
25 concurs with the Commission's 2001 Comprehensive Economic Development Strategy; and supports the  
26 Commission's application to the Economic Development Administration for planning funds; and  
27

28 BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the County  
29 Comprehensive Economic Development Strategy Executive Committee, as well as to the county Clerks of  
30 Brown, Door, Florence, Kewaunee, Marinette, Oconto, and Sheboygan Counties as an expression of  
31 Manitowoc County's desire to cooperate with them in the Bay-Lake Regional Planning Commission's  
32 Economic Development District;  
33

34 BE IT FURTHER RESOLVED that two original signed copies of this resolution be forwarded to the  
35 Bay-Lake Regional Planning Commission.

Dated this 18th day of September 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Borremans, to enact Ordinance 7 (2001/2002-103) Amending the Manitowoc County Code Ch. 8 (General Zoning Ordinance). Upon vote, the motion carried unanimously.



**ORDINANCE AMENDING THE MANITOWOC COUNTY CODE CH. 8  
(GENERAL ZONING ORDINANCE)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Schleswig is interested in the creation of certain zoning districts for use in  
2 the implementation of their land use plan; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission has assisted the Town of  
5 Schleswig on the wording for use in these zoning districts; and  
6

7 WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the Manitowoc  
8 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
9

10 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
11 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
12 petition be approved for the reasons stated in the report attached to this ordinance;  
13

14 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
15 follows:  
16

17 Manitowoc County Code sec. 8.03(1) is hereby amended by adding the following paragraphs:  
18

- 19 (cf) ES - Estate Residential District
- 20 (cm) SE - Small Estate Residential District
- 21 (ct) LR - Lake Residential District
- 22 (fh) PA - Principal Agriculture District
- 23 (fp) GA - General Agriculture District
- 24 (k) NA - Natural Areas District
- 25

26 Manitowoc County Code sec. 8.073 is hereby created to read as follows:  
27

28 8.073 Estate Residential District. The following shall apply to all ES Districts:

- 29 (1) Permitted principal uses.
- 30 (a) Single family residences.
- 31 (b) General agriculture.
- 32 (c) Tree/shrub nurseries.
- 33 (d) Public utilities.

34 (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same  
35 parcel with the permitted use:

- 36 (a) Private garage.
- 37 (b) Customary home occupations or professional offices conducted by the resident only, provided  
38 there is no external evidence of such use except an announcement or professional sign not over 3 square feet  
39 in area.

40 (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the  
41 principal use and do not include any activity commonly conducted as a business.

- 42 (3) Conditional Uses.

- 43 (a) Golf courses.
- 44 (b) Public buildings and institutions.
- 45 (c) Churches and schools.
- 46 (4) Yard Requirements.

47 (a) Front yard as required in Manitowoc County Setbacks Ordinance

48 (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and 10 feet  
49 for accessory structures.

50 (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and 10 feet  
51 for accessory structures.

- (5) Lot Area.
- (a) Lot widths shall not be less than 330 feet.
- (b) Lot Area shall not be less than 5 acres.

Manitowoc County Code sec. 8.076 is hereby created to read as follows:

8.076 SE Small Estate Residential District. The following shall apply in all SE Districts:

- (1) Permitted Principal Uses.
  - (a) Single family residences.
  - (b) General agriculture.
- (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same parcel with the permitted use:
  - (a) Private garage.
  - (b) Customary home occupations or professional offices conducted by the resident only, provided there is no external evidence of such use except an announcement or professional sign not over 3 square feet in area.
  - (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
- (3) Conditional Uses.
  - (a) Two family residences.
  - (b) Public utilities.
  - (c) Day care facilities.
  - (d) Churches, schools, and cemeteries.
- (4) Yard Requirements.
  - (a) Front yard as required in Manitowoc County Setbacks Ordinance.
  - (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and 10 feet for accessory structures.
  - (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and 10 feet for accessory structures.
- (5) Lot Area.
  - (a) Lot widths shall not be less than 250 feet.
  - (b) Lot area shall not be less than 2.5 acres.

Manitowoc County Code sec. 8.078 is hereby created to read as follows:

8.078 LR Lake Residential District. The following shall apply in all LR Districts:

- (1) Permitted Principal Uses.
  - (a) Single family residences.
  - (b) Parks and boat landings.
- (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same parcel with the permitted use:
  - (a) Private garage.
  - (b) Customary home occupations or professional offices conducted by the resident only, provided there is no external evidence of such use except an announcement or professional sign not over 3 square feet in area.
  - (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
- (3) Conditional Uses.
  - (a) Resorts.
  - (b) Sport and bait shops.
  - (c) Sportsman clubs.
  - (d) Taverns and restaurants.
- (4) Yard Requirements.
  - (a) Front yard as required in Manitowoc County Setbacks Ordinance.
  - (b) Side yards shall have a width of 10 feet for principal structures and conditional uses and 5 feet for accessory structures.
  - (c) Rear yards as required in the Manitowoc County Shoreland/Floodplain Zoning Ordinance.
- (5) Lot Area. Lot area as required in Manitowoc County Shoreland/Floodplain Zoning Ordinance.

Manitowoc County Code sec. 8.103 is hereby created to read as follows:

8.103 PA Principal Agriculture District. The following shall apply in all PA Districts:

- (1) Permitted Principals Uses.
  - (a) Farming.
  - (b) Farm homesteads.
  - (c) Single family residences.
  - (d) Roadside stands for the sale of farm products.
  - (e) Forestry.
  - (f) Tree/shrub nurseries.
- (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same parcel with the permitted use:
  - (a) Private garage.
  - (b) Customary home occupations or professional offices conducted by the resident only, provided there is no external evidence of such use except an announcement or professional sign not over 3 square feet in area.
  - (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
- (3) Conditional Uses.
  - (a) Public buildings and institutions.
  - (b) Farm implement sales and services.
  - (c) Churches or similar place of worship.
  - (d) Cemeteries.
  - (e) Commercial riding stable.
  - (f) Telecommunication towers.
  - (g) Saw mills.
  - (h) Governmental uses such as fire stations, highway storage garages, parks, schools, and treatment plants.
  - (i) Religious uses such as cemeteries, churches, and schools.
  - (j) Fertilizer plants, storage of seed, feed and fertilizer, and facilities for bulk storage of agriculture products.
  - (k) Kennels and veterinary clinics.
  - (l) Airstrip and landing fields.
- (4) Yard Requirements.
  - (a) Front yard as required in Manitowoc County Setbacks Ordinance.
  - (b) Side yards shall have a width of 25 for principal structures and conditional uses and 15 feet for accessory structures.
  - (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and 15 feet for accessory structures.
- (5) Lot Area.
  - (a) Lot widths shall not be less than 500 feet.
  - (b) Lot area shall not be less than 20 acres.

Manitowoc County Code sec. 8.107 is hereby created to read as follows:

8.107 GA General Agriculture District. The following shall apply in all GA districts:

- (1) Permitted Principal Uses.
  - (a) General agriculture.
  - (b) Single family residence.
  - (c) Public utilities.
  - (d) Kennels and veterinary clinics.
  - (e) Tree/shrub nurseries.
- (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same parcel with the permitted use:
  - (a) Private garage.
  - (b) Customary home occupations or professional offices conducted by the resident only, provided there is no external evidence of such use except an announcement or professional sign not over 3 square feet in area.

- (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
- (3) Conditional Uses.
- (a) Governmental uses such as fire stations, highway storage garages, parks, schools, and treatment plants.
- (b) Religious uses such as cemeteries, churches, and schools.
- (c) Fertilizer plants, storage of seed, feed and fertilizer, and facilities for bulk storage of agriculture products.
- (d) Nonmetallic mining.
- (e) Salvage yards.
- (f) Trade or contractor storage and establishments.
- (g) Commercial warehouses and mini-storage.
- (h) Auto and truck repair.
- (i) Fruit/vegetable/cheese processing plants.
- (j) Two family residences.
- (k) Telecommunication towers.
- (4) Yard Requirements.
- (a) Front yard as required in Manitowoc County Setbacks Ordinance.
- (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and 15 feet for accessory structures.
- (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and 15 feet for accessory structures.
- (5) Lot Area.
- (a) Lot widths shall not be less than 450 feet.
- (b) Lot area shall not be less than 10 acres.

Manitowoc County Code sec. 8.145 is hereby created to read as follows:

- 8.145 NA Natural Areas District. The following shall apply in all NA Districts:
- (1) Permitted Principal Uses.
    - (a) Single family residences.
    - (b) General agriculture.
    - (c) Tree/shrub nurseries.
    - (d) Hunting, fishing, and trapping.
    - (e) Non-residential buildings and structures used for raising of wildlife and fish and the practice of forestry.
    - (f) Forestry.
    - (g) Parks, playgrounds, and recreational areas.
    - (h) Sportsman's clubs and clubhouses.
    - (i) Public utilities.
  - (2) Permitted Accessory Uses. The following accessory uses are permitted if located on the same parcel with the permitted use:
    - (a) Private garage.
    - (b) Customary home occupations or professional offices conducted by the resident only, provided there be no external evidence of such use except an announcement or professional sign not over 3 square feet in area.
    - (c) Other customary accessory uses and buildings, provided such uses are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
  - (3) Conditional Uses.
    - (a) Sawmills.
    - (b) Camps and campgrounds.
    - (c) Public buildings and institutions.
    - (d) Commercial recreational areas.
  - (4) Yard Requirements.
    - (a) Front yard shall be as required in Manitowoc County Setbacks Ordinance.
    - (b) Side yards shall have a width of 25 feet for principal structures and conditional uses and 15 feet for accessory structures.
    - (c) Rear yards shall have a width of 25 feet for principal structures and conditional uses and 15 feet for accessory structures.

- 228 (5) Lot Area.  
229 (a) Lot width shall not be less than 500 feet.  
230 (b) Lot area shall not be less than 20 acres.  
231

232 EFFECTIVE DATE: September 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Borremans, to enact Ordinance 8 (2001/2002-104) Amending the Zoning Map for Mary Ellen Kiel; Ordinance 9 (2001/2002-105) Amending the Zoning Map for Duane & Mary Argall; Ordinance 10 (2001/2002-106) Amending the Zoning Map for Charles & Elizabeth Petri; and Ordinance 12 (2001/2002-107) Amending the Zoning Map for Leroy Fischer. Upon vote, the motion carried unanimously.

No. 2001/2002 - 104

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Mary Ellen Kiel)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, SW1/4, Section 6, T19N-R22E, Town of Cato,  
12 commencing at the center of said Section 6; thence southerly approximately 775 feet; thence  
13 westerly approximately 250 feet which is the point of real beginning; thence continue westerly  
14 approximately 300 feet; thence southerly approximately 225 feet; thence easterly approximately  
15 300 feet; thence northerly approximately 225 feet to the point of real beginning, said parcel  
16 containing approximately 1.55 acres of land, shall be and is hereby rezoned from A3 Agriculture  
17 to A1 Agriculture.  
18

19 EFFECTIVE DATE: September 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Duane and Mary Argall)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW1/4, SW1/4, Section 20, T21N-R23E, Town of Gibson,  
12 commencing at the W 1/4 corner of Section 20; thence easterly approximately 850 feet; thence  
13 southerly approximately 33 feet to the south r/w of STH 147 which is the point of real  
14 beginning; thence continue southerly approximately 400 feet; thence easterly approximately 150  
15 feet; thence northerly approximately 300 feet; thence easterly approximately 75 feet; thence  
16 northerly approximately 75 feet; thence westerly approximately 200 feet along the south r/w of  
17 STH 147 to the point of real beginning, said parcel containing approximately 1.83 acres of land,  
18 shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
19

20 EFFECTIVE DATE: September 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Charles & Elizabeth Petrie)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, SE1/4, Section 34, T17N-R21E, Town of Schleswig,  
12 commencing at the E 1/4 Corner of Section 34; thence southerly approximately 1100 feet which  
13 is the point of real beginning; thence westerly approximately 250 feet; thence southerly  
14 approximately 250 feet; thence easterly approximately 250 feet; thence northerly approximately  
15 250 feet to the point of real beginning, said parcel containing approximately 1.43 acres of land,  
16 shall be and is hereby rezoned from C1 Conservancy to A1 Agriculture.

17           EFFECTIVE DATE:       September 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT:           None.

No. 2001/2002 - 107

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Leroy Fischer )**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1           WHEREAS, a public hearing was held on Monday, August 27, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4           WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8           NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11           A parcel of land located in the SE1/4, NW1/4, Section 20, T19N-R23E, Town of Manitowoc  
12 Rapids, commencing at the N 1/4 Corner of Section 20; thence southerly approximately 1750  
13 feet; thence westerly approximately 33 feet to the west r/w of Freeway Lane which is the point  
14 of real beginning; thence continue westerly approximately 150 feet; thence southerly  
15 approximately 317 feet; thence easterly approximately 150 feet; thence northerly approximately  
16 317 feet to the point of real beginning, said parcel contains approximately 1.09 acres of land,  
17 shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
18

19           EFFECTIVE DATE:       September 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT:           None.

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 11 Amending the Zoning Map for Henry Schurr. Discussion followed.

Supervisor Swade moved, seconded by Supervisor Dobbs, to table the Ordinance. Upon further discussion and vote, the ordinance was tabled with 17 ayes and 7 noes. Supervisors Muench, Kohlbeck, Skubal, Lambert, Behnke, Graunke, & Mueller voted no; all other supervisors voted aye.

Supervisor Dobbs left at 9:30 p.m.

Public Safety Committee: Supervisor Juul moved, seconded by Supervisor Henrickson, to adopt Resolution 13 (2001/2002-108) Authorizing a Contract to Hold State Prisoners at the Manitowoc County Jail. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING CONTRACT TO HOLD  
STATE PRISONERS AT THE MANITOWOC COUNTY JAIL**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Manitowoc County Sheriff's Department is interested in reducing the property tax  
2 levy necessary to support its operations while protecting the public and fulfilling its statutory duties; and  
3

4 WHEREAS, the Wisconsin Department of Corrections has offered to rent 30 beds in the Manitowoc  
5 County Jail during the period from September 1, 2001, through December 31, 2002, and to pay Manitowoc  
6 County at the rate of \$50 per bed per day; and  
7

8 WHEREAS, Manitowoc County has adequate space in the Manitowoc County Jail to enter into such  
9 an arrangement with the Wisconsin Department of Corrections;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 authorizes the Manitowoc County Sheriff's Department to enter into a contractual arrangement with the  
13 Wisconsin Department of Correction to hold state prisoners at the Manitowoc County Jail.

Dated this 18th day of September 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Estimated annual revenue of \$547,500 and estimated annual expenses of \$42,000  
for an estimated reduction in the tax levy for jail operations of \$505,500.

Supervisor Juul moved, seconded by Supervisor Muench, to adopt Resolution 13a (2001/2002-109)  
Authorizing Out-of-State Travel by Nancy H. Crowley. Upon vote, the motion carried with 21 ayes and 2  
noes. Supervisors Grimm and Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE  
TRAVEL BY NANCY H. CROWLEY**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County Emergency Management Director Nancy H. Crowley has been invited  
2 to make a presentation at the Ohio Emergency Management's Ad Hoc Nuclear Emergency Planning  
3 Committee (NEPC) meeting in Columbus, Ohio, October 18, 2001; and  
4

5 WHEREAS, the Manitowoc County Emergency Management Director has been asked to share  
6 information and the successful experience Manitowoc County has had using innovative means to keep the  
7 public and media informed during emergency situations, which Ohio wants to emulate in its program; and  
8

9 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) will be borne by the  
10 Wisconsin Electric Power Company;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
13 grants permission for Nancy H. Crowley to attend the NEPC meeting, October 18, 2001, in Columbus, Ohio.

Dated this 18th day of September 2001.

Respectfully submitted by the Public Safety Committee.



FISCAL IMPACT: All expenses will be fully reimbursed to County by WEPCO and the revenue and expenses have been included in the budget.

Supervisor Juul reported they will be having two meetings next week.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Sloan, to adopt Resolution 14 (2001/2002-110) Authorizing City-County Development Agreement. Upon discussion and vote, the motion passed with 12 ayes and 11 noes. Supervisors Wagner, Henrickson, Muench, Juul, Kohlbeck, Skubal, Borremans, Lambert, Behnke, Graunke, & Swade vote no; all other supervisors voted aye.

No. 2001/2002-110

**RESOLUTION AUTHORIZING CITY-COUNTY DEVELOPMENT AGREEMENT**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, Manitowoc County (County) has a Commercial Park located on the corner of County R  
2 and County P that the County wishes to develop until full; and  
3

4 WHEREAS, the Commercial Park lies within the extraterritorial planning area for the City of  
5 Manitowoc (City); and  
6

7 WHEREAS, it has been proposed that the County and the City enter into a Development Agreement  
8 to ensure the Commercial Park is developed in a manner that is consistent with present and future  
9 development guidelines for both the City and the County; and  
10

11 WHEREAS, the Public Works Committee has reviewed the proposed Development Agreement and  
12 recommends its approval by the Manitowoc County Board of Supervisors;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
15 the Development Agreement between Manitowoc County and the City of Manitowoc and authorizes the  
16 County Board Chair and the County Clerk to execute the Agreement.

Dated this 18th day of September 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None

Miscellaneous: Chairperson Markwardt moved, seconded by Supervisor Brey, to adopt Resolution 15 (2001/2002-111) Establishing Terms for the Loan Review Board Members. Upon vote, the motion carried unanimously.

No. 2001/2002 - 111

**RESOLUTION ESTABLISHING TERMS FOR  
LOAN REVIEW BOARD MEMBERS**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Loan Review Board was created by Ordinance 99/00-124; and  
2

3 WHEREAS, staggered terms need to be established for the members of the Loan Review Board; and  
4

5 WHEREAS, the County Board Chair recommends that Wally Ninneman and Phillip Maples serve three  
6 year terms expiring in September 2004, that James Morrow and Robert Jagemann serve two-year terms

7 expiring in September 2003, and that Donald Resar and Brian Kraemer serve one-year terms expiring in  
8 September 2002;

9  
10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
11 approves and ratifies the terms for the members of the Loan Review Board as recommended by the County  
12 Board Chair.

Dated this 18th day of September 2001.

Respectfully submitted by Don C. Markwardt, County Board Chair.

FISCAL IMPACT: None.

Supervisor Behnke moved, seconded by Supervisor Lambert, to adopt Resolution 17 (2001/2002-112) In  
the Matter of the Town of Newton Zone Change for William A. Pohlmann.

No. 2001/2002 - 112

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(WILLIAM A. POHLMANN)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. §  
2 60.62; and

3  
4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have  
5 adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
6 Board; and

7  
8 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc  
9 County Board of Supervisors for approval;

10  
11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
13 Newton on September 12, 2001, for William A. Pohlmann.

Dated this 18th day of September 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Chairperson Markwardt reported the next County Board meetings will be October 16<sup>th</sup> and October 29<sup>th</sup>.

Supervisor Swade moved to adjourn at 10:15 p.m. Supervisor Sloan seconded and the motion was adopted  
unanimously.

Respectfully submitted,  
Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

October 16, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 16th day of October, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:05 P.M.

The invocation was given by Supervisor Brey and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Graunke was excused.

On motion by Supervisor Brey, seconded by Supervisor Barnes, the September 18, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: XIII. Committee Reports, Including Petitions, Resolutions and Ordinances. Ad Hoc Health Care Center Construction Committee was added. Supervisor Henrickson moved, seconded by Supervisor Behnke, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Matt Payette, Senior Planner at the Planning & Park Department, explained several minor changes to the Supervisory District Plan that occurred in several of the districts. He also answered supervisors' questions.

Chairperson Markwardt declared public input open at 7:10 p.m. on the Supervisory Redistricting Plan. There was no one present who wished to speak and the input was closed.

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

Don Goeke, Manitowoc, addressed the Board, stating his concern on the budget increase and felt more should be done to decrease spending.

Chairperson Markwardt declared public input closed at 7:19 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

Dan Fischer, Administrative Coordinator, gave a general overview of the proposed 2002 annual budget. Departments were asked to keep their operational expenses at a 0% increase and most were able to do meet this demand. The equalized valuation went up 8.76% which allowed an increase of \$1,553,414 in the levy. Health insurance and salary increases totaled about \$900,000. Other major increases included money for a County Executive, Human Services, Public Safety Joint Services, and Information Systems. Major decreases in revenues occurred in the Sheriff's Department and in shared revenues. \$250,000 was cut from the Health Care Center budget leaving \$483,000 on the tax levy. Also, \$100,000 was cut from the Liability Insurance Fund.

Todd Reckelberg, Comptroller, directed supervisors' attention to several items within the proposed 2002 budget book. In particular, he mentioned a State Computer Aid adjustment and the decrease in shared revenue on page 7; the Contingency Fund adjusted to \$205,896 on page 10, Aging Services Special Transport on page 18 should be adjusted to \$205,000 and the Aging Services Outreach Program should be adjusted to \$26,814. Pages 36 & 37 illustrate a general overview of the entire county budget. He also answered supervisors' questions.

Ken Petersen, Sheriff, reported on the topic of overtime in his department. He also explained reasons for the overtime including accidents, burglary calls, ambulance calls, death investigations, transports to and from

court, transports to and from institutions, staffing in the jail and on the road, training, and personnel changes. He also answered supervisors' questions.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Cheryl Kjelstrup to the Manitowoc-Calumet Library System Board to complete Mary Scheuer's term expiring January 2002. Supervisor Nate moved, seconded by Supervisor Hansen, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Ken Swade on the Public Works Committee. Supervisor Sloan moved, seconded by Supervisor Vogt, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Charles Indestadt to the Loan Review Board to complete Wally Ninneman's term expiring September 2004. Supervisor Nate moved, seconded by Supervisor Hansen, to approve the appointment. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan reported they will be starting to excavate on Monday. Their next meeting is November 1<sup>st</sup> at 4:00 P.M.

Board of Health: Supervisor Nate reported she attended the Northeast Regional Meeting for the WI Assn of Local Health Departments and Board. The flu vaccine will be late with high risk residents receiving it first. Teen pregnancy is not declining. Tobacco is not covered under the FDA and teen-smoking has not subsided. The new WIC Director is Paulette Mach from Green Bay. Jim Barnes was appointed by the WCA as a member of the Health and Human Services Steering Committee and Bob Dobbs was appointed by the WI Supreme Court to serve on the District 4 Investigative Committee. Also, they have developed a new protocol in response to calls from individuals receiving mail containing a powdery substance.

Supervisor Nate moved, seconded by Supervisor Vogt, to adopt Resolution 1 (2001/2002-113) Establishing 2002 Fees for Licenses and Permits Issued by the Manitowoc County Health Department. Upon vote, the motion carried unanimously.

No.2001/2002- 113

**RESOLUTION ESTABLISHING 2002 FEES FOR LICENSES AND PERMITS  
ISSUED BY THE MANITOWOC COUNTY HEALTH DEPARTMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than animal licenses)  
2 and permits issued by the Health Department pursuant to Manitowoc County Code Chapter 7 must be set by  
3 County Board resolution; and  
4

5 WHEREAS, the Board of Health believes that fees required to be paid to the State of Wisconsin should  
6 be assessed separately from, rather than included in, any fee required to be paid to Manitowoc County ;  
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
9 the proposed Manitowoc County 2002 Health Department Fee Schedule (07/01/2002 - 06/30/2003), a copy  
10 of which is attached hereto, marked as Exhibit A, and incorporated herein by reference.

Dated this 16th day of October 2001.

Respectfully submitted by the Manitowoc County Board of Health.

FISCAL IMPACT: Increases 2002 revenue by approximately \$1,600, which has been included in the proposed 2002 budget.

Executive Committee: Chairperson Markwardt reported they met the first Tuesday in October to discuss the budget and strategic planning. He stated they are looking for supervisors to volunteer their help in the strategic planning process.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 2 (2001/2002-114) Authorizing Litigation Against Super 8 Motel. Upon vote, the motion carried unanimously.

No. 2001/2002 - 114

**RESOLUTION AUTHORIZING LITIGATION  
AGAINST MANITOWOC MOTEL, INC. (Super 8 Motel)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County took title to a tax delinquent parcel of land identified by Tax Key No.  
2 52-836-202-029 (the "Property") by virtue of a judgment dated August 10, 2000, as the result of an action  
3 for foreclosure of tax liens pursuant to Wis. Stat. § 75.521; and  
4

5 WHEREAS, Manitowoc Motel, Inc., c/o Hospitality Associates, Inc., 17800 Excelsior Boulevard,  
6 Minnetonka, MN 55345 ("Manitowoc Motel"), offered to purchase the Property for the sum of \$17,914.24  
7 by letter dated October 24, 2000, and tendered a 10% down payment; and  
8

9 WHEREAS, Manitowoc County Treasurer Ed Brey accepted Manitowoc Motel's offer to purchase the  
10 Property by letter dated November 3, 2000, and caused a deed to be prepared and recorded in response to  
11 Manitowoc Motel's instructions to do so and in reliance upon Manitowoc Motel's promise to tender the  
12 balance due; and  
13

14 WHEREAS, Manitowoc Motel has refused and continues to refuse to pay Manitowoc County the sum  
15 of \$16,132.82 which is due (\$16,122.82 for the Property and \$10 for a recording fee);  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
18 the Corporation Counsel to commence such litigation as may be necessary in order to secure the payment of  
19 monies due Manitowoc County in connection with the sale of the Property.

Dated this 16th day of October 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Proposed litigation seeks to recover \$16,132.82 which is due Manitowoc County.  
Litigation costs are included with the Corporation Counsel's budget and may be recoverable.

Supervisor Grimm noted that the Finance Committee will be reviewing the unfunded liability issue again soon.

Health Care Center Committee: Supervisor Behnke moved, seconded by Supervisor Kohlbeck, to adopt Resolution 3 (2001/2002-115) Authorizing Decertification of Beds at the Health Care Center. Upon vote, the motion carried unanimously.

No. 2001/2002 - 115

**RESOLUTION AUTHORIZING DECERTIFICATION  
OF BEDS AT THE HEALTH CARE CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Care Center is a skilled care facility with a capacity of 199  
2 beds; and

3 WHEREAS, the State of Wisconsin has signed an agreement with the County Homes Association that  
4 provides additional funding to Manitowoc County in exchange for the downsizing of the Manitowoc Health  
5 Care Center to a maximum of 150 beds; and

6  
7 WHEREAS, the average census at the Health Care Center has been 157 for the first ten months of  
8 2001; and

9  
10 WHEREAS, any beds that are decertified at the Health Care Center will be converted to community  
11 integration program (CIP) slots to be used by the Manitowoc County Human Services Department;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the Health Care Center Administrator to decertify 25 beds immediately and to decertify such additional beds  
15 at such times in the future as the Administrator determines to be appropriate until the Health Care Center  
16 capacity reaches 150 beds.

Dated this 16th day of October 2001.

Respectfully submitted by the Manitowoc Health Care Committee.

FISCAL IMPACT: Decertification of 25 beds will produce approximately \$371,890 in additional CIP  
funding for Human Services and decertification of 49 beds will produce a total of  
approximately \$356,915 in additional CIP funding, for a total of \$728,805.

Highway Committee: Supervisor Lambert reported they are completing their paving projects. They are  
getting the snow plows ready for winter.

Human Services Board: Supervisor Hansen commended Tom Stanton and his staff for looking at positions  
in the department to see if there are alternative ways of doing things. They are looking for ways to save  
money if they can.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported  
that the UWEX, Planning & Park, Soil & Water, Health Department, and the DNR hosted an educational  
session on land use planning for townships on September 26<sup>th</sup>. The Community Resource Development  
Agent is in the process of conducting a future needs assessment. Supervisors are asked to complete the  
survey they recently received in the mail and return it in the envelope that was provided. The Extension  
Advisory Committee met on October 3<sup>rd</sup> to establish future needs for programs and prioritize them. She also  
stated that Tom Ward gave supervisors a handout on the Silver Lake Restoration Project.

Legislative Review Committee: Supervisor Dobbs reported they will have several resolutions for the next  
County Board meeting. They are currently looking at scheduling a meeting with area legislators and will  
notify supervisors of the date.

Personnel Committee: Supervisor Vogt reported they are looking at a proposal to institute a Wellness  
Program. This would be a way to control the health insurance costs. They are looking at a comprehensive  
design plan for 2002 for non-represented employees. He also stated that Personnel and Mardi Burns from  
Jabas & Associates will be meeting with union representatives regarding health insurance.

Supervisor Vogt moved, seconded by Supervisor Swade, to adopt Resolution 4 (2001/2002-116) Approving  
Revision to Post Employment Health Plan. Upon vote, the resolution carried unanimously.

**RESOLUTION APPROVING REVISION  
TO POST EMPLOYMENT HEALTH PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Resolution No. 97/98-108 approved the creation of a Post Employment Health Plan for  
2 non-represented employees to assist non-represented employees in paying for qualified medical expenses after  
3 separation from employment with Manitowoc County; and  
4

5 WHEREAS, Internal Revenue Code § 501(c)(9) does not allow Post Employment Health Plans to offer  
6 individual employee elections; and  
7

8 WHEREAS, the current plan design of the Post Employment Health Plan allows for individual  
9 employee elections and must therefore be amended; and  
10

11 WHEREAS, educational sessions have been held for non-represented employees and these employees  
12 have been allowed an opportunity to complete a survey to express their preference regarding potential plan  
13 designs; and  
14

15 WHEREAS, the Personnel Committee has evaluated the survey results and information from  
16 comparable counties;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Post Employment Health Plan design shall be  
19 amended to eliminate the requirement that employees must contribute a minimum of one (1) percent of the  
20 annual sick leave payout to the Post Employment Health Plan with the option of placing an additional amount  
21 of the annual sick leave payout into the Post Employment Health Plan; and  
22

23 BE IT FURTHER RESOLVED that the Post Employment Health Plan design shall be amended to  
24 eliminate the option of placing part or all of the vacation payout upon retirement into the Post Employment  
25 Health Plan.

Dated this 16th day of October 2001.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Amounts of the annual sick leave payout and the vacation payout deposited into  
the PEHP were not subject to FICA, state or federal payroll taxes. The elimination  
of these options will subject these payouts to FICA, state, and federal payroll  
taxes.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt  
Resolution 5 (2001/2002-117) Adopting Supervisory District Plan. Upon discussion and vote, the motion  
carried with 21 ayes and 3 noes. Supervisors Henrickson, Juul, and Swade voted no; all other supervisors  
voted aye.

**RESOLUTION ADOPTING SUPERVISORY DISTRICT PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, all Wisconsin counties are required by the Wisconsin Statutes to adopt a tentative county  
2 supervisory district plan, submit the tentative plan to municipalities in the county to permit such  
3 municipalities to divide their jurisdiction into wards in accordance with the tentative plan, conduct a public  
4 hearing upon receipt of the last municipal ward plan, and adopt a final County Supervisory District Plan; and  
5

6 WHEREAS, Manitowoc County adopted a tentative Manitowoc County Supervisory District Plan on  
7 May 15, 2001, which provided for 25 supervisory districts and submitted said plan to all of the municipalities  
8 for their consideration and preparation of municipal ward plans that are in accord with the County plan; and  
9

10 WHEREAS, the last required municipal ward plan required to prepare a final Manitowoc County  
11 Supervisory District Plan was submitted to the Manitowoc County Clerk on October 15, 2001; and  
12

13 WHEREAS, a public hearing on the final Manitowoc County Supervisory District Plan on October  
14 16, 2001, before the Manitowoc County Board of Supervisors allowed all citizens the opportunity to express  
15 their views on the Plan;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
18 adopts MANITOWOC COUNTY SUPERVISORY DISTRICT PLAN (FINAL), dated October 16, 2001,  
19 which provides for 25 county supervisory districts with the district boundaries described in detail in text and  
20 map form within the plan, a copy of which is attached hereto; and  
21

22 BE IT FURTHER RESOLVED that the Manitowoc County Board Chair shall file a certified copy of  
23 the final adopted county supervisory district plan with the Secretary of State.

Dated this 16th day of October 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Borremans, to enact Ordinance 6 (2001/2002-118)  
Amending the Zoning Map for Henry Schurr. Upon discussion and vote, the motion failed 11 to 13.  
Supervisors Muench, Kohlbeck, Skubal, Grimm, Borremans, Dufek, Strauss, Lambert, Behnke, Mueller, &  
Markwardt voted aye; all other supervisors voted no.

No. 2001/2002 - 118

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Henry Schurr)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, September 24, 2001, at 1:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, SE1/4, Section 4, T19N-R24E, Town of Manitowoc,  
12 commencing at the Center of Section 4; thence southerly approximately 1320 feet; thence  
13 easterly 33 feet to the point of beginning; thence continue easterly approximately 660 feet;  
14 thence southerly approximately 330 feet; thence westerly approximately 660 feet; thence  
15 northerly approximately 330 to the point of real beginning, said parcel containing approximately  
16 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
17

18 EFFECTIVE DATE: October 16, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.



FISCAL IMPACT:       None.

Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 7 (2001/2002-119) Amending the Zoning Map for Kim Rezek and Ordinance 8 (2001/2002-120) Amending the Zoning Map for Timothy Martinez. Upon vote, the motion carried unanimously.

No. 2001/2002 - 119

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Kim Rezek )**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1       WHEREAS, a public hearing was held on Monday, September 24, 2001, at 1:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4       WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8       NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11       A parcel of land located in the NW1/4, NW1/4, Section 9, T21N-R24E, Town of Mishicot,  
12 commencing at the NW 1/4 Corner of said Section 9; thence easterly approximately 660 feet;  
13 thence southerly approximately 33 feet to the south r/w of Zander Road which is the point of  
14 real beginning; thence continue southerly approximately 660 feet; thence easterly approximately  
15 330 feet; thence northerly approximately 660 feet; thence westerly approximately 330 feet along  
16 the south r/w of Zander Road to the point of real beginning, said parcel contains approximately  
17 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
18

19       EFFECTIVE DATE:     October 16, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT:       None.

No. 2001/2002 - 120

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Timothy Martinez )**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1       WHEREAS, a public hearing was held on Monday, September 24, 2001, at 1:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4       WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8       NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11       A parcel of land located in the SW1/4, NE1/4, Section 1, T19N-R23E, Town of Manitowoc  
Rapids, commencing at the Center of Section 1; thence southerly approximately 650 feet; thence

12 westerly approximately 100 feet which is the point of real beginning; thence continue westerly  
13 approximately 400 feet; thence southerly approximately 600 feet; thence easterly approximately  
14 500 feet; thence northerly approximately 600 feet to the point of real beginning, said parcel  
15 contains approximately 6.20 acres of land, shall be and is hereby rezoned from A3 Agriculture  
16 to A2 Agriculture.  
17

18 EFFECTIVE DATE: October 16, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Public Safety Committee: Supervisor Juul reported they will be meeting on Tuesday, Oct. 23<sup>rd</sup> at 5:00 p.m.

Chairperson Markwardt reported the next County Board meeting will be October 29<sup>th</sup>.

Supervisor Juul moved to adjourn at 8:54 p.m. Supervisor Borremans seconded and the motion was adopted unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

October 29, 2001

Monday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 29th day of October, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:04 P.M.

The invocation was given by Supervisor Vogt and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner.

On motion by Supervisor Brey, seconded by Supervisor Henrickson, the October 16, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications. 6. LaCrosse County - Resolution Supporting Four Year Terms for County Board Supervisors. 7. LaCrosse County - Resolution Requesting WI Legislation to Update Poverty Guidelines & Increase Funding to Help with Financial Pressures Imposed by the State. 8. Florence County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions. Supervisor Nate moved, seconded by Supervisor Borremans, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared public input on the 2002 budget open at 7:09 p.m.

Fran Nellis, Police Chief in the City of Manitowoc, addressed the Board supporting Public Safety Joint Services (PSJS) request for additional personnel in the 2002 budget. He is a member of the PSJS Board and they have been frustrated that the administrator of this department is not able to do administrative duties because of the personnel shortage and turnover rate.

Michael Pohlmann, Fire Chief in the City of Two Rivers, stated he is on the Public Safety Joint Services Board and urged supervisors to approve the two full-time equivalents that are being requested in the PSJS Department.

Chief Dave Korte, Silver Creek Fire Department, spoke in favor of the increase in the PSJS staff. The additional personnel would decrease overtime and stress in this department.

Chief Arik Hansen, Town of Two Rivers Fire Department, urged supervisors to add two people to dispatch the calls at PSJS to serve the people of Manitowoc County.

Don Goeke, Manitowoc, stated the Board is looking at almost an 8% increase in the 2002 Budget. He realizes some of this increase is covered by the equalized valuation increase. He thanked supervisors for paying down some of the debt retirement. He feels that it would not be difficult to get rid of 25% of supervisory personnel in some departments to reduce spending.

Jim Reif, Village of Francis Creek, representing Man-Cal Builders Association, spoke in opposition to the \$32,500 increase in fees for the Planning & Parks Department. This is a user fee addressed to the people who are generating business in the construction industry. This industry is one of the bright spots in the county right now representing continuing economic local dollars. The additional fees they would have to pay do not give them any additional services.

Chairperson Markwardt declared public input on the budget closed at 7:28 p.m.

Chairperson Markwardt declared the public input open on non-budget issues at 7:28 p.m.

Robert Ruppelt, Manitowoc, asked supervisors to approve Henry Schurr's zone change, which would enable him to build a home on the property. He stated the zone change is compatible with the surrounding land area and area residents signed a petition approving of the project. He has complied with all of the regulations and urged the board to reconsider their vote.

Dale Markwardt, Chair for the Town of Manitowoc, stated the Town Board supports Henry Schurr's zone change request. The Board met with Robert Ruppelt and went over all of the issues. The property is approximately 90% wetland. There is about 1 acre that is buildable land. The Town feels this land is different than the land located in the Industrial Park.

Chairperson Markwardt declared the public input closed at 7:40 p.m.

**UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKEN AT LAST MEETING:**

Supervisor Vogt moved, seconded by Supervisor Skubal, to reconsider the Henry Schurr Zoning Ordinance from the October 16<sup>th</sup> County Board meeting. Upon discussion and vote, the motion carried 19 to 6. Supervisors Henrickson, Bundy, Juul, Swade, Dobbs & Geimer voted no; all other supervisors voted aye.

Supervisor Mueller moved, seconded by Supervisor Muench, to approve (No. 2001/2002-121) Henry Schurr's Zoning Ordinance from the October 16<sup>th</sup> County Board meeting. Upon discussion and vote, the motion carried 19 to 6. Supervisors Henrickson, Bundy, Juul, Swade, Dobbs & Geimer voted no; all other supervisors voted aye.

No. 2001/2002 - 121

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Henry Schurr)**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a public hearing was held on Monday, September 24, 2001, at 1:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, SE1/4, Section 4, T19N-R24E, Town of Manitowoc,  
12 commencing at the Center of Section 4; thence southerly approximately 1320 feet; thence  
13 easterly 33 feet to the point of beginning; thence continue easterly approximately 660 feet;  
14 thence southerly approximately 330 feet; thence westerly approximately 660 feet; thence  
15 northerly approximately 330 to the point of real beginning, said parcel containing approximately  
16 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
17

18 EFFECTIVE DATE: ~~October 16, 2001.~~ October 29, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

**REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:**

Dan Fischer, Administrative Coordinator, thanked the supervisors who helped with the strategic planning work groups. Laurie Gehrke from the UW-Extension discussed how they arrived at this point in the strategic

long range planning process. There are 13 strategic issues and these were placed into 6 work groups. The next step will be to generate ideas for each issue and organize the ideas into alternative solutions.

Mike Demske, Planning & Parks Director, reported they were asked to look at ways to provide revenue for the services they provide. They checked with ten surrounding counties and found that Manitowoc County is the only one not charging a fee for the issuance of zoning and land use permits. This fee is being proposed to help the loss of revenue in the county budget. Discussion followed.

On a voice vote, the majority of supervisors were in agreement to allow Nancy Crowley, Emergency Management Director, to give a report.

Nancy Crowley, Emergency Management Director, said that 20 potential problems have been prioritized since the September 11<sup>th</sup> disaster. She has been in constant contact with the media and stated that we need to keep information coordinated between the county and municipalities. In answer to supervisors' questions, she stated if something should happen at either nuclear plant, they are prepared. The exercises are regulated and monitored by the federal government.

**COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:**

**Ad Hoc Health Care Center Construction Committee:** Supervisor Sloan reported they will be meeting on November 1<sup>st</sup> at the Health Care Center.

**Board of Health:** Supervisor Nate reported they are reviewing procedures for handling anthrax. The samples they sent to Madison have come back clear. She also stated they are still looking for a site to relocate.

**Executive Committee:** Chairperson Markwardt reported he will be setting up a Committee of the Whole meeting before the November 20<sup>th</sup> County Board meeting.

**Finance Committee:** Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 1 (2001/2002-122) Canceling County Checks not Presented Within Two Years of Issuance. Upon vote, the motion carried unanimously.

No. 2001/2002 - 122

**RESOLUTION CANCELING COUNTY CHECKS  
NOT PRESENTED WITHIN TWO YEARS OF ISSUANCE**

TO THE CHAIR AND BOARD OF SUPERVISORS  
OF MANITOWOC COUNTY, WISCONSIN

1 WHEREAS, a few of the many thousand payroll and general checks issued by Manitowoc County are  
2 not presented for payment within two years of their date of issuance and the County Treasurer is required to  
3 account for these uncashed checks in the reserve to the County's checking account, and  
4

5 WHEREAS, Wis. Stat. § 59.64(4e) provides that the County Board may, at its annual meeting, cancel  
6 checks which have not been presented for payment within two years of their issuance;  
7

8 NOW, THEREFORE, BE IT RESOLVED that those checks shown on the attached lists which were  
9 issued by Manitowoc County prior to October 31, 1999, and not presented for payment within two years of  
10 their issuance are hereby canceled and without value; and  
11

12 BE IT FURTHER RESOLVED that the payee of each such cancelled check may make application to  
13 the County Board Chair and County Clerk to have a new check issued for the original amount, without  
14 interest, and that the Treasurer shall issue such a check within sixty days of written notice of approval of such  
15 application by the County Board Chair and County Clerk.

Dated this 29th day of October 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:	Increases available cash balance in Acct.#100-001 by:	\$3,000.43
	Increases available cash balance in Acct.#160-485 by:	1,395.84
	Increases available cash balance in Acct.#126-770 by:	206.02
		<hr/> \$4,602.29

Highway Committee: Supervisor Lambert moved, seconded by Supervisor Sloan, to adopt Resolution 2 (2001/2002-123) Authorizing Quit Claims of Easement. Upon vote, the motion carried unanimously.

No. 2001/2002 - 123

### RESOLUTION AUTHORIZING QUIT CLAIMS OF EASEMENT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County was granted an interest in certain lands located in Manitowoc County  
2 from Arthur F. Strueck and Helen E. Strueck on October 2, 1939, to use for highway construction purposes,  
3 as evidenced by an indenture recorded with the Manitowoc County Register of Deeds, v. 189 p. 380; and  
4

5 WHEREAS, the interest granted to Manitowoc County, except for a right of way to be used for  
6 highway purposes, was to revert to the Grantors or their heirs and assigns upon completion of the highway  
7 construction; and  
8

9 WHEREAS, the highway construction has long since been completed, but the necessary documentation  
10 conveying the reversionary interest has not been completed; and  
11

12 WHEREAS, James A. and Virginia R. Holly and Ronald I. Haensgen are the heirs, assigns, or  
13 successors in interest to Arthur F. and Helen E. Strueck, have requested that Manitowoc County properly  
14 convey the reversionary interest to them, and have had the necessary instruments prepared by Graef, Anhalt,  
15 Schloemer to satisfy their claim to a reversionary interest; and  
16

17 WHEREAS, the Highway Committee, the County Engineer, and the Corporation Counsel have  
18 reviewed the request and recommend that Manitowoc County quit claim certain lands to James A. and  
19 Virginia R. Holly and Ronald I. Haensgen;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
22 the County Board Chair and the County Clerk to execute a Quit Claim Deed for 1.33 acres, Tax Key No. 18-  
23 129-011-001.00, to James A. and Virginia R. Holly and Ronald I. Haensgen and to execute a Quit Claim  
24 Deed for .04 acres, Tax Key No. 18-129-011-007.00, to James and Virginia Holly.

Dated this 29th day of October 2001.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 3 (2001/2002-124) Participating in the Conservation Reserve Enhancement Program. Upon vote, the motion carried unanimously.

No. 2001/2002- 124

### RESOLUTION APPROVING PARTICIPATION IN THE CONSERVATION RESERVE ENHANCEMENT PROGRAM

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the  
2 Wisconsin Department of Natural Resources have worked with the USDA - Farm Services Agency and the

3 Natural Resources Conservation Service to develop a Conservation Reserve Enhancement Program (CREP);  
4 and

5  
6 WHEREAS, CREP calls for \$200 million in federal funding and \$45 million in State funding; and

7  
8 WHEREAS, CREP's objective is to improve water quality, enhance wildlife habitats, and establish  
9 riparian buffers to improve stream and river corridors; and

10  
11 WHEREAS, CREP's goal is to enroll up to 100,000 acres of land within the state priority area into  
12 buffers, grass waterways, wetland restorations, and habitat for endangered grassland birds; and

13  
14 WHEREAS, Manitowoc County is in a CREP riparian buffer project area and individual landowners  
15 in the project area will have the opportunity to install vegetative buffers on their land, enter into 15 year  
16 agreements or local/State perpetual easements, and receive payments for the land retired from agricultural  
17 production, and

18  
19 WHEREAS, the State requires counties to be the primary local implementation agency for the State's  
20 portion of the program in order for landowners to participate in CREP; and

21  
22 WHEREAS, the estimate cost for Manitowoc County to participate in CREP is \$15,000 in 2001 and  
23 \$90,000 in 2002, but Manitowoc County's participation will have no tax levy impact because any increased  
24 expenses will be offset by increased revenues from State reimbursement based on landowner contracts and  
25 by landowner administrative fees;

26  
27 NOW THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
28 Manitowoc County's participation in the Conservation Reserve Enhancement Program, authorizes Soil and  
29 Water Conservation Department to be the primary local implementation agency subject to oversight by the  
30 Land Conservation Committee, and directs the Land Conservation Committee to establish a landowner  
31 service fee sufficient to cover all administrative costs; and

32  
33 BE IT FURTHER RESOLVED that the 2001 Annual Budget is hereby amended by \$15,000 in  
34 revenue and expenditures and that the Comptroller/Auditor is hereby directed to record such information in  
35 the official books of the County for the year ending December 31, 2001, as may be required; and

36  
37 BE IT FURTHER RESOLVED that the proposed 2002 county budget be adjusted to reflect a \$90,000  
38 increase in revenue and expenditures and that the Comptroller/Auditor is hereby directed to record such  
39 information in the proposed budget for the year ending December 31, 2002, as may be required.

Dated this 29th day of October 2001.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increased expenses will be offset by increased revenues  
from State reimbursement based on landowner contracts and landowner  
administrative fees. Estimated expenses and revenues are \$15,000 in 2001 and  
\$90,000 in 2002.

Legislative Review Committee: Supervisor Dobbs moved, seconded by Supervisor Behnke, to adopt  
Resolution 4 (2001/2002-125) Opposing Senate Bill 157. Upon discussion and vote, the motion carried  
17 to 8. Supervisors Wagner, Skubal, Vogt, Borremans, Dufek, Strauss, Brey & Nate voted no; all other  
supervisors voted aye.

**RESOLUTION OPPOSING SENATE BILL 157**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Senate Bill 157 imposes a requirement on employers to provide coverage under group  
2 health benefit plans and self-insured health plans for the treatment of nervous and mental disorders and  
3 alcoholism and other drug abuse problems on the same terms as coverage for the treatment of physical  
4 conditions; and  
5

6 WHEREAS, Senate Bill 157 grants an additional benefit to employees in an area that is subject to  
7 collective bargaining without requiring that employees engage in collective bargaining and without providing  
8 the employer with any benefit in return; and  
9

10 WHEREAS, Senate Bill 157 will significantly increase benefit costs to employers and the cost to  
11 provide health insurance may become so prohibitive that employers will be unable to offer any health  
12 insurance coverage at all to their employees; and  
13

14 WHEREAS, Senate Bill 157 will make it difficult for public employers to control wages and benefits  
15 costs and will force public employers to choose between raising taxes or cutting services to the public;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes  
18 Senate Bill 157; and  
19

20 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
21 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
22 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
23 constituents from Manitowoc County.

Dated this 29th day of October 2001.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: None.

Supervisor Dobbs moved, seconded by Supervisor Bundy, to adopt Resolution 5 (2001/2002-126) Opposing  
Assembly Bill 323. Upon vote, the motion carried 22 to 3. Supervisors Dufek, Strauss & Swade voted no;  
all other supervisors voted aye.

**RESOLUTION OPPOSING ASSEMBLY BILL 323**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Assembly Bill 323 would allow supervisory law enforcement personnel to have access  
2 to binding interest arbitration; and  
3

4 WHEREAS, under the Wisconsin Municipal Employment Relations Act, no supervisory personnel are  
5 allowed access to binding interest arbitration; and  
6

7 WHEREAS, granting interest arbitration to one group of supervisory personnel opens the door to  
8 demands for interest arbitration by other supervisory personnel and will reduce the ability of county boards  
9 and other governmental legislative bodies to effectively perform their legislative functions; and  
10

11 WHEREAS, granting binding interest arbitration to supervisory law enforcement personnel will  
12 increase the costs of providing law enforcement to counties and other municipalities and will decrease the



13 ability of the county Sheriff's and the heads of other municipal law enforcement agencies to respond to  
14 changing law enforcement management needs;

15  
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes  
17 Assembly Bill 323, and

18  
19 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
20 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
21 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
22 constituents from Manitowoc County.

Dated this 29th day of October 2001.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: None.

Supervisor Dobbs reported they will not be meeting in November and will be inviting the local representatives to their December meeting.

Personnel Committee: Supervisor Vogt reported that a 19.58% increase is the final figure for the 2002 health insurance package.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Nate, to adopt Resolution 6 (2001/2002-127) Authorizing Point Creek Coastal Grant Application. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 127

**RESOLUTION AUTHORIZING POINT CREEK  
COASTAL GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the State of Wisconsin has enacted legislation providing financial assistance in the form  
2 of matching grants for development projects in governmental park and recreation facilities; and  
3

4 WHEREAS, Point Creek in Manitowoc County represents a unique and valuable parcel of land (the  
5 "Property") which the Manitowoc County Planning and Park Commission, the University of Wisconsin -  
6 Manitowoc, Sheboygan Area Land Conservancy ("SALC"), the University of Wisconsin - Sheboygan, and  
7 the Wisconsin Department of Natural Resources believe would best serve the public interest by being held  
8 in public ownership; and  
9

10 WHEREAS, the Manitowoc County Planning and Park Commission has recommended that Manitowoc  
11 County acquire the Property using a funding mechanism under which Manitowoc County's share of the cost  
12 would be provided through donations acquired by SALC and the remainder of the cost would come from  
13 matching funds from the Wisconsin Coastal Management Grant program;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
16 and approves the Manitowoc County Planning and Park Commission's recommendation and authorizes the  
17 Planning and Park Department Director to apply for and accept a Wisconsin Coastal Management Grant for  
18 financial assistance and to request such other assistance as may be available from the Wisconsin Department  
19 of Natural Resources to acquire the Point Creek Property; and  
20

21 BE IT FURTHER RESOLVED that the Planning and Park Department Director is authorized to sign  
22 documents, and take the actions necessary to undertake, direct, and complete the project authorized in the  
23 Coastal Management Grant provided that the cost of the project is covered by SALC donations and Wisconsin  
24 Coastal Management grants; and  
25

26 BE IT FURTHER RESOLVED that Manitowoc County will comply with State rules for the Coastal  
27 Management Grant Program; will allow the Department of Natural Resources access to inspect grant project  
28 sites; will obtain written approval from the Wisconsin Department of Natural Resources or the Coastal  
29 Management Program, or both, before any change is made in the use of the project site; will maintain records  
30 documenting all expenditures made during the project; and will submit a final report to the Department  
31 describing the project activities, achievements, and problems, comparing actual program and activities to the  
32 objectives proposed in the application, providing samples of any education or information brochures prepared  
33 and data collected, and documenting project costs.

Dated this 29th day of October 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: Estimated total project cost is \$1,900,000, but there is no tax levy impact because the County's share will be provided from an SALC donation and the balance of the cost will be provided by DNR matching funds.

Supervisor Skubal moved, seconded by Supervisor Muench, to adopt Resolution 7 (2001/2002-128) Adopting the Manitowoc Planning & Park Commission Report and Denying Zoning Amendment Petition in the Matter of Warren Otto. Upon discussion and vote, the motion carried with 21 ayes, 3 noes and 1 abstain. Supervisors Wagner, Dobbs & Geimer voted no; supervisor Swade abstained; all other supervisors voted aye.

No. 2001/2002 - 128

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND  
PARK COMMISSION REPORT AND DENYING ZONING AMENDMENT  
PETITION IN THE MATTER OF WARREN OTTO**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Warren Otto on September 28, 2001, to rezone an  
2 approximately 5.0 acre parcel of land located in the NW 1/4, SW 1/4, Section 9, T18N-R22E, Town of Liberty,  
3 from A3 Agriculture to A2 Agriculture; and  
4

5 WHEREAS, the petition was referred to the Manitowoc County Planning and Park Commission for  
6 a recommendation and report; and  
7

8 WHEREAS, a public hearing was held on Monday, October 22, 2001, at 7:00 P.M. at the Manitowoc  
9 County Office complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
10

11 WHEREAS, the Manitowoc County Planning and Park commission, after a careful consideration of  
12 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
13 petition be denied for the reasons stated in the report attached to this resolution;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
16 the report of the Manitowoc County Planning and Park Commission denying the attached petition for  
17 amendment submitted by Warren Otto.

Dated this 29th day of October 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: None

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 8 (2001/2002-129) Amending the Zoning Map for David S. Rodney; Ordinance 9 (2001/2002-130) Amending the Zoning Map for Travis Riesterer; and Ordinance 10 (2001/2002-131) Amending the Zoning Map for Warren D. & Edward D. Heckmann. Upon discussion and vote, the motion carried 24 to 1. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2001/2002-129

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(David S. Rodney)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, October 22, 2001, at 7:00 P.M. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW1/4, NE1/4, Section 35, T21N-R23E, town of Gibson,  
12 commencing at the N 1/4 Corner of said Section 35; thence easterly approximately 450 feet  
13 which is the point of real beginning; thence continue easterly approximately 300 feet; thence  
14 southerly approximately 250 feet; thence northwesterly approximately 300 along the north r/w  
15 of STH 147; thence northerly approximately 150 feet which is the point of real beginning, said  
16 parcel containing approximately 1.37 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: October 29, 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: None.

No. 2001/2002-130

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Travis Riesterer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, October 22, 2001, at 7:00 P.M. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE1/4, NW1/4, Section 7, T22N-R24E, town of Mishicot,  
12 commencing at the W 1/4 Corner of said Section 7; thence S 89° 36' 15" E 921.13 feet along  
13 the 1/4 Section line to the intersection with the centerline of CTH "V"; thence N 32° 11' E 365.0

14 feet along said centerline to the point of real beginning, thence continue N 32° 11' E 200.0 feet  
15 along the tangent centerline of CTH "V", thence N 21° 41' E 154.20 feet along said tangent  
16 centerline, thence S 89° 36' 15" E 454.65 feet, thence S 0° 23' 45" W 400.38 feet, thence N 89°  
17 36' 15" W 522.50 feet, thence N 49° 39' W 135.0 feet to the point of real beginning, said parcel  
18 containing approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture  
19 to A2 Agriculture.  
20

21 EFFECTIVE DATE: October 29, 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: None.

No. 2001/2002- 131

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Warren and Edward D. Heckmann)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, October 22, 2001, at 7:00 P.M. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW 1/4, SW 1/4, Section 14, T17N-R22E, town of Meeme,  
12 commencing at the W 1/4 Corner of said Section 14; thence easterly approximately 1320 feet  
13 which is the point of real beginning; thence southerly approximately 900 feet; thence  
14 northwesterly approximately 600 feet; thence northeasterly approximately 950 feet along the  
15 east r/w of Pioneer Road to the point of real beginning, said parcel containing approximately  
16 7.0 acres of land, shall be and is hereby rezoned from A1 Agriculture to B1 Business.  
17

18 EFFECTIVE DATE: October 29, 2001.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: None.

Public Safety Committee: Supervisor Juul moved, seconded by Supervisor Henrickson, to adopt Resolution  
11 (2001/2002-132) Accepting OWI Prosecution Grant. Discussion followed. Supervisor Dufek requested  
the minutes reflect that when the funding for this .25 FTE assistant district attorney position ends, "the  
position will be eliminated". Upon vote, the motion carried unanimously.

No. 2001/2002 - 132

**RESOLUTION ACCEPTING OWI PROSECUTION GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes the toll that operating a motor vehicle while under the  
2 influence of an intoxicating substance (OWI) has on the well-being of our citizens; and  
3

4 WHEREAS, the Office of District Attorney applied for and was successful in obtaining a  
5 Huber/Kaufert OWI Prosecution grant through the Wisconsin Department of Administration in the amount  
6 of \$30,000 which will be used to fund a .25 FTE assistant district attorney position for two years that will  
7 concentrate on the enforcement of state and local OWI laws; and  
8

9 WHEREAS, this .25 FTE assistant district attorney position commences Monday, October 22, 2001,  
10 and it is necessary to accept the grant, amend the 2001 county budget and the proposed 2002 county budget,  
11 and draft the 2003 budget accordingly; and  
12

13 WHEREAS, the .25 FTE assistant district attorney position will be a State employee and will not  
14 increase the number of county employees; and  
15

16 WHEREAS, the State will pay the employee then bill the County and the County will then bill the  
17 State Department of Transportation for reimbursement;  
18

19 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
20 accepts a Huber/Kaufert OWI Prosecution grant in the amount of \$30,000; and  
21

22 BE IT FURTHER RESOLVED that the 2001 Annual Budget is hereby amended by the amounts  
23 shown above and that the Comptroller/Auditor is hereby directed to record such information in the official  
24 books of the County for the year ending December 31, 2001, as may be required; and  
25

26 BE IT FURTHER RESOLVED that the proposed 2002 county budget be adjusted to reflect the pro-  
27 rated share of this two year grant and that the Comptroller/Auditor is hereby directed to record such  
28 information in the proposed budget for the year ending December 31, 2002, as may be required; and  
29

30 BE IT FURTHER RESOLVED that the remaining pro-rated share of this two year grant shall be  
31 included in the proposed 2003 budget when it is developed; and  
32

33 BE IT FURTHER RESOLVED that when funding for this .25 FTE assistant district attorney position  
34 ends, the position will be eliminated.

Dated this 29th day of October 2001.

Respectfully submitted by the Public Safety Committee and the Finance Committee.

FISCAL IMPACT: No property tax levy impact. Offsetting increases in appropriate Revenue and  
Expense accounts amount to \$2,885 in 2001; \$15,000 in 2002, and \$12,115 in  
2003.

Supervisor Juul reported they have been discussing the overtime at Public Safety Joint Services, the security  
at the Courthouse for the Family Court Commissioner, parking areas at the Courthouse and the need to look  
at improving security at the Courthouse in general. Discussion followed.

Transportation Coordinating Committee: Supervisor Barnes reported they will be meeting on November 13<sup>th</sup>  
at the Office Complex.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Muench, to adopt Resolution 12  
(2001/2002-133) In the Matter of the Town of Centerville Zoning Ordinance for Gerhard Lutze and  
Resolution 13 (2001/2002-134) In the Matter of the Town of Centerville Zoning Ordinance for Rolf &  
Brigitte Johnson. Upon vote, the motion carried unanimously.

No. 2001/2002 - 133

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(GERHARDT LUTZE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and

3  
4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and

6  
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have  
8 adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County Board;

9  
10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
11 the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of Centerville  
12 on April 12, 1999, for Gerhard Lutze.

Dated this 29th day of October 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

No. 2001/2002 - 134

**RESOLUTION IN THE MATTER OF THE  
TOWN OF CENTERVILLE ZONING ORDINANCE  
(ROLF & BRIGITTE JOHNSON)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Centerville adopted a new zoning ordinance in accordance with Wis. Stat.  
2 § 60.62; and

3  
4 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
5 County Board of Supervisors for approval; and

6  
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have  
8 adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County Board;

9  
10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
11 the Town of Centerville zoning ordinance which was adopted by the Town Board of the Town of Centerville  
12 on October 10, 2000, for Rolf & Brigitte Johnson.

Dated this 29th day of October 2001.

Respectfully submitted by Supervisor Kevin L. Behnke.

FISCAL IMPACT: None.

Chairperson Markwardt reported the next County Board meeting will be November 20th.

Supervisor Brey moved to adjourn at 8:55 p.m. Supervisor Graunke seconded and the motion was adopted unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

November 20, 2001

Monday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 20th day of November, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:13 P.M.

The invocation was given by Supervisor Bundy and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Juul, Kohlbeck, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Henrickson & Lambert were excused.

On motion by Supervisor Brey, seconded by Supervisor Strauss, the October 29, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications. 1. Senator Baumgart - Letter Regarding Information on Possible Grants to Fund County Level Juvenile Delinquency Prevention Programs. 2. Repr. Ziegelbauer - Letter Acknowledging Receipt of Resolutions on SB 157 & AB324. 3. Senator Baumgart - Letter Acknowledging Receipt of Resolutions from October 29 County Board Meeting. XII. Appointments by Chairperson. B. Veterans' Service Commission. 1. Ed Stuhr; C. Ethics Board. 1. Atty Katherine Reynolds. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances. Resolution 3A will be taken up before Resolution 3. K. Planning & Park Commission. Petitions. 3. Airport Advisory Committee - Zoning Text Amendment-Ch. 20. O. Supr. Kevin Behnke. 12. Resolution in the Matter of the Town of Newton Zone Change for Joseph Dondlinger. Supervisor Graunke moved, seconded by Supervisor Borremans, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared the public input open at 7:20 p.m.

Michael Pohlmann, Fire Chief for City of Two Rivers, representing the Manitowoc County Firefighters Association, addressed the Board in support of the two dispatcher positions. These positions are necessary to the welfare of everyone in Manitowoc County. They would appreciate the supervisors consideration of these positions.

John Kappelman, Town of Kossuth, spoke in favor of maintaining the current staffing at the UW-Extension. The dairy industry is struggling to maintain what they have. He feels we have an effective agricultural system in Manitowoc County.

Maureen O'Brien, Manitowoc, a volunteer organizer for the National School Lunch Program, addressed the Board supporting this Program within the Manitowoc Public School District. She highlighted the benefits of this program and urged supervisors to support the resolution.

Don Goeke, Manitowoc, spoke on the number of supervisors not in attendance at the Committee of the Whole meeting and this meeting and discussed positions at the UW-Extension.

Blong Xiong, Lakeshore Indochinese Mutual Assistance Association, stated the 250 families he spoke with were strongly in favor of the school lunch program.

Ronald Kasek, Manitowoc, urged the County Board to look at the school lunch program as a county issue. Supervisors should refer to the Human Services Department and look at statistics showing low birth rate and infant fatality. Family nutrition has declined and having this program in the schools would be a benefit.

Nancy Crowley, Manitowoc, spoke on the UW-Extension position. Her Department relies heavily on the UW-Extension when preparing for emergency situations including computer aid, the recent anthrax situation, and nuclear drills.

Chairperson Markwardt declared the public input closed at 7:40 p.m.

**APPOINTMENTS BY CHAIRPERSON:**

Chairperson Markwardt recommended the appointment of Supervisors Jim Brey, Kathie Bundy, and Kevin Behnke to the Human Services Board for three year terms expiring December 31, 2004. Supervisor Graunke moved, seconded by Supervisor Nate, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Ed Stuhr to the Veteran's Service Commission for a three year term expiring December 2004. Supervisor Borremans moved, seconded by Supervisor Swade, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Atty Katherine Reynolds to the Ethics Board for a three year term expiring December 2004. Supervisor Brey moved, seconded by Supervisor Mueller, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Ken Swade & alternate Mary Muench, Jim Blaha & alternate Amy Wergin, Chris Meyer & alternate Carl Stueck, Nancy Crowley, Randy Neils, & Gerald Wiesner to the Local Emergency Planning Committee for two year terms expiring December 2003. Supervisor Juul moved, seconded by Supervisor Barnes, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Donald Glaeser to the Bay Area Agency on Aging Board of Directors. Supervisor Muench moved, seconded by Supervisor Strauss, to approve the appointment. Upon vote, the motion carried unanimously.

**COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:**

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan reported the site project is completed and their time line is on schedule. If anyone is interested in looking at a room layout, they should call Michael Thomas.

Board of Health: Supervisor Nate reported they are still looking for one member to replace Ray Sturzl who moved away. She attended the Northeast Regional Health Department meeting recently to discuss vaccine safety, the anthrax threat, the rise in elder abuse, and proper immunization procedures. Also, the flu and pneumonia clinics are being set up in Manitowoc County with the dates published in the newspaper.

Supervisor Dobbs moved, seconded by Supervisor Geimer, to adopt Resolution 1 (2001/2002-135) Supporting the National School Lunch Program. Upon discussion and vote, the motion failed with 6 ayes, & 17 noes. Supervisors Bundy, Barnes, Nate, Swade, Dobbs, & Geimer voted aye; all other supervisors voted no.

No. 2001/2002 - 135

**RESOLUTION SUPPORTING THE NATIONAL SCHOOL LUNCH PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the National School Lunch Program (NSLP) is a federally assisted meal program  
2 operating in more than 96,000 public and nonprofit private schools and residential child care institutions; and  
3

4 WHEREAS, the National School Lunch Program provides nutritionally balanced, low-cost or free  
5 lunches to nearly 27 million children each school day; and  
6

7 WHEREAS, the program was established under the National School Lunch Act, signed by President  
8 Harry Truman in 1946; and



9 WHEREAS, the United States Congress expanded the National School Lunch Program in 1998 to  
10 include reimbursement for snacks served to children in after-school educational and enrichment programs  
11 for children through 18 years of age; and  
12

13 WHEREAS, the U.S. Department of Agriculture provides cash subsidies and donated commodities to  
14 school districts and independent schools that choose to take part in the National School Lunch Program; and  
15

16 WHEREAS, the school lunches under the National School Lunch Program must meet the Dietary  
17 Guidelines for Americans, which recommend that no more than 30 percent of an individuals calories come  
18 from fat and that less than 10 percent come from saturated fat; and  
19

20 WHEREAS, according to the U.S. Census Bureau, model-based income and poverty estimates for  
21 Manitowoc County, Wisconsin, approximately 2,124 people under the age 18 were in poverty in 1997; and  
22

23 WHEREAS, the taxpayers in a school district do not realize a reduction in taxes, but do forego the  
24 return of federal tax dollars to their community by not participating in the National School Lunch Program;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Health supports the  
27 National School Lunch Program; and  
28

29 BE IT FURTHER RESOLVED that the Manitowoc County Board of Health recommends that all  
30 public school districts participate in the National School Lunch Program; and  
31

32 BE IT FURTHER RESOLVED that a copy of this resolution be distributed to Governor Scott  
33 McCallum; Wisconsin Superintendent of Public Instruction Elizabeth Burmaster, Manitowoc Public School  
34 District Superintendent Dr. Wayne Johnson, and Manitowoc Board of Education President Jeanette Miller.

Dated this 20th day of November 2001.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: None.

Executive Committee: Chairperson Markwardt reported the Executive Committee will be meeting on  
December 4<sup>th</sup>, the Airport Advisory Committee will be meeting on December 3<sup>rd</sup> and the next County Board  
meeting will be on December 18<sup>th</sup>. He will be inviting the State Senators, Congressman, and Representatives  
to the Assembly for our district to the December County Board meeting.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Skubal , to adopt Resolution 2  
(2001/2002-136) Denying Darlene Schuricht Claim. Upon discussion and vote, the motion carried  
unanimously.

No. 2001/2002 - 136

### **RESOLUTION DENYING DARLENE SCHURICHT CLAIM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Darlene Schuricht, through her attorney, has notified Manitowoc County pursuant to Wis.  
2 Stat. § 893.80 of her claim for \$14,035, plus certain future costs, as the result of alleged damage to a septic  
3 system during the removal of junk vehicles from her property pursuant to a court order; and  
4

5 WHEREAS, Manitowoc County provided a copy of the claim to its insurance carrier and the insurance  
6 carrier recommends that the claim be denied; and  
7

8 WHEREAS, the Corporation Counsel has reviewed the claim and recommends that it be denied; and  
9

10 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and  
11 recommends that the claim be denied;

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

Dated this 20th day of November 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Grimm moved, seconded by Supervisor Brey, to enact Ordinance 3A (2001/2002-137) Amending the Manitowoc County Code § 4.13(2) Fees Charged by the Planning & Park Department. Upon discussion and vote, the motion carried with 18 ayes, & 5 noes. Supervisors Kohlbeck, Sloan, Hansen, Nate, & Swade voted no; all other supervisors voted aye.

No. 2001/2002 - 137

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 4.13(2)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Finance Committee has tentatively approved the Planning and Park Department  
2 budget which was based upon certain fees being increased effective January 1, 2002; and  
3

4 WHEREAS, the fees charged by the Planning and Park Department are set by county ordinance;  
5

6 NOW, THEREFORE, the board of supervisors of the county of Manitowoc, Wisconsin does ordain  
7 as follows:  
8

9 Manitowoc County Code sec. 4.13(2)(d) is hereby amended as follows:  
10

11 (d) For review of a Certified Survey, the fee shall be ~~\$10.00~~ \$25.  
12

13 Manitowoc County Code sec. 4.13(2)(e) is hereby amended as follows:  
14

15 (e) For an application for a Certified Survey Map variance or appeal request, the fee shall be ~~\$25.00~~  
16 \$75.  
17

18 Manitowoc County Code sec. 4.13(2)(f) is hereby amended as follows:  
19

20 (f) For review of a development plan, the fee shall be ~~\$10.00 plus \$1.00 per lot~~ \$150.  
21

22 Manitowoc County Code sec. 4.13(2)(g) is hereby amended as follows:  
23

24 (g) For review of a subdivision plat, the fee shall be ~~\$25.00 plus \$2.00 for each lot in the subdivision~~  
25 \$200.  
26

27 Manitowoc County Code sec. 4.13(2)(h) is hereby created to read as follows:  
28

29 (h) For a zoning permit for a single family home, mobile home, cottage, or addition, the fee shall be  
30 \$50.  
31

32 Manitowoc County Code sec. 4.13(2)(i) is hereby created to read as follows:  
33

34 (i) For a zoning permit for any structure other than a single family home, mobile home, cottage, or  
35 addition, the fee is \$25.  
36

37 Manitowoc County Code sec. 4.13(2)(j) is hereby created to read as follows:  
38

39 (j) For a culvert permit, the fee is \$75.

40 EFFECTIVE DATE: January 1, 2002.

41 Dated this 20th day of November 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases projected 2002 revenue by \$32,515.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 3 (2001/2002-138) Adopting the 2002 Manitowoc County Budget and Property Tax Levy. Discussion followed.

Amendment 1: Supervisor Hansen moved, seconded by Supervisor Nate, to restore the position at the UW-Extension, but that when someone retires anywhere in the support services division the UW Extension position will be discussed by the Natural Resources & Education Committee. Upon vote, the motion carried with 14 ayes, & 9 noes. Supervisors Muench, Grimm, Dufek, Strauss, Behnke, Graunke, Brey, Geimer, & Markwardt vote no; all other supervisors voted aye.

Amendment 2: Supervisor Behnke moved, seconded by Supervisor Graunke, to cut \$50,000 from the Sheriff's Department overtime budget. Sheriff Ken Petersen responded to Supervisors' questions. Upon discussion and vote, the motion failed with 10 ayes, & 13 noes. Supervisors Wagner, Barnes, Kohlbeck, Skubal, Grimm, Hansen, Behnke, Graunke, Brey, & Nate voted aye; all other supervisors voted no.

Supervisor Vogt moved, seconded by Supervisor Brey, to divide the question into the Human Services budget and all others. Upon vote, the motion carried with 21 ayes, & 2 noes. Supervisors Dobbs & Geimer voted no; all others voted aye.

The supervisors voted on the Human Services budget. The motion carried with 20 ayes, 2 noes, & 1 abstention. Supervisors Sloan & Hansen voted no; & Supervisor Vogt abstained.

The supervisors voted on the remainder of the budget as amended. The motion carried with 15 ayes, & 8 noes. Supervisors Sloan, Hansen, Borremans, Behnke, Graunke, Dobbs, Geimer, & Markwardt voted no; all other supervisors voted aye.

No. 2001/2002- 138

**RESOLUTION ADOPTING 2002 MANITOWOC COUNTY  
BUDGET AND PROPERTY TAX LEVY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the proposed Manitowoc County 2002 Annual Budget has been made  
2 available to each county supervisor and to the general public; and  
3

4 WHEREAS, the proposed 2002 Annual Budget was presented and explained to the County Board at  
5 its October 16, 2001 meeting and was reviewed by the Board at its October 29, 2001 Annual Meeting; and  
6

7 WHEREAS, formal publication of a budget summary and announcement of a public hearing was made  
8 in the Manitowoc Herald Times Reporter on October 14, 2001, in accordance with Wis. Stat. § 65.90 and  
9 Wis. Stat. Ch. 985; and  
10

11 WHEREAS, a public hearing on the proposed Manitowoc County 2002 Annual Budget was held  
12 beginning at 7:05 PM on October 29, 2001, for purposes of public input; and  
13

14 WHEREAS, at its November 20, 2001, meeting following the public hearing, the County Board  
15 recommends approval of the 2002 Annual Budget for Manitowoc County operations during calendar year  
16 2002;

17  
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
19 adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year  
20 beginning January 1, 2002, as indicated in the attached 2002 Annual Budget for Manitowoc County and any  
21 attachments or addenda thereto; and

22  
23 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby authorizes  
24 that the following sums of money be raised for the ensuing year:

25		
26	State Special Charges – Charitable & Penal	\$0.00
27	County Aid Bridges (Wis. Stat. § 81.38)	\$75,484.50
28	All Other County Taxes	<u>\$22,413,688.00</u>
29	Gross County Tax Levy	<u>\$22,489,172.50;</u>

30  
31 and

32  
33 BE IT FURTHER RESOLVED that the County shall apportion the tax for bridges under Wis. Stat. §  
34 81.38 on the taxable property of the participating districts; and

35  
36 BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment, State Special  
37 Charges for Forestry Mill Tax, Wis. Stat. § 70.58, in the amount of \$785,862.44; and

38  
39 BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment, State Special  
40 Charges, as follows: “none”; and

41  
42 BE IT FURTHER RESOLVED the appropriate County Officials are hereby directed to reapportion  
43 the illegal real estate taxes charged back in the amount of \$14,072.98; and

44  
45 BE IT FURTHER RESOLVED that the budget attached hereto in detail shall be made a part of the Tax  
46 Levy; and

47  
48 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make such technical  
49 corrections to the 2002 Annual Budget as may be necessary.

Dated this 20th day of November 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Requires a composite tax levy and rate, based upon budget book as printed, as follows:

Tax Levy of \$22,489,172.50 and  
Tax Rate of \$5.89799 per \$1,000 of equalized value.

Human Services Board: Supervisor Graunke reported on the program referrals that the Human Services Department received in the month of October.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck moved, seconded by Supervisor Borremans, to adopt Resolution 4 (2001/2002-139) Adopting 2002 Plan for Older People. Upon vote, the motion carried unanimously.

**RESOLUTION ADOPTING 2002 PLAN FOR OLDER PEOPLE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, it is necessary to prepare a Plan For Older People ("Plan") to obtain Federal and State  
2 funds; and

3  
4 WHEREAS, the proposed Manitowoc County 2002 Plan has been presented to and reviewed by the  
5 Manitowoc County Board of Supervisors; and

6  
7 WHEREAS, the Manitowoc County Board of Supervisors finds that the Plan is fair and equitable and  
8 that provision of the special services contained in the Plan would improve and promote the maintenance of  
9 human dignity and self-sufficiency of elderly persons in Manitowoc County;

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
12 adopts the 2002 Plan For Older People.

Dated this 20th day of November 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: The County is requesting the following intergovernmental grants and aids, which  
are included within the proposed 2002 budget request for the Aging Resources  
Center:

IIIB	86,364	State Benefit Specialist	28,215
IIIC1	229,393	Senior Community Services	11,543
IIIC2	51,644	Alzheimer's Caregiver Sup.	35,641
IIID	6,313	Elder Abuse	11,063
IIIE	31,994		
TOTAL:			\$492,170

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 5 (2001/2002-140)  
Amending 2001 Budget Because of Increased Funding. Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2001 BUDGET  
BECAUSE OF INCREASED FUNDING**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Bay Area Agency on Aging (BAAA) has amended the original grant agreement  
2 between BAAA and the Manitowoc County Aging Resource Center dated January 3, 2001, to provide an  
3 additional \$8,872 in revenue to Manitowoc County during calendar year 2001; and

4  
5 WHEREAS, the Natural Resources and Education Committee recommends that the Manitowoc County  
6 Board of Supervisors amend the 2001 Annual Budget as follows:

7  
8 + or -  
9 Revenue or Account  
10 Activity Expense Number Amount  
11  
12 IIIB + Revenue 46525.43566.05 \$2,982

13		+ Expense	46525.52999	2,982
14		- Revenue	41100.43550.14	1,720
15	IIICI	+ Revenue	46100.43566.01	752
16		+ Expense	46100.53005	752
17	IIICII	+ Revenue	46250.43566.03	591
18		+ Expense	46250.53005	591
19	IIID	+ Revenue	41100.43550.14	1,720
20	Alzheimer's Funding	+ Revenue	46425.43566.08	2,336
21		+ Expense	46425.52399	2,336
22	Elder Abuse	+ Revenue	46325.43566.11	2,211
23		+ Expense	46325.52326	2,211

25 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors  
 26 that the 2001 Annual Budget is hereby amended by the amounts shown above and that the  
 27 Comptroller/Auditor is hereby directed to record such information in the official books of the  
 28 County for the year ended December 31, 2001, as may be required.

Dated this 20th day of November 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenues and expenses by \$8,872 as shown.

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 6 (2001/2002-141) Authorizing Application for Specialized Transportation Assistance Program Grant. Upon vote, the motion carried unanimously.

No. 2001/2002 - 141

**RESOLUTION AUTHORIZING APPLICATION FOR  
SPECIALIZED TRANSPORTATION ASSISTANCE PROGRAM GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 85.21 authorizes the Wisconsin Department of Transportation to grant  
 2 financial aid to counties for the purpose of providing specialized transportation services to persons who are  
 3 elderly or disabled; and  
 4

5 WHEREAS, each such grant must be matched with a local share equal to at least 20% of the amount  
 6 of state aid for which the county applies; and  
 7

8 WHEREAS, the Natural Resource and Education Committee recommends that Manitowoc County  
 9 apply for grant funding which will require a local share of \$26,549.40; and  
 10

11 WHEREAS, the Manitowoc County Board of Supervisors finds that provision of specialized  
 12 transportation services would improve and promote the maintenance of human dignity and self-sufficiency  
 13 of elderly and disabled persons;  
 14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
 16 the Aging Resource Center Director to prepare and submit an application for financial assistance under Wis.  
 17 Stat. § 85.21 to the Wisconsin Department of Transportation for 2002 provided that the local share required  
 18 for such assistance does not exceed \$26,549.40; and  
 19

20 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Aging  
21 Resource Center Director to execute a Wisconsin Department of Transportation state aid contract under Wis.  
22 Stat. § 85.21 on behalf of Manitowoc County provided that the local share required by said contract does not  
23 exceed \$26,549.40.

Dated this 20th day of November 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: \$26,549.40 tax levy is included in the proposed 2002 Aging Resources Center budget.

Supervisor Kohlbeck moved, seconded by Supervisor Hansen, to adopt Resolution 6A. (2001/2002-142) Approving an Agreement for Transportation of the Elderly and Rural Disabled. Aging Resources Director Judy Rank and City of Manitowoc Public Works Director Bill Handlos responded to Supervisors' questions. Upon discussion and vote, the motion carried with 18 ayes & 5 noes. Supervisors Barnes, Swade, Dobbs, Geimer, & Mueller voted no; all other supervisors voted aye.

No. 2001/2002 - 142

**RESOLUTION APPROVING AGREEMENT FOR  
TRANSPORTATION OF THE ELDERLY AND RURAL DISABLED**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has applied for grant funds under Wis. Stat. § 85.21 and 49 U.S.C.  
2 § 5310 to provide certain transportation services to older adults and rural disabled persons in Manitowoc  
3 County; and  
4

5 WHEREAS, the City of Manitowoc presently provides transportation services through Maritime Metro  
6 Transit; and  
7

8 WHEREAS, Manitowoc County and the City of Manitowoc have discussed the benefits to be gained  
9 by entering into an agreement that would consolidate the provision of transportation services; and  
10

11 WHEREAS, the Natural Resources and Education Committee recommends that Manitowoc County  
12 enter into an Agreement For Transportation Of The Elderly And Rural Disabled ("Agreement") with the City  
13 of Manitowoc and that Agreement has been reviewed by the Corporation Counsel;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
16 the County Board Chair and the County Clerk to execute the Agreement For Transportation Of The Elderly  
17 And Rural Disabled on behalf of Manitowoc County.

Dated this 20th day of November 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: \$205,000 has been incorporated into the 2002 budget proposal.

Legislative Review Committee: Supervisor Dobbs reported they will be inviting the area legislators to their December meeting.

Personnel Committee: Supervisor Vogt reported they received a request to restructure the Family Court Commissioner's position to half-time with salary and benefits to reflect half-time and another half-time commissioner would be hired to fulfill the other one-half position.

Supervisor Vogt moved, seconded by Supervisor Swade, to adopt Resolution 7 (2001/2002-143) Ratifying and Adopting the Manitowoc County Flexible Benefits Plan. Upon vote, the motion carried unanimously.

**RESOLUTION RATIFYING AND ADOPTING THE  
MANITOWOC COUNTY FLEXIBLE BENEFITS PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County maintains the County of Manitowoc Group Health and Dental Benefit  
2 Plans (the "Group Health and Dental Plans"); and  
3

4 WHEREAS, Manitowoc County desires to allow its employees to participate in health and dependent  
5 care flexible spending account benefits as set forth in the County of Manitowoc Flexible Benefits Plan  
6 ("Flexible Benefits Plan"); and  
7

8 WHEREAS, Manitowoc County wishes to adopt a Flexible Benefits Plan that complies with Internal  
9 Revenue Code § 125 so that its employees can choose to receive tax-excluded benefits under the Flexible  
10 Benefits Plan or taxable cash compensation, or a combination of both;  
11

12 BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby ratifies and adopts the  
13 County of Manitowoc Flexible Benefits Plan (consisting of the Flexible Benefits Plan Document and  
14 component Benefit Plans and Policies), as amended and restated, effective as of January 1, 2001; and  
15

16 BE IT FURTHER RESOLVED that the operation of the County of Manitowoc Group Health and  
17 Dental Benefits Plan will continue and all employee contributions thereunder will be made pursuant to the  
18 elections under the Flexible Benefits Plan Document; and  
19

20 BE IT FURTHER RESOLVED that the officers and officials of Manitowoc County are authorized and  
21 directed to take such action as may be necessary to effectuate this Resolution.

Dated this 20th day of November 2001.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

Supervisor Vogt moved, seconded by Supervisor Muench , to adopt Resolution 8 (2001/2002-144) Setting  
Compensation for Jury Bailiffs. Upon vote, the motion carried unanimously.

**RESOLUTION SETTING COMPENSATION FOR JURY BAILIFFS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Clerk of the Court has proposed a change in the rate at which Jury Bailiffs are  
2 compensated in order to assure that an adequate number of Jury Bailiffs are available to attend to the needs  
3 of the courts; and  
4

5 WHEREAS, the Circuit Court Judges for Manitowoc County have reviewed and concurred in the  
6 proposal made by the Clerk of the Courts; and  
7

8 WHEREAS, the Clerk of the Court has sufficient funds in the budget to pay for proposed rate change;  
9 and  
10

11 WHEREAS, the Personnel Committee has reviewed and concurred in the Clerk of the Court's  
12 recommendation;  
13



1 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that Jury  
2 Bailiffs shall be compensated at a rate of \$9.50 per hour, with a minimum of \$40.00 per jury day, subject to  
3 all applicable federal and state overtime laws.

Dated this 20th day of November 2001.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

Planning and Park Commission: Supervisor Skubal reported they will have on-site inspections on Friday, November 30<sup>th</sup> with a Commission meeting on Monday, December 3<sup>rd</sup>.

Public Safety Committee: Supervisor Juul reported they will be meeting on November 27<sup>th</sup> to open the squad car bids and receive reports from departments.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Strauss, to adopt Resolution 9 (2001/2002-145) Supporting Reinstatement of Positions in the University of Wisconsin-Extension's Solid and Hazardous Waste Education Center. Upon vote, the motion carried unanimously.

No. 2001/2002 - 145

**RESOLUTION REQUESTING REINSTATEMENT OF FOUR POSITIONS  
AT THE SOLID AND HAZARDOUS WASTE EDUCATION CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Governor Scott McCallum vetoed a portion of the State Budget Bill and eliminated four  
2 positions in the recycling section of the University of Wisconsin-Extension's Solid and Hazardous Waste  
3 Education Center and  
4

5 WHEREAS, funding for the four positions comes from Landfill Tipping Fees that are included in the  
6 Budget Bill and the Governor's veto eliminates the positions while retaining the funding mechanism and the  
7 money for those for the positions; and  
8

9 the State budget as the Landfill Tipping Fee enacted in the budget bill provides the funds to support the  
10 Center; and  
11

12 WHEREAS, the Solid and Hazardous Waste Education Center has provided research, information, and  
13 education that benefits numerous Manitowoc County industries, municipalities, and citizens; and  
14

15 WHEREAS, the Solid and Hazardous Waste Education Center provides continuing and direct  
16 educational support to the Manitowoc County Public Works Department in many important areas, including  
17 recycling education, technical support on landfill matters, administration of Clean Sweep programs, assistance  
18 in solid waste planning and management, and general technical support; and  
19

20 WHEREAS, clients throughout Wisconsin will lose the needed, substantial, and valuable services  
21 provided by these unbiased, non-regulatory recycling experts;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors does  
24 hereby request the State Legislature and the Governor to reinstate these four positions in the Solid and  
25 Hazardous Waste Education Center of the University of Wisconsin-Extension; and  
26

27 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
28 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
29 the Wisconsin Assembly, and each legislator in the Wisconsin Senate and Assembly who represents  
30 constituents from Manitowoc County.

Dated this 20th day of November 2001.

Respectfully submitted by the Public Works Committee.

Supervisor Dufek moved, seconded by Supervisor Sloan, to adopt Resolution 10 (2001/2002-146) Authorizing the Sale of Land to Jason and Tracy Sladky. Upon vote, the motion carried unanimously.

No. 2001/2002 - 146

**RESOLUTION AUTHORIZING SALE OF LAND TO JASON AND TRACY SLADKY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee has received an offer to purchase from Jason and Tracy  
2 Sladky for county-owned property in the Manitowoc County Industrial Park; and  
3

4 WHEREAS, the Public Works Committee and Planning and Park Commission staff have reviewed this  
5 offer to purchase; and  
6

7 WHEREAS, Jason and Tracy Sladky have reviewed all the deed restrictions established by Manitowoc  
8 County Board Resolution No. 90/91-75; and  
9

10 WHEREAS, the Public Works Committee recommends the sale of 1.5 acres of property to Jason and  
11 Tracy Sladky in the amount of \$7,500 per acre.  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the sale of approximately 1.5 acres of land in the County Industrial Park to Jason and Tracy Sladky for \$7,500  
15 per acre and that the County Board Chair and County Clerk are authorized to execute such papers as may  
16 be required to effect this property sale; and  
17

18 BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a separate account  
19 established for the sale of county owned property for future capital development.

Dated this 20th day of November 2001.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Proceeds of \$7,500 per acre or any fraction thereof to be set aside for future capital development, Fund 45.

Miscellaneous: Supervisor Grimm moved, seconded by Supervisor Graunke, to adopt Resolution 11 (2001/2002-147) Modifying the Human Services Department 2001 Budget and Expanding its Spending Authority. Upon vote, the motion carried unanimously.

No. 2001/2002 - 147

**RESOLUTION MODIFYING THE HUMAN SERVICES DEPARTMENT  
2001 BUDGET AND EXPANDING ITS SPENDING AUTHORITY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, each November the County Board adopts an operating budget for each county department  
2 for the following year; and  
3

4 WHEREAS, the Manitowoc County Human Services Department receives its funding from a variety  
5 of sources, including the State of Wisconsin; and  
6

7 WHEREAS, the State of Wisconsin amended its contract with the Human Services Department during  
8 calendar year 2001; and  
9

1 WHEREAS, the Manitowoc County Human Services Department revenues and expenditures have  
2 changed as shown on attached schedule; and

3  
4 WHEREAS, the Finance Committee and the Manitowoc County Board must grant their approval in  
5 order to modify the budget for 2001 and increase the spending authority of the Manitowoc County Human  
6 Services Department; and

7  
8 WHEREAS, the Finance Committee, having reviewed the recommendation of the Human Services  
9 Board, recommends that the Manitowoc County Board of Supervisors approve the modifications to the 2001  
10 Manitowoc County Human Services Department budget which are shown on the attached schedule;

11  
12 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
13 2001 Annual Budget is hereby amended by the amounts shown on the attached schedule and that the  
14 Comptroller/Auditor is hereby directed to record such information in the official books of the County for the  
15 year ending December 31, 2001, as may be required.

Dated this 20<sup>th</sup> day of November 2001.

Respectfully submitted by the Human Services Board and the Finance Committee.

FISCAL IMPACT: Increases net budgeted revenues by \$463,204 and increases net budgeted  
expenditures by \$463,204. No tax levy impact.

MANITOWOC COUNTY HUMAN SERVICES DEPARTMENT  
2001 BUDGET CHANGE SCHEDULE

Account No.	Account Name	Change	New Amount
45062.46625	Service Fee Rev.	- \$ 15,000	\$ 0
45066.46626	Court Service Fees	+ \$ 15,000	\$ 15,000
45062.43560.24	Basic County Allocation	+ \$ 23,615	\$ 3,977,261
43060.52301	Mental Health Inpatient	+ \$ 23,615	\$ 133,615
45062.43560.63	Kinship Care Rev.	+ \$ 4,794	\$ 53,046
45062.55022	Kinship Care Base Benefits	+ \$ 4,794	\$ 49,540
45066.43560.31	Lincoln Hills Escrow	+ \$ 582	\$ 651,982
45066.52315	Lincoln Hills Expense	+ \$ 582	\$ 674,504
45066.43560.29	Youth Aids AODA Revenue	+ \$ 2,760	\$ 2,760
45066.43560.31	Lincoln Hills Escrow	- \$ 2,760	\$ 649,222
45068.43560.32	Youth Independent Living Rev.	+ \$ 17,787	\$ 23,787
45068.52373	Youth Independent Living Exp.	+ \$ 17,787	\$ 23,787
43069.43560.33	IMD Continuing Placements Rev.	+ \$ 5,191	\$ 62,102
43069.52331	Institutes for Mental Disease Exp.	+ \$ 5,191	\$ 179,841
43070.43560.64	Commun. Supp. Living Arrangement	+ \$ 5,985	\$ 7,485
43070.52372	Commun. Supp. Living Arrangement	+ \$ 5,985	\$ 7,485
43070.43560.78	AFH Continuation Rev.	+ \$ 29,980	\$ 29,980
43070.52357	ACT 405 Expense	+ \$ 29,980	\$ 29,980
43170.43560.37	CIP 1A Revenue	+ \$ 33,007	\$ 582,749
43170.51200	CIP 1A Wages	+ \$ 2,159	\$ 40,641
43170.52334	CIP 1A Services	+ \$ 30,848	\$ 548,108
43270.43560.38	CIP 1B Revenue	+ \$ 58,811	\$ 1,191,451
43270.51200	CIP 1B Wages	+ \$ 3,847	\$ 83,132
43270.52334	CIP 1B Fully Funded	+ \$ 54,964	\$ 854,964

45071.43560.39	COP Revenue	+ \$	89,425	\$	904,048
45071.51200	COP Wages	+ \$	1,919	\$	58,943
45071.52334	COP Services	+ \$	77,767	\$	717,767
45071.52389	Comm. Links Workforce	+ \$	9,739	\$	9,739
45073.43560.41	CIP II/COP-W Revenue	+ \$	26,202	\$	2,614,769
45073.51200	CIP II Wages	+ \$	1,571	\$	102,245
45073.52334	CIP II Services	+ \$	14,150	\$	1,456,139
45173.51200	COP-W Wages	+ \$	686	\$	70,399
45173.52334	COP-W Services	+ \$	9,795	\$	808,986
44074.43560.71	Refugee-Mental Health Revenue	+ \$	50,000	\$	50,000
44074.52383	Refugee-MH Expense	+ \$	50,000	\$	50,000
44074.43560.77	Locally Matched CCDF Rev.	+ \$	39,483	\$	39,483
44074.52390	Locally Matched CCDF Exp.	+ \$	37,252	\$	37,252
44074.52391	Locally Matched CCDF Admin.	+ \$	2,231	\$	2,231
44374.43560.45	Waiver Savings Children First Rev.	+ \$	9,200	\$	28,800
44374.52370	Waiver Savings Children First Exp.	+ \$	9,200	\$	28,800
44374.43560.76	WAA Contract Revenue	+ \$	45,324	\$	45,324
44374.55370	WAA Admin.	+ \$	7,169	\$	7,169
44374.55371	WAA Education	+ \$	14,117	\$	14,117
44374.55372	WAA Work Readiness	+ \$	1,526	\$	1,526
44374.55373	WAA Basic Job Skills	+ \$	954	\$	954
44374.55374	WAA Post Employment Services	+ \$	115	\$	115
44374.55375	WAA Incumbent Worker Trng.	+ \$	191	\$	191
44374.55376	WAA Employer Services	+ \$	15,262	\$	15,262
44374.55377	WAA Fam. Pres. & Parent Trng.	+ \$	115	\$	115
44374.55378	WAA Transportation	+ \$	5,875	\$	5,875
44374.43560.67	W-2 Day Care	+ \$	2,946	\$	22,946
44374.55343	W-2 Day Care Operations	+ \$	2,946	\$	22,946
44076.43560.47	Program Integrity Rev.	+ \$	1,634	\$	11,070
44076.51200	Program Integrity Wages	+ \$	1,634	\$	11,070
44077.43560.48	LIHEAP Administration Rev.	+ \$	19,238	\$	66,277
44077.51100	LIHEAP Salaries	+ \$	4,425	\$	11,357
44077.51200	LIHEAP Wages	+ \$	9,232	\$	23,860
44077.51551	LIHEAP FICA	+ \$	962	\$	2,594
44077.51552	LIHEAP WI Retirement	+ \$	1,347	\$	3,545
44077.51554	LIHEAP Health Ins.	+ \$	3,078	\$	8,108
44077.51555	LIHEAP Life Ins.	+ \$	39	\$	105
44077.51557	LIHEAP LT Disability	+ \$	155	\$	227
Increase in Revenues:			\$	463,204	
Increase in Expenditures:			\$	463,204	
NET BUDGET CHANGE:			\$	0	

Supervisor Behnke moved, seconded by Supervisor Muench, to adopt Resolution 12 (2001/2002-148) In the Matter of the Town of Newton Zone Change for Joseph Dondlinger. Upon vote, the motion carried unanimously.

No. 2001/2002 - 148

**RESOLUTION IN THE MATTER OF THE TOWN OF NEWTON,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(JOSEPH DONDLINGER)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the Town of Newton adopted a new zoning ordinance in accordance with Wis. Stat. §  
2 60.62; and

3  
4           WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County  
5 Board of Supervisors for approval; and

6  
7           WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
8 have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County  
9 Board;

10  
11           NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
12 approves the Town of Newton zoning ordinance which was adopted by the Town Board of the Town of  
13 Newton on November 12, 2001, for Joseph Dondlinger.

Dated this 20th day of November 2001.

Respectfully submitted by Supervisor Kevin Behnke.

FISCAL IMPACT: None.

Chairperson Markwardt reported the next County Board meeting will be December 18<sup>th</sup>.

Supervisor Graunke moved to adjourn at 9:26 p.m. Supervisor Juul seconded and the motion was adopted unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

December 18, 2001

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 18<sup>th</sup> day of December, 2001, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:02 P.M.

The invocation was given by Chairperson Markwardt and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner.

On motion by Supervisor Sloan, seconded by Supervisor Brey, the November 20, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications. 7. Repr. Ziegelbauer - Letter Acknowledging Receipt of Resolution from Nov. 20<sup>th</sup> County Board meeting. VIII. Public Input - Discussion with Legislators. XII. Appointments by Chairperson. D. Wisconsin Works Steering Committee. 1. Dale Moesha, 2. Tom Hilke, 3. Cherouta Yang, 4. Faye Malek. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances. G. Human Services Board. 4A. Resolution Supporting Oconto County's Position on State Funding for Long Term Health Inpatient Hospitalizations. Resolution 7 was removed and Resolution 17 was revised. Supervisor Behnke moved, seconded by Supervisor Borremans, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously. Chairperson Markwardt declared the public input open at 7:20 p.m.

Marlene Mielke, representing Senator Kohl, stated that he is not in the Hart Senate Office Building since the evacuation of the anthrax scare. They fumigated the building again last weekend and hope to return when the January session begins. They are working on 13 appropriation bills and a huge farm bill. They were able to keep out regional dairy compacts from the appropriation bills and the farm bill. They are predicting the economic stimulus package will remain stalled until they return on January 22<sup>nd</sup>. They will also be looking into the interruption of 911 Service. She invited supervisors to complete the "Listening Post" that she handed out listing concerns and questions they have.

Senator Jim Baumgart, Senator Alan Lasee, Representative Frank Lasee, and Representative Bob Ziegelbauer spoke on budget shortfalls and how potential cuts would affect local units of government. They discussed the Tobacco Control Board Endowment, funding for nursing homes, and other legislation they will be considering. They expressed concerns with the Mirro Corporation and answered supervisors' questions.

Don Goeke, Manitowoc, commented on reducing the interest owed on the retirement fund, discussed possible conflicts of interest, and spoke on the elimination of a position at the UWEX.

Chairperson Markwardt declared the public input closed at 8:25 p.m.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Supervisor Tony Yaggie to the Board of Health to complete Ray Sturzl's term expiring April 2003. Supervisor Nate moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Jim VanLaanen to the Planning & Park Commission to complete Vicky Berg's term expiring July 2005. Supervisor Geimer moved, seconded by Supervisor Swade, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Gail Fox, Kathie Bundy, & Cheryl Kjelstrup to the Manitowoc-Calumet Library System Board for three year terms expiring January 2005. Supervisor Dobbs moved, seconded by Supervisor Mueller, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Dale Moesha, Tom Hilke, Cherouta Yang, and Faye Malek to the Wisconsin Works Steering Committee for three year terms expiring December 31, 2004. Supervisor Graunke moved, seconded by Supervisor Borremans, to approve the appointments. Upon vote, the motion carried unanimously.

**COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:**

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan reported they are meeting tomorrow at 4:00 p.m. with the architect.

Board of Health: Supervisor Nate moved, seconded by Supervisor Vogt, to adopt Resolution 1 (2001/2002-149) Amending 2001 Health Department Budget. Upon vote, the motion carried unanimously.

No.2001/2002- 149

**RESOLUTION AMENDING 2001 HEALTH DEPARTMENT BUDGET**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Manitowoc County Health Department provides numerous public health services to the residents of Manitowoc County that are funded by the return of our federal and state tax dollars through grants; and

WHEREAS, the Health Department can only include grant funds that it has been scheduled or contracted to receive during the calendar year when preparing its annual budget; and

WHEREAS, the Health Department learns of changes in grant funding after the budget has been approved because various federal and state grants are administered on a fiscal, rather than calendar, year basis; and

WHEREAS, the following changes in grant funding have taken place since the 2001 Annual Budget was approved:

Childhood Lead Poisoning Prevention	\$ 759
Immunization Program	\$ 6,425
Maternal Child Health Block Grant	\$ (213)
POCAN	\$ 40,683
Prevention Block Grant	\$ 991
Safety Coalition	\$ 6,000
TANF	\$ 20,000
Tobacco Control	\$ 3,750
Tobacco Control Board	\$ 17,693
WIC	\$ 1,523
Wisconsin Well Women Program	\$ (2,017);

and

WHEREAS, the Board of Health recommends that the Manitowoc County Board of Supervisors amend the 2001 Annual Budget to incorporate these changes;

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the appropriate revenue and expense line items in the 2001 Annual Budget are hereby amended to incorporate the changes shown above and that the Comptroller/Auditor is hereby directed to record such information in the official books of the County for the year ended December 31, 2001, as may be required.

Dated this 18th day of December 2001.

Respectfully submitted by the Board of Health .

FISCAL IMPACT: Increases and decreases authorized revenues and expenses for the programs by the amounts shown. These programs are fully funded and there is no tax levy impact.

Executive Committee: Chairperson Markwardt reported the Executive Committee will be meeting on January 8, 2002.

Chairperson Markwardt moved, seconded by Supervisor Brey, to adopt Resolution 2 (2001/2002-150) Supporting the Mirro Corporation. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 150

### **RESOLUTION SUPPORTING MIRRO CORPORATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Joseph Koenig was inspired by a display of aluminum novelties imported from  
2 Germany at the Chicago Columbian Exposition and entered the aluminum industry in 1893; and  
3

4 WHEREAS, George Vits consolidated the Aluminum Manufacturing Company of Two Rivers and  
5 the Manitowoc Novelty Company with the New Jersey Aluminum Company in 1909 and created The  
6 Aluminum Goods Manufacturing Company; and  
7

8 WHEREAS, the MIRRO brand-name was established in 1917 and defense contracts for World  
9 War I included the production of such items as canteens, cooking sets, and mess kits; and  
10

11 WHEREAS, the company name was changed to Mirro Aluminum Company in 1957 and was later  
12 changed to the Mirro Corporation in 1977; and  
13

14 WHEREAS, Mirro Corporation is the last aluminum cookware manufacturer in America; and  
15

16 WHEREAS, fierce competition from nations with lower labor and environmental standards than  
17 the United States has forced Mirro to begin consolidating and restructuring its manufacturing operations  
18 in order to reestablish its historic competitiveness; and  
19

20 WHEREAS, Mirro employed 1,350 people in January of 2001 and will have reduced its workforce  
21 to 1,094 employees at the years' end, with 489 employees residing in Manitowoc, 281 employees  
22 residing in Two Rivers, and the balance residing throughout Manitowoc County and elsewhere;  
23

24 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County supports the employees and  
25 management of Mirro Corporation in their cooperative efforts to create a more competitive cookware  
26 manufacturing operation in its county of origin; and  
27

28 BE IT FURTHER RESOLVED that Manitowoc County will work with the State of Wisconsin,  
29 other local units of government, and Mirro Corporation to achieve mutually beneficial goals, and that  
30 Manitowoc County respectfully requests that the Governor and the Wisconsin Department of Commerce  
31 fully and completely assist Mirro Corporation as necessary to achieve a successful outcome for the  
32 benefit of Mirro Corporation and its employees, Manitowoc County, local municipalities, and the State of  
33 Wisconsin; and  
34

35 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
36 resolution to the Governor of the State of Wisconsin, the Secretary of the Wisconsin Department of  
37 Commerce, each legislator in the Wisconsin Senate and Assembly who represents constituents from  
38 Manitowoc County, and each legislator in the United States Senate who represents constituents from the  
39 State of Wisconsin and each member of the United States House of Representatives who represents  
40 constituents from Manitowoc County.



Dated this 18th day of December 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Hansen , to adopt Resolution 3 (2001/2002-151) Modifying the Information Systems Department Budget. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 151

**RESOLUTION MODIFYING INFORMATION SYSTEMS DEPARTMENT BUDGET**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County uses an AS400 class computer system as it's main data processing  
2 machine;  
3

4 WHEREAS, the existing system architecture, which has provided an appropriate and reliable  
5 computing environment for many years, but near its computing capacity, lacks the ability to deliver timely  
6 results, is no longer widely supported, and cannot take advantage of new software or hardware enhancements;  
7 and  
8

9 WHEREAS, the Information Systems Department has set aside monies in its Internal Service Fund to  
10 pay for the replacement of the County's mainframe system at an estimated cost of \$150,500;  
11

12 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
13 Information Systems Department is authorized to expend up to \$150,500 from the Information Systems  
14 Internal Service Fund to purchase a system to replace the existing AS400 class computer and that the  
15 Comptroller/Auditor is hereby directed to record such information in the official books of the County as may  
16 be required.

Dated this 18th day of December 2001.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Authorizes using \$150,500 from the Information Systems Department Internal Service Fund balance to purchase a new system.

Health Care Center Committee: Supervisor Behnke reported they are watching the census very closely so that they are at the size they need to be when they move into the new facility. Also, their pharmacy provider is being changed.

Highway Committee: Chairperson Markwardt referred the Bridge Petitions to the Highway Department.

Supervisor Lambert moved, seconded by Supervisor Sloan, to adopt Resolution 4 (2001/2002-152) Authorizing Out-of-State Travel for Highway Commissioner Gary Kennedy. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2001/2002 – 152

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Transportation Development Association is sponsoring a TDA Fly-in To Washington,  
2 D.C. on February 11-12, 2002, to provide an opportunity direct communication and interaction with members

3 of the United States Senate and House of Representative on topics of importance to Wisconsin transportation;  
4 and

5  
6 WHEREAS, the Wisconsin Counties Highway Association (WCHA) encourages its Board of Directors  
7 and Executive Committee to attend this event on behalf of the counties represented by the organization; and

8  
9 WHEREAS, the WCHA Board of Directors has authorized reimbursement of all necessary expenses  
10 for Executive Committee members attending this event; and

11  
12 WHEREAS, Manitowoc County Highway Commissioner Gary Kennedy presently serves as WCHA  
13 State Secretary; will serve as President effective January 1, 2002; is a member of the WCHA Board of  
14 Directors and Executive Committee; and chairs the Transportation Development Association's Legislative  
15 Committee; and

16  
17 WHEREAS, the Highway Committee has determined that it would be advantageous to the WCHA,  
18 Manitowoc County, and the Highway Department to have Highway Commissioner Kennedy attend this event;

19  
20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
21 Highway Commissioner Gary Kennedy to travel out-of-state to attend the TDA Fly-in To Washington, D.C.  
22 on February 11-12, 2002, with the understanding that all expenses will be reimbursed by the Wisconsin  
23 Counties Highway Association.

Dated this 18th day of December 2001.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

Supervisor Lambert reported they are reducing the security lights by one-half at the Highway facility to save on electricity. Supervisors will be attending the Winter Highway Conference in Marathon County on Jan. 21-23, 2002.

Human Services Board: Supervisor Graunke reported they are looking at ways to save money. They decided not to contract out the Birth to Three Program and will continue to study this program. The financial support from the state for this program has not continued to grow with the demand. Also, they have 20 boys at Lincoln Hills and Sheboygan County has 25 boys. They are looking at ways to reduce this number. The referrals to the department are increasing and they are speculating this is due to the decline in the economy.

Supervisor Graunke moved, seconded by Supervisor Behnke, to adopt Resolution 4a (2001/2002-153) Supporting Oconto County's Position on State Funding for Long Term Mental Health Inpatient Hospitalizations. Upon vote, the motion carried unanimously.

No. 2001/2002 - 153

**RESOLUTION SUPPORTING STATE FUNDING  
FOR LONG TERM MENTAL HEALTH INPATIENT  
HOSPITALIZATIONS AT STATE INSTITUTIONS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the financial burden on county property tax payers to provide for mental health inpatient  
2 treatment is substantial and continues to escalate; and

3  
4 WHEREAS, the State continues to increase the rates for mental health inpatient treatment at State  
5 institutions; and

6  
7 WHEREAS, at least fifteen counties throughout the State have patients who have received treatment  
8 at the Winnebago or Mendota Mental Health Centers for a period of twelve or more months; and  
9

1 WHEREAS, the Oconto County Board of Supervisors has urged the State of Wisconsin to amend its  
2 policies, procedures, and laws regarding funding for mental health inpatient hospitalizations so that counties  
3 fund short term mental health placements and the State fund long term placements in State mental health  
4 hospitals; and

5  
6 WHEREAS, the Human Services Board concurs with Oconto County and recommends that Manitowoc  
7 County support Oconto County's recommendation;

8  
9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges the  
10 State of Wisconsin to amend its current policies, procedures, and laws regarding funding for mental health  
11 inpatient hospitalizations so that counties fund short term mental health placements (up to 12 months) and  
12 the State fund long term placements (12 months or more) in State mental health hospitals; and

13  
14 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
15 resolution to the Governor of the State of Wisconsin, the Secretary of the Department of Health and Family  
16 Services, each legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc  
17 County, the Wisconsin Counties Association, and to the Oconto County Board.

Dated this 18th day of December 2001.

Respectfully submitted by the Human Services Board.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck moved,  
seconded by Supervisor Hansen, to adopt Resolution 5(2001/2002-154) Authorizing Grant Application for  
the Elder Abuse Program. Upon vote, the motion carried unanimously.

No. 2001/2002 - 154

#### **RESOLUTION AUTHORIZING GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Bay Area Agency on Aging in Green Bay, Wisconsin, allocates Federal and State  
2 Older Americans Act funding to counties in its district; and

3  
4 WHEREAS, the Board of Directors of the Bay Area Agency on Aging has allocated \$35,218 to  
5 Manitowoc County for Elder Abuse programs;

6  
7 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
8 the Director of the Manitowoc County Aging Resource Center to apply for these funds and accept such funds;  
9 and

10  
11 BE IT FURTHER RESOLVED that upon receipt of such funds, the Comptroller/Auditor is hereby  
12 directed to record such information in the official books of the County for the year ending December 31,  
13 2002, as may be required.

Dated this 18th day of December 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases elder abuse program revenue and expenses by \$23,615.

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 6 (2001/2002-155)  
Authorizing a Groundwater Grant Application. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING GROUNDWATER GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the mission of the Manitowoc County UW-Extension Office is to serve as an educational  
2 resource dedicated to improving the quality of people's lives by providing research-based knowledge to  
3 strengthen the social, economic, and environmental prosperity of youth, families, communities, agricultural,  
4 and business enterprises in Manitowoc County, and the Manitowoc County UW-Extension Office is  
5 committed to providing education through methods that are most beneficial for its clientele; and  
6

7 WHEREAS, clean safe drinking water is essential to human and animal health, and protecting ground  
8 water quality is an expressed concern of both farm and rural non-farm residents; and  
9

10 WHEREAS, a need has been identified to provide basic education to farmers to understand the  
11 fundamentals of ground water protection along with site specific identification of potential individual  
12 pollutants; and  
13

14 WHEREAS, UW-Extension will be providing a targeted educational program titled *Understanding*  
15 *and Protecting Ground Water Quality* to Manitowoc County farm families that will include well water  
16 analysis and participation incentives;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office may  
19 apply for and accept up to \$1,500 in grant funding to support the *Understanding and Protecting Ground*  
20 *Water Quality Program*; and  
21

22 BE IT FURTHER RESOLVED that upon receipt of such grant funds, the Comptroller/Auditor is  
23 hereby directed to record such information in the official books of the County for the year ending December  
24 31, 2002, as may be required.

Dated this 18th day of December 2001.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by up to \$1,500.

Legislative Review Committee: Supervisor Dobbs reported they will be meeting in January.

Personnel Committee: Supervisor Vogt reported they are discussing the section of the Manitowoc County Code that addresses filling vacant positions. They are looking at the possibility of some positions not being filled in 2002. Also, there is nothing to report on labor negotiations.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 8 (2001/2002-156) Amending the Manitowoc County Code Chapter 20, Standards for Wireless Communication Facilities.

Supervisor Skubal moved, seconded by Supervisor Muench, to amend this ordinance by removing lines 18 thru 23. Upon vote, the motion carried with 19 ayes & 6 noes. Supervisors Sloan, Hansen, Swade, Dobbs, Geimer & Mueller voted no; all other supervisors voted aye.

Upon vote on the main motion as amended, the motion carried with 23 ayes and 2 noes. Supervisors Hansen & Dobbs voted no; all other supervisors voted aye.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 20**

**“ENGROSSED COPY”**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Airport Advisory Committee has indicated a desire for changes in Manitowoc County  
2 Code Chapter 20, Standards for Wireless Communication Facilities; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission received a petition from Don  
5 Markwardt, a member of the Airport Advisory Committee, on November 16, 2001, requesting certain  
6 amendments to Manitowoc County Code Chapter 20; and  
7

8 WHEREAS, a public hearing was held on Monday, December 3, 2001, at 7:00 P.M. at the Manitowoc  
9 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
10

11 WHEREAS, the Planning and Park Commission recommends certain changes to Manitowoc County  
12 Code Chapter 20;  
13

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

17 Manitowoc County Code § 20.06(1p) is hereby created to read as follows:  
18

19 (1p) Construction Standards. (a) Towers shall be of monopole construction to the extent practicable.  
20 If monopole construction is not practicable, towers shall be of free-standing construction to the extent  
21 practicable. If monopole or free-standing construction is not practicable, towers may be guyed.  
22

23 (b) Towers shall be, to the extent practicable, less than 200 feet in height.  
24

25 Manitowoc County Code § 20.08(4)(bm) is created to read as follows:  
26

27 (bm) Concerns of adjacent property owners;  
28

29 EFFECTIVE DATE: This ordinance shall be effective upon publication.

Dated this 18th day of December 2001.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Nate, to enact Ordinance 9 (2001/2002-157) Amending the Zoning Map for Kevin Kumbalek; Ordinance 10 (2001/2002-158) Amending the Zoning Map for Alan Schilke; and Ordinance 11 (2001/2002-159) Amending the Zoning Map for James Guex. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Kevin Kumbalek)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, December 3, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

3 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
4 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
5 petition be approved for the reasons stated in the report attached to this ordinance;  
6

7 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
8 follows:  
9

10 Parcel No. 1: A parcel of land located in the SE1/4, NE1/4, Section 18, T19N-R23E,  
11 town of Manitowoc Rapids, commencing at the east 1/4 Corner of Section 18; thence westerly  
12 approximately 825 feet which is the point of real beginning; thence northerly approximately 470  
13 feet; thence westerly approximately 470 feet; thence southerly approximately 470 feet; thence  
14 easterly approximately 470 feet to the point of real beginning, said parcel contains  
15 approximately 5.07 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
16 Agriculture.

17 Parcel No. 2: A parcel of land located in the SE1/4, NE1/4, Section 18, T19N-R23E,  
18 town of Manitowoc Rapids, commencing at the east 1/4 corner of Section 18; thence northerly  
19 approximately 905 feet; thence westerly approximately 33 feet to the west r/w of North Union  
20 Road which is the point of real beginning; thence continue westerly approximately 530 feet;  
21 thence northerly approximately 415 feet; thence easterly approximately 530 feet; thence  
22 southerly along the west r/w of North Union Road approximately 415 feet to the point of real  
23 beginning, said parcel contains approximately 5.04 acres of land, shall be and is hereby rezoned  
24 from A3 Agriculture to A2 Agriculture.  
25

26 EFFECTIVE DATE: December 18, 2001.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 158

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Alan Schilke)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, December 3, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, NE1/4, Section 21, T21N-R23E, town of Gibson,  
12 commencing at the center of Section 21; thence easterly approximately 33 feet to the east r/w  
13 of CTH Q; thence northerly along the east r/w of CTH Q approximately 575 feet which is the  
14 point of real beginning; thence easterly approximately 550 feet; thence northerly approximately  
15 136 feet; thence westerly approximately 550 feet; thence southerly approximately 136 feet to  
16 the point of real beginning, said parcel contains approximately 1.72 acres of land, shall be and  
17 is hereby rezoned from A3 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: December 18, 2001.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 159

**ORDINANCE AMENDING THE MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(James Guex)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, December 3, 2001, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the S1/2, NW1/4, Section 27, T21N-R23E, town of Gibson,  
12 commencing at the NW Corner of Section 27; thence easterly approximately 33 feet to the east  
13 r/w of Krueger Road; thence southerly along the east r/w of Krueger Road approximately 1320  
14 feet which is the point of real beginning; thence easterly approximately 210 feet; thence  
15 southerly approximately 210 feet; thence westerly approximately 210 feet; thence northerly  
16 approximately 210 feet to the point of real beginning, said parcel contains approximately 1.0  
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: December 18, 2001.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Mueller left at 8:58 p.m.

Public Safety Committee: Supervisor Juul reported they met twice this past month. The squad car bids were opened and Ewald Auto's bid was approved for \$143,688 for 8 cards. The jail population was 213 with a maximum capacity of 209 and 9 are on the bracelet program.

Supervisor Juul moved, seconded by Supervisor Henrickson, to adopt Resolution 12 (2001/2002-160) Authorizing Out-of-State Travel by Brian Nack. Upon vote, the motion carried with 22 ayes and 2 noes. Supervisors Kohlbeck & Graunke voted no; all other supervisors voted aye.

No. 2001/2002 - 160

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL BY BRIAN NACK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department strives to train its officers in the safe  
2 operation of its department snowmobiles; and  
3

4 WHEREAS, the Snowmobile Safety Institute, Law Enforcement Training Division, is offering an  
5 Advanced Snowmobile Police Operations Course hosted by the Marquette County Sheriff's Dept. at K. I.  
6 Sawyer Air Force Base in Gwinn, Michigan; and  
7

8 WHEREAS, this intense, physical, and dynamic 3-day program will enhance and sharpen fundamental  
9 snowmobile emergency and tactical vehicle operation skills and gives special emphasis to team operations  
10 within a variety of violator scenarios including trail, rural, and urban settings; and  
11

12 WHEREAS, the student tuition and travel expenses will be funded by Wisconsin Department of  
13 Natural Resources;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
16 Deputy Brian Nack to attend the Advanced Snowmobile Police Operations Course in Gwinn, Michigan, on  
17 January 21-23, 2002.

Dated this 18<sup>th</sup> day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Total estimated cost for registration, transportation, meals, and  
lodging is \$1,013 and will be reimbursed by the Wisconsin Department of Natural  
Resources. Reimbursement is included in the budget as a revenue and these costs  
have been included in the Sheriff's snowmobile activity area budget.

Supervisor Juul moved, seconded by Supervisor Muench, to adopt Resolution 13 (2001/2002-161)  
Authorizing Out-of-State Travel by Curtis Raube. Upon vote, the motion carried with 23 ayes, 1 no, & 1  
absent. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2001/2002 - 161

#### **RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL BY CURTIS RAUBE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department strives to train its officers in the use of  
2 equipment to identify suspects; and  
3

4 WHEREAS, Ocean Systems located in Maryland is offering the training required to operate its *detective*  
5 software and will accept Curtis Raube in 2002; and  
6

7 WHEREAS, forfeiture funds are available to fund 100% of the cost of transportation, tuition, meals,  
8 and lodging for the two-day school;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
11 authorizes Deputy Curtis Raube to attend Ocean Systems training program in Maryland in 2002.

Dated this 18<sup>th</sup> day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy. Funds to pay these expenses come from Federal and State forfeitures.  
Money in this account must be used for items of this nature.

Supervisor Juul moved, seconded by Supervisor Borremans, to adopt Resolution 14 (2001/2002-162)  
Adopting a Residential Antidisplacement and Relocation Plan. Upon vote, the motion carried unanimously.

No. 2001/2002 - 162

#### **RESOLUTION ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:



1 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution No. 2000/2001-58 on  
2 July 18, 2000, and authorized an application for the Community Development Block Grant Housing Program  
3 in order to assist with housing repair and rehabilitation not covered by insurance or other sources; costs  
4 associated with permanent relocation for displaced owner-occupied homeowners; sewer and water lateral  
5 repair or replacement from the lot line to the home; well or septic system repair or replacement; and uninsured  
6 housing replacement expenses equal to or less than pre-disaster fair market value of owner-occupied housing;  
7 and  
8

9 WHEREAS, Manitowoc County has received a Community Development Block Grant for an  
10 Emergency Assistance Program for Low to Moderate Income Persons (CDBG-EAP) that were affected by  
11 the May 12, 2000 storm; and  
12

13 WHEREAS, the State of Wisconsin requires that CDBG-EAP recipients adopt a Residential  
14 Antidisplacement And Relocation Plan;  
15

16 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County adopts the following  
17 Residential Antidisplacement And Relocation Plan:  
18

#### 19 RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION PLAN

20  
21 Manitowoc County will provide relocation assistance as described in the Uniform  
22 Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and in  
23 24 C.F.R. § 570.496a(b)(2).  
24

25 Manitowoc County will replace all occupied and vacant low and moderate-income  
26 dwelling units capable of being occupied that are demolished or converted to a use other than  
27 as low and moderate income housing as a direct result of activities assisted with funds provided  
28 under the Housing and Community Development Act of 1974, as amended, and described in 24  
29 C.F.R. 570.496a(b)(1) and in Section 104(d) of the Housing and Community Development Act  
30 of 1974, as amended. All such replacement housing will be provided within three years of the  
31 commencement of the demolition or rehabilitation relating to conversion.  
32

33 Before obligating or expending funds that will directly result in such demolition or  
34 conversion, Manitowoc County will make public and submit, in writing, to the Department of  
35 Administration, Division of Housing & Intergovernmental Relations, the following information:  
36

- 37 1. A description of the proposed activity.
- 38  
39 2. The general location on a map and approximate number of dwelling units by size  
40 (number of bedrooms) that will be demolished or converted to a use other than as low to  
41 moderate income dwelling units as a direct result of the assisted activity and that will be  
42 provided as replacement dwelling units.  
43
- 44 3. A timetable for the commencement and completion of the demolition or conversion.
- 45  
46 4. The source of funding and time schedule for the provision of replacement dwelling units.
- 47  
48 5. The basis for concluding that each replacement dwelling unit will remain a low to  
49 moderate income dwelling unit for at least ten years from the date of initial occupancy.  
50

51 Consistent with the goals and objectives of activities assisted under the Act, Manitowoc County will take  
52 appropriate steps to minimize the displacement of persons from the homes.

Dated this 18th day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

Supervisor Juul moved, seconded by Supervisor Muench, to enact Ordinance 15 (2001/2002-163) Authorizing Certain Sheriff's Sale Fees. Upon vote, the motion carried unanimously.

No. 2001/2002 - 163

**ORDINANCE AUTHORIZING CERTAIN SHERIFF'S SALE FEES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors exercised its authority under Wis. Stat. §  
2 814.705(2) and adopted Resolution No. 1999/2000-51 authorizing the Sheriff to charge a \$150 fee for the  
3 Sheriff's sale of real estate; and  
4

5 WHEREAS, the Sheriff has requested that he be authorized to retain one-half of the sale fee to cover  
6 costs incurred when a Sheriff's sale is cancelled; and  
7

8 WHEREAS, the Corporation Counsel has recommended that any fees authorized to be charged by any  
9 unit of Manitowoc County government should be stated in the Manitowoc County Code;  
10

11 WHEREAS, the Public Safety Committee supports the Sheriff's request and the Corporation Counsel's  
12 recommendation;  
13

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

17 Manitowoc County Code sec. 4.13(3q) is hereby created to read as follows:  
18

19 (3q) Sheriff's Sale Fee. The Sheriff is authorized to charge a fee of \$150 for the Sheriff's sale of real  
20 estate. In the event that a Sheriff's sale of real estate is cancelled, the Sheriff is authorized to retain one-half  
21 of the Sheriff's sale fee.  
22

23 EFFECTIVE DATE: Upon publication.

Dated this 18th day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Juul moved, seconded by Supervisor Strauss, to enact Ordinance 16 (2001/2002-164) Authorizing Sheriff's Mileage Fee. Upon vote, the motion carried unanimously.

No. 2001/2002 - 164

**ORDINANCE AUTHORIZING SHERIFF'S MILEAGE FEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department presently charges a mileage fee of 32 cents  
2 per mile for warrant pickups and may be entitled to reimbursement for other transportation provided by the  
3 Sheriff's Department; and  
4

5 WHEREAS, the Sheriff has requested that the mileage rate be increased to the amount recognized and  
6 authorized by the United States Internal Revenue Service; and  
7

8 WHEREAS, the Corporation Counsel has recommended that any fees authorized to be charged by any  
9 unit of Manitowoc County government should be stated in the Manitowoc County Code;  
10

11 WHEREAS, the Public Safety Committee supports the Sheriff's request and the Corporation Counsel's  
12 recommendation;

13  
14 NOW, THEREFORE, the Board of Supervisors of the County of Manitowoc, Wisconsin does ordain  
15 as follows:

16  
17 Manitowoc County Code sec. 4.13(3u) is hereby created to read as follows:

18  
19 (3u) Mileage. The Sheriff is authorized to charge the standard mileage rate for business use of a car  
20 or truck as set and periodically adjusted by the United States Internal Revenue Service for warrant pickups  
21 or other reimbursable transportation.

22  
23 EFFECTIVE DATE: Upon publication.

Dated this 18th day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Juul moved, seconded by Supervisor Henrickson, to enact Ordinance 17 (2001/2002-165)  
Authorizing Certain Jail Fees. Upon vote, the motion carried unanimously.

No. 2001/2002 - 165

#### **ORDINANCE AUTHORIZING CERTAIN JAIL FEES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the taxpayers of Manitowoc County are required to provide a jail for persons, including  
2 juveniles, who have committed or have allegedly committed crimes and are incarcerated pursuant to court  
3 order; and

4  
5 WHEREAS, operation of the Manitowoc County Jail is a substantial expense to Manitowoc County  
6 taxpayers; and

7  
8 WHEREAS, some jail inmates have the ability to pay for costs resulting from their incarceration, have  
9 parents or other persons who are legally responsible for their support, or may have or be the beneficiaries of  
10 estates; and

11  
12 WHEREAS, Wis. Stat. § 302.372 authorizes counties to obtain reimbursement from prisoners for  
13 expenses incurred by the county in relation to the crime for which the person was sentenced to the county jail  
14 or for which the person was placed on probation and confined in the county jail; and

15  
16 WHEREAS, Wis. Stat. § 302.38 authorizes a sheriff to charge a prisoner for the costs of providing  
17 medical care to the prisoner while he or she is in jail; and

18  
19 WHEREAS, Manitowoc County wishes to prove relief to its taxpayers by seeking such reimbursement  
20 from prisoners who are incarcerated in the Manitowoc County Jail;

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

24  
25 Manitowoc County Code sec. 4.13(3) is hereby renumbered as Manitowoc County Code sec. 4.13(3g)  
26 and amended to read as follows:

27  
28 (3g) Every inmate of the Manitowoc County Jail who is granted privileges under Wis. Stat. § 303.08  
29 and who is gainfully employed for wages or salary, gainfully self-employed, or receiving unemployment  
30 insurance or employment training benefits while in custody in the jail shall be liable for charges not to exceed

the full per person maintenance and cost of the prisoner's board in the jail. The Sheriff shall charge a fee of ~~\$13.00~~ \$15 per day, tax included, for board, ~~plus all appropriate taxes~~, to each such inmate.

Manitowoc County Code sec. 4.13(3a) is hereby created to read as follows:

(3a) Booking Fee. (a) This Ordinance is adopted pursuant to authority granted by Wis. Stat. § 302.732.

(b) The Sheriff is authorized to charge booking fee of \$25, tax included, to each prisoner sentenced to a period of incarceration in the Manitowoc County jail to pay for the cost of the prisoner's intake processing and release.

(c) The Sheriff is authorized to obtain payment of the booking fee by deducting the fee from the prisoner's institutional account. If the prisoner's institutional account lacks sufficient funds to pay the booking fee, the Sheriff may employ any means authorized by law to collect the fee.

Manitowoc County Code sec. 4.13(3d) is hereby created to read as follows:

(3d) Jail Expense Reimbursement. (a) This Ordinance is adopted pursuant to authority granted by Wis. Stat. § 302.732 and 302.38.

(b) The Sheriff is authorized to seek and secure reimbursement from prisoners for expenses incurred by the county in relation to the crime for which the person was sentenced to the county jail or for which the person was placed on probation and confined in the county jail.

(c) The Sheriff is authorized to seek and secure reimbursement of the following expenses incurred by prisoners age 18 and over who are incarcerated for state criminal law violations or Manitowoc County Code violations:

1. \$10 per day, tax included, for room, board, and utilities.
2. Dental, hospital, medical, prescription, or vision expenses incurred by the county on behalf of the prisoner.
3. Expenses incurred to investigate the prisoner's financial status.
4. Expenses incurred by the county to collect payments under this ordinance.
5. Any other expenses incurred by the county on behalf of a specific prisoner, such as for personal care, transportation, or special materials or supplies.

(d) The Sheriff is authorized to obtain payment of jail expenses by deducting the amount of such expenses from the prisoner's institutional account. If the prisoner's institutional account lacks sufficient funds to pay the jail expenses, the Sheriff may employ any means authorized by law to collect the expenses.

Manitowoc County Code sec. 4.13(3g) is hereby created to read as follows:

(3g) Electronic Monitoring Program Fees. (a) This Ordinance is adopted pursuant to authority granted by Wis. Stat. § 302.732.

(b) The Sheriff is authorized to charge a one-time processing fee of \$40, tax included, for each period of time that a prisoner participates in the electronic monitoring program; a daily fee of \$15 per day, tax included, for each day that a prisoner participates in the electronic monitoring program; the actual cost of any alert notification resulting from the violation of program conditions; and the actual cost of any damage to electronic monitoring program equipment caused by a prisoner.

(c) The Sheriff is authorized to obtain payment of the electronic monitoring fee by deducting the fee from the prisoner's institutional account. If the prisoner's institutional account lacks sufficient funds

to pay the electronic monitoring fee, the Sheriff may employ any means authorized by law to collect the fee.

Manitowoc County Code sec. 4.13(3w) is hereby created to read as follows:

(3w) Juvenile Fees. In the case of a juvenile prisoner, reimbursement for the costs of custody, sanctions, and court and legal services shall be governed by the Wisconsin Statutes, including Wis. Stat. § 938.275.

Manitowoc County Code sec. 4.13(3y) is hereby created to read as follows:

(3y) Collection Methods. The Sheriff is authorized to seek reimbursement in the manner authorized by the Manitowoc County Code or as otherwise provided in Wis. Stat. Chs. 301 to 303 and the Sheriff is authorized to use a combination of methods to seek and secure reimbursement, but may not collect for the same expense twice.

EFFECTIVE DATE: Upon publication.

Dated this 18th day of December 2001.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Estimated revenue of \$50,000 from the jail booking fee is included in the 2002 budget, estimated revenue of \$35,000 from the electronic monitoring program fee is included in the 2002 budget, estimate revenue of up to \$150,000 from jail expense reimbursement is a new item and is not included in the 2002 budget, estimated increase in Huber fee revenue is \$22,000 and is not included in the 2002 budget.

Public Works Committee: Supervisor Dufek reported the sound panels were installed in the County Board Room.

Transportation Coordinating Committee: Supervisor Barnes reported there is a State Child Welfare Computer System Pilot Program in four counties including Milwaukee & Sheboygan counties and noted it had not worked well so far. He also discussed a sting operation on tobacco in some other counties.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Muench, to adopt Resolution 18 (2001/2002-166) In the Matter of the Town of Centerville Zoning Ordinance - Chapter 9 - Zoning Land Use. Upon vote, the motion carried unanimously.

No. 2001/2002 - 166

**RESOLUTION IN THE MATTER OF THE TOWN OF CENTERVILLE,  
MANITOWOC COUNTY, WISCONSIN ZONING ORDINANCE  
(CHAPTER 9 - ZONING LAND USE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Town of Centerville adopted changes to their Chapter 9 Zoning Ordinance in accordance with Wis. Stat. § 60.62; and

WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc County Board of Supervisors for approval; and

WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have adopted a zoning ordinance under Wis. Stat. § 59.69 shall be subject to the approval of the County Board;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves the Town of Centerville changes to their Chapter 9 Zoning Ordinance which was adopted by the Town Board of the Town of Centerville on November 13, 2001.

Dated this 18<sup>th</sup> day of December 2001.

Respectfully submitted by Supervisor Kevin Behnke and Supervisor Clyde Mueller.

FISCAL IMPACT: None.

Supervisor Behnke reported that the Human Services Department has budgeted for 14 boys to be sent to Lincoln Hills and 20 are there. This County cause a serious budget deficit problem.

Supervisor Juul requested that the County, City of Manitowoc, City of Two Rivers, Comcast Cable, & Charter Communications need to work together to bring the County Board meetings to everyone in the county.

Chairperson Markwardt reported the next County Board meeting will be January 15, 2002.

Supervisor Dufek moved to adjourn at 9:10 p.m. Supervisor Lambert seconded and the motion was adopted unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

January 15, 2002

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 15<sup>th</sup> day of January, 2002, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:02 P.M.

The invocation was given by Supervisor Clyde Mueller and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Swade, Vogt & Wagner. Supervisor Borremans arrived at 7:30 p.m. Supervisors Kohlbeck and Strauss were excused.

On motion by Supervisor Brey, seconded by Supervisor Barnes, the December 18, 2001 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda: IX. Communications. 3. Racine County - Resolution Supporting State Budgeting for the Wisconsin Immunization Program. 4. Thomas Vracke - Letter Asking that English be Declared the Official Language of the County. 5. Lincoln County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions. 6. Senator Baumgart - Letter Acknowledging Receipt of Resolution 01/02-145. 7. City of Manitowoc - Resolution Concurring with the Development of a Regional Technology Zone. XII. Appointments by Chairperson. A. Commission on Aging. 1. Meredith Stangel, Joyce Bratz, Wilfred Gries, and Eugenia Peterson. XIII. Committee Reports, Including Petitions, Resolutions and Ordinances. D. Finance Committee. 2A. Resolution Denying Claim of Samuel Busse. Supervisor Graunke moved, seconded by Supervisor Behnke, to adopt the agenda as amended. Upon vote, the motion was adopted unanimously.

Chairperson Markwardt declared the public input open at 7:10 p.m.

Don Goeke, Manitowoc, commented on several articles in the newspaper dealing with construction of the new Health Care Center, filling the position of County Clerk after Dan Fischer becomes County Executive, and the County dropping the druggist at the Health Care Center.

Chairperson Markwardt declared the public input closed at 7:14 p.m.

Supervisor Jim Brey responded to Don Goeke's comments on the Health Care Center. As a member of the Ad Hoc Health Care Center Construction Committee, he is committed to the budget that was set for the new construction and the 150 beds. They are looking at different ways of bringing the projected costs down.

APPOINTMENTS BY CHAIRPERSON:

Chairperson Markwardt recommended the appointment of Supervisor Meredith Stangel, Joyce Bratz, Wilfred Gries, and Eugenia Peterson to the Commission on Aging for three year terms expiring February 2005. Supervisor Nate moved, seconded by Supervisor Skubal, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Markwardt recommended the appointment of Gary Sheahan and alternate Robert Kappelman to the local Emergency Planning Committee to complete Randy Ammerman's term with his alternate Gary Sheahan for the term expiring June 2003. Supervisor Swade moved, seconded by Supervisor Henrickson, to approve the appointment. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan reported they will be having a press conference and then going out for bids. Their next meeting will be during the last week in January.

Board of Health: Supervisor Nate reported she attended the Northeast Regional Meeting and they discussed a shortage of vaccine through 2002. She also noted that Hepatitis C is a growing concern; they discussed the terrorism procedure, the WIC program, and the anthrax procedures. They are also working on diet and nutrition needs since obesity and high cholesterol are serious problems in this area.

Executive Committee: Chairperson Markwardt moved, seconded by Supervisor Brey, to adopt Resolution 1 (2001/2002-167) Authorizing Application for the Wisconsin Department of Commerce Technology Zone. Upon vote, the motion carried unanimously.

No. 2001/2002-167

**RESOLUTION AUTHORIZING APPLICATION  
FOR A MULTI-COUNTY TECHNOLOGY ZONE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Legislature has enacted Wis. Stat. §§ 560.02(4) and 560.96 authorizing  
2 the Wisconsin Department of Commerce to designate Technology Zones and to make certain tax benefits  
3 available to certified businesses within those zones; and  
4

5 WHEREAS, the existence of a Technology Zone would benefit Manitowoc County by attracting new  
6 investments and creating quality jobs; and  
7

8 WHEREAS, the Manitowoc County Board of Supervisors actively supports and currently participates  
9 in economic development activities for the benefit of its citizens; and  
10

11 WHEREAS, Manitowoc County has benefitted from participation with other counties in regional  
12 approaches to economic development, education, planning, and transportation; and  
13

14 WHEREAS, increased cooperation and understanding between agencies, counties, and municipalities  
15 would improve opportunities for economic development in Northeast Wisconsin; and  
16

17 WHEREAS, the creation of a regional Technology Zone encompassing Brown, Calumet, Door, Fond  
18 du Lac, Kewaunee, Manitowoc, Marinette, Oconto, Outagamie, Shawano, Winnebago, and Waupaca counties  
19 will promote regional cooperation and will stimulate the efficient use of resources; and  
20

21 WHEREAS, staff from the Bay-Lakes Regional Planning Commission and other economic  
22 development agencies in Northeast Wisconsin will assist Manitowoc County in the preparation of the  
23 application to the Department of Commerce seeking the designation of a Technology Zone and such staff will  
24 provide technical expertise in evaluating businesses seeking certification in order to gain certain tax benefits  
25 related to the Technology Zone;  
26

27 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors endorses  
28 the development of a regional Technology Zone encompassing those counties listed above which adopt a  
29 resolution indicating their desire to participate in a regional Technology Zone; and  
30

31 BE IT FURTHER RESOLVED that the Manitowoc County Board Chair and County Clerk be  
32 authorized to sign such papers as may be necessary to submit a Technology Zone application to the Wisconsin  
33 Department of Commerce on behalf of Manitowoc County; and  
34

35 BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the County Clerks of  
36 Brown, Calumet, Door, Fond du Lac, Kewaunee, Marinette, Oconto, Outagamie, Shawano, Winnebago, and  
37 Waupaca counties as an expression of Manitowoc County's desire to cooperate with them in creating a  
38 regional Technology Zone; and  
39

40 BE IT FURTHER RESOLVED, that two original signed copies of this resolution be forwarded to the  
41 Bay-Lake Regional Planning Commission, which will provide staff support in the application process.

Dated this 15th day of January 2002.



Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None

Supervisor Geimer moved, seconded by Supervisor Sloan, to enact Ordinance 2 (2001/2002-168) Amending the Manitowoc County Code § 1.09 Regarding Administrative Coordinator and County Executive. Upon discussion and vote, the motion carried unanimously.

No. 2001/2002 - 168

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 1.09**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County created the elected office of County Executive to be first elected in  
2 the Spring 2002 election; and  
3

4 WHEREAS, Manitowoc County will not require the services of an Administrative Coordinator once  
5 the County Executive has been sworn into office;  
6

7 NOW THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
8 follows:  
9

10 Manitowoc County Code § 1.09 is hereby amended as follows:  
11

12 **1.09 Administrative Coordinator County Executive.** ~~(1) Pursuant to Wis. Stat. § 59.19, the County~~  
13 ~~Board shall designate an elected or appointed official to serve as Administrative Coordinator of the county.~~  
14 ~~The Administrative Coordinator shall be responsible for coordinating all administrative and management~~  
15 ~~functions of the county government not otherwise vested by law in boards or commissions or in other elected~~  
16 ~~officers. Manitowoc County created the office of County Executive by Resolution No. 2000/2001-161 dated~~  
17 ~~March 20, 2001, with the powers and duties established by Wis. Stat. § 59.17. Any duties assigned by the~~  
18 ~~Manitowoc County Code to an Administrative Coordinator or a County Administrator shall be performed~~  
19 ~~by the Administrative Coordinator, unless the duties described are otherwise vested by law in boards or~~  
20 ~~commissions or in other elected officers, in which case such duties shall be performed by the board,~~  
21 ~~commission, or elected official~~ deemed powers of the County Executive.  
22

23 ~~(2) The Administrative Coordinator shall serve at the pleasure of the County Board.~~  
24

25 Effective Date: This ordinance shall become effective on April 16, 2002.

Dated this 15th day of January 2001.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Chairperson Markwardt stated he will be attending a Wisconsin Counties Association meeting on February 5<sup>th</sup> and 6<sup>th</sup> in Madison.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Dobbs, to adopt Resolution 2a (2001/2002-169) Denying Claim of Samuel Busse. Upon vote, the motion carried unanimously.

No. 2001/2002 - 169

**RESOLUTION DENYING CLAIM  
OF SAMUEL BUSSE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Samuel Busse has filed a Notice of Circumstances Giving Rise To Claim and Claim  
2 Pursuant To Wis. Stat. § 893.80 ("Notice And Claim") seeking damages of \$50,000, the payment of health  
3 insurance costs, and the payment of attorney fees; and  
4

5 WHEREAS, Manitowoc County provided a copy of the claim to its insurance carrier and the  
6 Corporation Counsel has reviewed the claim with the insurance carrier; and  
7

8 WHEREAS, the insurance carrier recommends that the claim be denied and the Corporation Counsel  
9 concurs in the recommendation of the insurance carrier; and  
10

11 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and  
12 recommends that the claim be denied;  
13

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

Dated this 15th day of January 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

Health Care Center Committee: Supervisor Behnke reported their next meeting will be Tuesday, January 22nd.

Highway Committee: Supervisor Lambert reported they are not filling three full-time positions until spring; the crews are working on I-43 and county highways crack filling and they are also extending the fence around the airport.

Human Services Board: Supervisor Graunke reported the state will be announcing their budget cuts on January 22<sup>nd</sup> and they will know how this will impact the Human Services Department. The state continues to under fund their area. They will be meeting on January 24<sup>th</sup> to review these cuts. Also, they rejected a proposal to contract the Birth to Three Program because it was too expensive. She also gave statistics on how many children were in their programs.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Hanson reported they will be discontinuing the Wisconsin Nutrition and Education Program because they could not meet the federal guidelines. Also, they will be able to once again offer counseling for small business. Once a month, Ernie Johnson will be available in Manitowoc beginning January 24<sup>th</sup>. Also, on January 23<sup>rd</sup> and 24<sup>th</sup> there will be a Grant Writing Workshop being offered to the County, Department Directors and employees.

Supervisor Hanson moved, seconded by Supervisor Muench, to adopt Resolution 3 (2001/2002-170) Commending County Employees Work on the Strategic Planning Process. Upon vote, the motion carried unanimously.

No. 2001/2002 - 170

## **RESOLUTION COMMENDING LAURIE GEHRKE AND MICHELLE YANDA**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted a strategic planning process designed to stream-line  
2 county operations and improve efficiency, productivity, and employee morale; and  
3

4 WHEREAS, 13 strategic issues have been identified and prioritized by Manitowoc County Department  
5 Directors and County Board Supervisors; and  
6

7 WHEREAS, six workgroups have been established to generate options to address the strategic issues  
8 and to develop action plans with goals, budgets, and time lines; and  
9

10 WHEREAS, a Manitowoc County employee questionnaire completed by approximately 230  
11 individuals indicated that computer training should be provided to County employees; and  
12

13 WHEREAS, Laurie Gehrke, Manitowoc County UW-Extension Program Supervisor, and Michelle  
14 Yanda, Manitowoc County Soil and Water GIS Coordinator, took the initiative and developed a 40 page  
15 Basic Computer Skills Training Guide and conducted ten 3-hour training sessions for 116 Manitowoc County  
16 employees; and  
17

18 WHEREAS, training was provided to nearly 40 percent of the estimated 300 Manitowoc County  
19 employees who use computers; and  
20

21 WHEREAS, the County saved approximately \$5,300 by providing the training internally instead of  
22 contracting with a private company; and  
23

24 WHEREAS, numerous Department Directors indicated the training program was very well planned  
25 and implemented and the vast majority of participants rated the training guide and training sessions as  
26 Excellent;  
27

28 NOW, THEREFORE, BE IT RESOLVED that Laurie Gehrke and Michelle Yanda are hereby  
29 commended for their dedicated, creative, and professional work on the Basic Computer Skills Training Guide  
30 and for their exemplary work in the development and delivery of a Basic Computer Skills Training Program  
31 to Manitowoc County employees.

Dated this 15th day of January 2002.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: Estimated cost of purchasing training from outside vendors is at least \$8,700,  
while the estimated cost of providing training internally is \$1,250 for materials and  
\$2,150 for staff time (88 staff hours at an average cost of \$24.48 per hour),  
producing a net savings of about \$5,300.

Supervisor Hanson presented proclamations to Michele Yanda and Laurie Gehrke commending them for their  
dedicated, professional work on the Basic Computer Skills Training Guide.

Legislative Review Committee: Supervisor Dobbs reported they will be scheduling a meeting for next week  
to discuss the budget deficit and the proposed senate and assembly cuts among other issues.

Personnel Committee: Supervisor Vogt reported they have completed the health insurance package for non-  
represented employees. The Comp Advantage Program will save \$115,000. He also spoke on the overtime  
report for departments and stated that there is nothing to report on contract negotiations.

Chairperson Markwardt reported the next County Board meeting will be February 19, 2002.

Supervisor Brey moved to adjourn at 7:46 p.m. Supervisor Behnke seconded and the motion was adopted  
unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

February 19, 2002

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 19<sup>th</sup> day of February, 2002, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:00 P.M.

The invocation was given by Supervisor Kevin Juul and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisor Borremans arrived at 7:50 p.m. Supervisor Sloan was excused.

On motion by Supervisor Brey, seconded by Supervisor Nate, the January 15, 2002 meeting minutes were approved on a unanimous vote.

An updated agenda was distributed to the County Board. On motion by Supervisor Muench, seconded by Supervisor Henrickson, the agenda was approved on a unanimous vote.

Chairperson Markwardt declared the public input open at 7:05 p.m.

Don Goeke, Manitowoc, complimented the supervisors who attended the last Ad Hoc Health Care Center Construction Committee. He also stated that four years ago it was promised that the new Health Care Center facility was to be fireproof and the proposed plans do not have this feature. He urged supervisors to give this more consideration.

Chairperson Markwardt declared the public input closed at 7:07 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Michael Thomas, Health Care Center Administrator, updated the supervisors on proposed room layouts for the new Health Care Center facility including private or shared bathrooms, the impact of infection control, and color as soon through the eyes of alzheimer's patients. He informed supervisors that the state would give an extra \$3.00 per day for a private room. They looked at shorter hallways to reduce staff travel time and make patients feel like they are at home. The secure courtyard would allow residents access to outside without assistance. He also answered supervisors' questions.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Construction Committee: Supervisor Markwardt reported they met on February 6<sup>th</sup> and recommended a bathroom in each room and are looking at plans for 150 beds and an alternate plan with 136 beds.

Board of Health: Supervisor Nate reported that the Board discussed emergency/terrorism preparedness, possible mold cases in the county, sale of cigarettes to under age kids, the high number of WIC clients, small pox immunization, and the plague of obesity in the area.

Executive Committee: Chairperson Markwardt moved, seconded by Supervisor Dobbs, to adopt Resolution I (2001/2002-171) Resolution Regarding the Governor's Budget Reform Bill. Upon vote, the motion carried unanimously.

**RESOLUTION REGARDING THE  
GOVERNOR'S BUDGET REFORM BILL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Governor has introduced a Budget Reform Bill to address the substantial fiscal crisis  
2 that confronts the State of Wisconsin; and  
3

4 WHEREAS, the Budget Reform bill proposes to eliminate all state shared revenues with local  
5 governments over the next three years, but the method used to do so is unfair in its application and will cause  
6 some local governments to lose all of their shared revenues in the very first year; and  
7

8 WHEREAS, the State has mandated and continues to mandate that local units of government provide  
9 specific services, but has failed to ensure that sufficient funds are available to provide those services and has  
10 failed to fairly and adequately compensate local units of government for services that are provided to the  
11 State; and  
12

13 WHEREAS, the Budget Reform Bill does not include any alternative to state shared revenue to  
14 provide the funds necessary for local units of government to continue providing state-mandated services at  
15 the level required by the state;  
16

17 WHEREAS, the Budget Reform Bill does not relieve local units of governments of the responsibility  
18 for providing services necessary to fulfill the State's unfunded mandates; and  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges the  
21 Governor and the Legislature to work cooperatively with local governments to reach a fair and equitable  
22 solution to the State's budget crisis that serves the best interests of all of the State's residents; and  
23

24 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors urges the Governor  
25 and the Legislature to recognize that it is the State's duty to ensure that local units of government have  
26 adequate funding to provide those programs and services at the level required by the State; and  
27

28 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors urges the Governor  
29 and the Legislature to recognize that if they do not ensure adequate funding of state mandates, they must  
30 establish limits on the services that local units of government are required to provide, establish limits on the  
31 amount of money that local units of government are required to spend in an attempt to fulfill otherwise  
32 unlimited unfunded state mandates, or relieve local units of government from the burden of unfunded state  
33 mandates and provide such services through the State itself; and  
34

35 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
36 resolution to the Governor Scott McCallum, Senate President Fred Risser, Assembly Speaker Scott Jenson,  
37 Senators Jim Baumgart and Alan Lasee, Representatives Frank Lasee and Bob Ziegelbauer, and the  
38 Wisconsin Counties Association.

Dated this 19<sup>th</sup> day of February 2002.

Respectfully submitted by the Executive Committee.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey , to adopt Resolution 2  
(2001/2002-172) Authorizing Land Records Modernization Grant Application. Upon vote, the motion carried  
unanimously.

**RESOLUTION AUTHORIZING LAND RECORDS  
MODERNIZATION GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1989 Wisconsin Act 31 established the Wisconsin Land Information Program, the  
2 Wisconsin Land Information Board, and a mechanism for a grant program to aid local governments in  
3 implementing land records modernization; and

4  
5 WHEREAS, a county board that has established a Land Information Office and has a Wisconsin Land  
6 Information Board-approved Land Records Modernization Plan may apply for a grant; and

7  
8 WHEREAS, Manitowoc County established a Land Information Office in 1989 and the Wisconsin  
9 Land Information Board approved an updated Manitowoc County Land Records Modernization Plan on  
10 December 19, 2000; and

11  
12 WHEREAS, Manitowoc County is now eligible to receive a grant not to exceed \$30,000; and

13  
14 WHEREAS, the Manitowoc County Land Records Committee believes that receipt of such a grant  
15 would benefit activities in the County related to land records modernization;

16  
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Land Information  
18 Office/Register of Deeds is hereby authorized to submit an application on behalf of Manitowoc County to  
19 the Wisconsin Land Information Board for a grant in an amount not to exceed \$30,000 to use for land records  
20 modernization, to accept any grant funds that are provided by the Wisconsin Land Information Board, to enter  
21 into a grant agreement for Manitowoc County to act as a host agency, and to account for all such funds in  
22 accordance with applicable grant conditions; and

23  
24 BE IT FURTHER RESOLVED that the Comptroller/Auditor is hereby directed to record such  
25 information in the official books of the County for the year ending December 31, 2002, as may be required  
26 in order to amend the 2002 Budget to show the changes in revenue and expenditures that result from the  
27 acceptance of such grant funds.

Dated this 19th day of February 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases revenues and expenditures by equal amounts not to exceed \$30,000.

Health Care Center Committee: Supervisor Behnke reported on absenteeism at the Health Care Center in 2000 and 2001. The amount of grievances that have been filed have escalated since the decision was made to build a new facility. Also, they are trying to have medicaid legislation on reimbursement changed. The medicaid reimbursement per person is \$110/day but it costs \$400/day.

Highway Committee: Supervisor Lambert reported the load limits will be posted on February 25<sup>th</sup>. Also, on February 25<sup>th</sup> he and the Highway Commissioner will be attending a liability seminar.

Supervisor Lambert moved, seconded by Supervisor Skubal, to adopt Resolution 3 (2001/2002-173) Approving Out-of-State Travel by Two Highway Department Employees. Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Graunke & Dobbs voted no; all other supervisors voted aye.

**RESOLUTION APPROVING OUT-OF-STATE TRAVEL  
FOR TWO HIGHWAY DEPARTMENT EMPLOYEES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Department is a major asphalt producer, produces 50,000 to 75,000 tons of  
2 asphalt a year using a Cedarapids Inc. paving machine, and recently promoted an employee to be its new  
3 asphalt supervisor and hired a new roller operator; and  
4

5 WHEREAS, Cedarapids Inc. held a conference on January 22-25, 2002, providing training on  
6 equipment, operation, maintenance, and safety for asphalt pavers; and  
7

8 WHEREAS, neither this training nor any comparable training is available in the State of Wisconsin  
9 and the County Board has previously authorized Highway Department employees to attend out-of-state  
10 training provided by Cedarapids Inc.; and  
11

12 WHEREAS, the Highway Committee unanimously approved the employees' attendance at this  
13 training conference at its January 15, 2002 meeting, but a resolution authorizing the travel was inadvertently  
14 omitted from the County Board's January agenda; and  
15

16 WHEREAS, the training conference has benefitted the Highway Department by providing the  
17 employees with information necessary to better perform the duties of their new positions and to enable the  
18 Highway Department to improve the efficiency of its asphalt paving operation;  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors has  
21 reviewed and approves of the out-of-state travel by the Highway Department's asphalt supervisor and roller  
22 operator to attend a training conference held on January 22-25, 2002, in Cedar Rapids, Iowa.

Dated this 19th day of February 2002.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Total expenses of \$2,352.83 are included within the 2002 Highway Department budget.

Human Services Board: Supervisor Graunke moved, seconded by Supervisor Behnke, to adopt Resolution 4 (2001/2002-174) Authorizing Out-of-State Travel for Stuart Maples. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Stuart Maples)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department has invested considerable resources into a  
2 comprehensive, agency-wide computer system provided by CMHC Systems, Inc. (CMHC); and  
3

4 WHEREAS, the on-going maintenance and enhancements of the CMHC system require advanced  
5 training for the Computer Technician/Trainer, including Advanced Usript Programming Training (AUP  
6 Training) which is only offered at the CMHC headquarters in Dublin, Ohio; and  
7

8 WHEREAS, training and travel costs are included in the Human Services Department's 2002 budget;  
9 and  
10

1 WHEREAS, the Human Services Board approved Stuart Maples' attendance at AUP Training which  
2 is scheduled to begin on February 18, 2002, but incorrectly believed that County Board approval was not  
3 required because the County Board had previously authorized out-of-state travel for CMHC training in  
4 Dublin, Ohio; and

5  
6 WHEREAS, the Manitowoc County Code permits the County Board Chair to grant advance  
7 authorization for out-of-state travel in certain circumstances, subject to the approval of County Board, and  
8 the County Board Chair has authorized for Stuart Maples to attend the AUP Training;

9  
10 NOW, THEREFORE, BE IT RESOLVED that the County Board has reviewed and approved Stuart  
11 Maples' out-of-state travel to attend AUP Training in Dublin, Ohio, on February 18-22, 2002, or on such  
12 other dates as the AUP Training may be available.

Dated this 19th day of February 2002.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Total estimated cost of \$3,548 is included in the Human Services Department 2002  
budget and includes: training fee, \$2,500; airfare, \$158; car rental, \$200; meals,  
\$150; and lodging, \$540.

Supervisor Graunke reported they are working on different budget areas and what is mandated.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported  
the strategic planning workgroups have been meeting since November on thirteen issues. There is a need for  
an increase in intergovernmental sharing of information and employee involvement.

Supervisor Kohlbeck moved, seconded by Supervisor Hansen, to adopt Resolution 5 (2001/2002-175)  
Authorizing Sponsorship of Wisconsin Conservation Corps Program. Upon vote, the motion carried  
unanimously.

No. 2001/2002 - 175

**RESOLUTION AUTHORIZING SPONSORSHIP OF  
WISCONSIN CONSERVATION CORPS PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Conservation Corps (WCC) crew performs meaningful projects enhancing  
2 and protecting the natural resources of Manitowoc County; and

3  
4 WHEREAS, the WCC program will help local unemployed young adults develop work skills,  
5 discipline, and an appreciation and better understanding of the natural resources of Manitowoc County  
6 through meaningful work experience and training opportunities; and

7  
8 WHEREAS, the County's share for funding the WCC program has been included in the 2002  
9 department budgets for the Planning and Parks Department, Public Works Department, and Soil and Water  
10 Conservation Department, and should be included in proposed department budgets for 2003;

11  
12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
13 authorizes the Soil and Water Conservation Department Director to participate for the ninth year in the WCC  
14 program for a fifty-two week period and to coordinate the project on behalf of the Manitowoc County  
15 Planning and Park Commission, City of Two Rivers, City of Manitowoc, County Lakes Association, Friends  
16 of the Branch River, Camp Sinawa, Boy Scouts of America Camp Rokolio, and DNR Point Beach State  
17 Forest; and

18  
19 BE IT FURTHER RESOLVED that the Soil and Water Conservation Department Director is hereby  
20 directed to implement the WCC project if it is approved by the WCC Board.



Dated this 19th day of February 2002.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT:	Soil & Water:	Mileage and other supplies approximately \$500.
	Planning & Parks:	No anticipated expenses at this time.
	Public Works	No anticipated expenses at this time.

Supervisor Kohlbeck moved, seconded by Supervisor Nate, to adopt Resolution 6 (2001/2002-176) Authorizing UW-Extension Grant Application. Upon vote, the motion carried unanimously.

No. 2001/2002 - 176

## **RESOLUTION AUTHORIZING UW-EXTENSION GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the mission of the Manitowoc County UW-Extension Office is to serve as an educational  
2 resource dedicated to improving the quality of people's lives by providing research-based knowledge to  
3 strengthen the social, economic, and environmental prosperity of youth, families, communities, agricultural,  
4 and business enterprises in Manitowoc County; and  
5

6 WHEREAS, the Manitowoc County UW-Extension Office is committed to providing education  
7 through methods that are most beneficial for its clientele; and  
8

9 WHEREAS, the 4-H Youth Development Program depends on working teams of youth, adult  
10 volunteers, and collaborators, and those working teams depend on enhanced communication and interaction  
11 skills to be most effective; and  
12

13 WHEREAS, the Manitowoc County 4-H Youth Development Agent is a certified Color Matrixx  
14 trainer, and the Color Matrixx System has proven itself to be an effective tool in training individuals to better  
15 understand themselves and others in order to enhance communication and interaction skills; and  
16

17 WHEREAS, other Northeast District counties have requested that the Manitowoc County 4-H Youth  
18 Development Agent provide Color Matrixx training for youth and adults throughout the District; and  
19

20 WHEREAS, the UW-Extension Office of Manitowoc County can apply for a Northeast District  
21 Resource Management grant to cover the cost of materials and mileage to provide Color Matrixx System  
22 training throughout the Northeast District;  
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
25 the Manitowoc County UW-Extension Office to apply for, accept, and expend UW-Extension Northeast  
26 District Resource Management grant funds in an amount not to exceed \$2,000; and  
27

28 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that upon acceptance  
29 of such grant funds, appropriate revenue and expenditure line items in the 2002 UW-Extension Office Annual  
30 Budget shall be amended by the amount of the grant, and the Comptroller/Auditor is hereby directed to record  
31 such information in the official books of the County for the year ending December 31, 2002, as may be  
32 required.

Dated this 19th day of February 2002.

Respectfully submitted by the Natural Resources and Education Committee .

FISCAL IMPACT:	Up to \$2,000 in grant funds will be incorporated into the Manitowoc County UW-Extension budget to cover costs associated with the implementation of the Color Matrixx System training in the UW-Extension Northeast District. Increased revenues will equal increased expenditures and there is no tax levy impact.
----------------	--

Legislative Review Committee: Supervisor Dobbs moved, seconded by Supervisor Henrickson, to adopt Resolution 7 (2001/2002-177) Opposing Senate Bill 248 and Assembly Bill 518. Upon vote, the motion carried unanimously.

No. 2001/2002 - 177

**RESOLUTION OPPOSING SENATE BILL 248 AND ASSEMBLY BILL 518**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Federal Telecommunications Act of 1996 and 1993 Wisconsin Act 496 allow local  
2 municipal units to supply competitive telecommunications services to their communities; and  
3

4 WHEREAS, some Wisconsin counties have, at substantial expense and in reliance on federal and state  
5 law, participated in the construction of telecommunications networks with other municipalities and schools  
6 districts;  
7

8 WHEREAS, Wisconsin Senate Bill 248 and Wisconsin Assembly Bill 518 would strictly prohibit or  
9 limit the options for the creation, control, management, and disposition of such telecommunication networks  
10 and assets; and  
11

12 WHEREAS, the Legislative Review Committee believes that Senate Bill 248 and Assembly Bill 518  
13 do not serve the best interests of the citizens of Wisconsin, its counties, municipalities, and schools and that  
14 Senate Bill 248 and Assembly Bill 518 are designed solely for the economic benefit of large  
15 telecommunications companies;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
18 expresses its opposition to Senate Bill 248 and Assembly Bill 518 and expresses its opposition to any other  
19 legislation limiting the options available to Wisconsin counties, municipalities, and schools with respect to  
20 the ownership and operation of telecommunication and internet access services; and  
21

22 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
23 resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of  
24 the Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents  
25 from Manitowoc County, the Wisconsin Counties Association, and the Winnebago County Clerk.

Dated this 19th day of February 2002.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: None.

Personnel Committee: Supervisor Vogt reported they approved hiring an additional corrections officer position at the Sheriff's Department and the Public Safety Committee denied another request for an additional bookkeeper position. They also put on hold filling five positions at the Highway Department. Also, Big Brothers/Big Sisters will be attending their February 26<sup>th</sup> meeting to discuss their mentoring program. The WPPA Sheriff's Department may ratify their contract. This will be a pattern that will help lower health insurance costs.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to adopt Resolution 8 (2001/2002-178) Authorizing Application for Park Grant for Silver Lake Public Access. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING SILVER LAKE  
PUBLIC ACCESS GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors previously adopted Resolution  
2 No. 2000/2001-51 authorizing the Planning and Park Department to submit an application to the Wisconsin  
3 Department of Natural Resources for financial assistance for a public access project at Silver Lake Park;  
4

5 WHEREAS, the application was accepted and the Planning and Park Department has received more  
6 financial assistance and more private-party donations than anticipated; and  
7

8 WHEREAS, the Planning and Park Commission recommends that the Planning and Park Department  
9 be given the authority to accept and expend any additional funds received for the project;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 the Planning and Park Department to accept and expend such financial aid and private-party donations as  
13 it may receive for the Silver Lake public access project; and  
14

15 BE IT FURTHER RESOLVED that the appropriate revenue and expenditure line items in the 2002  
16 Planning and Park Department Budget shall be amended by the amount of the financial aid and private-party  
17 contributions received, and the Comptroller/Auditor is hereby directed to record such information in the  
18 official books of the County for the year ending December 31, 2002, as may be required.

Dated this 19th day of February 2002.

Respectfully submitted by the Planning & Park Commission.

FISCAL IMPACT: Total expenditure of \$42,722, with \$13,472 coming from a State grant,  
\$26,250 from Donations from Fish & Game Association, and up to \$3,000 from  
the approved 2002 budget. Increase revenues and expenditures are offsetting and  
there is no additional tax levy impact.

Supervisor Skubal moved, seconded by Supervisor Borremans, to adopt Resolution 9 (2001/2002-179)  
Regarding Allocation of Conservation Fund Grant. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING CONSERVATION FUND GRANT ALLOCATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin State Legislature has enacted legislation allocating funds to counties for  
2 county fish and game projects on the condition that the counties match the state allocation; and  
3

4 WHEREAS, Manitowoc County has participated in county fish and game projects for several years  
5 pursuant to Wis. Stat. § 23.09(12) and has budgeted for a matching allocation in 2002; and  
6

7 WHEREAS, a request for projects was sent to all conservation oriented groups in Manitowoc County  
8 in January 2002, and the Francis Creek Sportsman Club submitted a proposal for a project for ADA restroom  
9 construction at a cost of approximately \$2,640 and for West Twin Pier Access at a cost of approximately  
10 \$540; and  
11

12 WHEREAS, the Manitowoc County Planning and Park Commission approved the proposed project  
13 and allocation at its regular meeting held on January 23, 2002;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
16 and approves the Planning and Park Commission Report and Recommendation regarding the allocation of  
17 county Conservation Fund Monies on the condition that the County's share does not exceed \$1,591, and  
18

19 BE IT FURTHER RESOLVED that the Planning and Park Commission be and is hereby authorized  
20 to expend the funds allocated to the Manitowoc County Conservation Fund, expense account  
21 62000.53580.01, and any matching funds to be received from the State of Wisconsin or others for the project  
22 in accordance with the Planning and Park Commission Report and Recommendation.

Dated this 19th day of February 2002.

Respectfully submitted by the Manitowoc County Planning and Park Commission.

FISCAL IMPACT: \$1,591 is included in 2002 budget.

Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 10 (2001/2002-180)  
Amending Zoning Map for Cheryle Jandrey. Upon vote, the motion carried unanimously.

No. 2001/2002 - 180

**ORDINANCE AMENDING MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Cheryle Jandrey)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, January 28, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW1/4, SE1/4, Section 33, T19N-R21E, Town of Rockland,  
12 commencing at the S1/4 Corner of said Section 33; thence northerly approximately 950 feet;  
13 thence easterly approximately 33 feet to the east r/w of Collins Road which is the point of real  
14 beginning; thence continue easterly approximately 330 feet; thence southerly approximately 200  
15 feet; thence easterly approximately 325 feet; thence northerly approximately 500 feet; thence  
16 westerly approximately 200 feet; thence southerly approximately 200 feet; thence westerly  
17 approximately 425 feet; thence southerly approximately 100 feet to the point of real beginning,  
18 said parcel containing approximately 2.50 acres of land, shall be and is hereby rezoned from A3  
19 Agriculture to A1 Agriculture.  
20

21 EFFECTIVE DATE: February 19, 2002.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 11 (2001/2002-181)  
Amending Zoning Map for River Central LLP. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(River Central LLP)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, January 28, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NW1/4, SE1/4, Section 5, T19N-R23E, Town of Manitowoc  
12 Rapids, commencing at the center of said Section 5; thence southerly approximately 200 feet  
13 to the south r/w of STH 310; thence easterly along the south r/w of STH 310 approximately 700  
14 feet which is the point of real beginning; thence southeasterly approximately 654 feet; thence  
15 easterly approximately 172 feet; thence northeasterly approximately 366 feet; thence  
16 northwesterly approximately 272 feet along the west r/w of Branch River Road; thence  
17 southwesterly approximately 152 feet; thence northwesterly approximately 175 feet; thence  
18 easterly approximately 103 feet; thence northerly approximately 136 feet; thence westerly  
19 approximately 205 feet; thence southeasterly approximately 199 feet; thence westerly  
20 approximately 303 feet; thence northerly approximately 200 feet; thence westerly along the  
21 south r/w of STH 310 approximately 20 feet to the point of real beginning, said parcel  
22 containing approximately 5.09 acres of land, shall be and is hereby rezoned from A1 Agriculture  
23 to I1 Industrial.  
24

25 EFFECTIVE DATE: February 19, 2002.

Respectfully submitted by the Manitowoc County Planning And Park Commission.

FISCAL IMPACT: None.

Public Safety Committee: Supervisor Juul reported that Public Safety Joint Services is experiencing some overtime because the two additional positions that were approved have not been filled yet. He also stated they approved an additional position at the Sheriff's Department. It would take care of the increase of people on the bracelet program. They also discussed an assistant jail bookkeeper position.

Supervisor Juul moved, seconded by Supervisor Muench, to adopt Resolution 12 (2001/2002-182) Authorizing Out-of-State Travel for Nancy H. Crowley. Upon vote, the motion carried with 22 ayes and 2 noes. Supervisors Dufek & Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(NANCY H. CROWLEY)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Federal Emergency Management Agency has offered Manitowoc County Emergency  
2 Management Director Nancy H. Crowley the opportunity to attend the Integrated Emergency Management  
3 Course, Consequences of Terrorism, at the Emergency Management Institute; and  
4

5 WHEREAS, this course focuses on preparing and responding to the consequences of a terrorist act and  
6 places special attention on response among agencies when the disaster area is also a crime scene; and  
7

8 WHEREAS, the Emergency Management Director frequently acts as a spokesperson for the county,  
9 coordinates large scale emergency planning and response, and will benefit from a course that will sharpen  
10 those skills; and  
11

12 WHEREAS, the airfare and housing expenses will be borne by the Federal Emergency Management  
13 Agency and ground transportation and meals will be covered by monies included in the Emergency  
14 Management budget for 2002;  
15

16 BE IT THEREFORE RESOLVED, by the Manitowoc County Board of Supervisors that Nancy H.  
17 Crowley is hereby authorized to travel out-of-state to attend the Integrated Emergency Management Course,  
18 Consequences of Terrorism, to be held on March 25-29 or June 3-7, 2002, at the federal Emergency  
19 Management Institute in Emmitsburg, Maryland.

Dated this 19th day of February 2002.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Ground transportation to and from Milwaukee and meals at Institute are included  
in the 2002 budget.

Public Works Committee: Supervisor Dufek moved, seconded by Supervisor Mueller, to adopt Resolution  
13 (2001/2002-183) Authorizing Sale of Land to Paul Lucas. Upon vote, the motion carried unanimously.

No. 2001/2002 - 183

#### **RESOLUTION AUTHORIZING SALE OF LAND TO PAUL LUCAS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee has received an offer to purchase from Paul Lucas for  
2 county-owned property in the Manitowoc County Industrial Park; and  
3

4 WHEREAS, the Public Works Committee and Planning and Park Commission staff have reviewed this  
5 offer to purchase; and  
6

7 WHEREAS, Paul Lucas has reviewed all the deed restrictions established by Manitowoc County Board  
8 Resolution No. 90/91-75; and  
9

10 WHEREAS, the Public Works Committee recommends the sale of 2.2 acres of property to Paul Lucas  
11 in the amount of \$7,500 per acre;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the sale of approximately 2.2 acres of land in the County Industrial Park to Paul Lucas for \$7,500 per acre  
15 and that the County Board Chair and County Clerk are authorized to execute such papers as may be required  
16 to effect this property sale; and  
17

18 BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a separate account  
19 established for the sale of county owned property for future capital development.

Dated this 19th day of February 2002.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Proceeds of \$7,500 per acre or any fraction thereof to be set aside for future capital  
development and maintenance of other county property (Fund 405).

Transportation Coordinating Committee: Supervisor Barnes reported that the Ice Center has received money to remodel from several organizations and some of the bleachers will be going to Expo.

Miscellaneous: Supervisor Grimm moved, seconded by Supervisor Geimer, to adopt Resolution 14 (2001/2002-184) Authorizing Amendment of Option to Purchase Tax Foreclosed Property for Evergreen Inn. Upon vote, the motion carried unanimously.

No. 2001/2002 - 184

**RESOLUTION AUTHORIZING AMENDMENT OF  
OPTION TO PURCHASE TAX FORECLOSED PROPERTY (Evergreen Inn)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution No. 2000/2001-182  
2 authorizing acceptance of an option to purchase the tax foreclosed property known as the Evergreen Inn at  
3 208 North 8th Street, Manitowoc, WI 54220 ("Property"), which was submitted by Envision Consulting, Inc.  
4 ("Envision"); and  
5

6 WHEREAS, Envision has expended substantial time and money to create the conditions necessary for  
7 it to exercise its option to purchase the Property and has informed the Finance and Public Works Committees  
8 of its progress toward those conditions; and  
9

10 WHEREAS, Envision has advised the Finance and Property Committees that it needs to fill a funding  
11 gap in order to complete the project and has asked that Manitowoc County assist it in closing the funding gap  
12 by deferring receipt of payment for the Property subject to certain terms; and  
13

14 WHEREAS, the Finance and Public Works Committees have reviewed Envision's project description,  
15 financing mechanisms, and deferral request and have concluded that deferral of the payment on the terms  
16 agreed to by Envision is in the best interest of all parties;  
17

18 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 an amendment to the option to purchase to allow the balance due on the Property to be deferred for a period  
20 of 18 years at an interest rate of 3% per annum, with both principal and interest due at the end of the 18 year  
21 period, provided that Envision will make interim payments in the event that the project has a Debt Service  
22 Ratio in any one year of 2-to-1 or more and that such interim payments are sufficient to reduce the Debt  
23 Service Ratio to 1.5-to-1, which such interim payments being applied first to the interest due and then to  
24 principal; and  
25

26 BE IT FURTHER RESOLVED that the County Board Chair, the County Clerk, and appropriate  
27 County staff are authorized to prepare and execute such documents as may be required to implement this  
28 resolution.

Dated this 19th day of February 2002.

Respectfully submitted by the Finance Committee and the Public Works Committee.

FISCAL IMPACT: No additional cost to county, but defers payment of \$99,000 for up to 18 years with interest and provides for earlier repayment depending on project finances.

Supervisor Juul moved, seconded by Supervisor Vogt, to adopt Resolution 15 (2001/2002-185) Approving Corrections Officer Position for Electronic Monitoring of Inmates. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Skubal voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING CORRECTIONS OFFICER POSITION  
FOR ELECTRONIC MONITORING OF INMATES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department currently employs one corrections officer  
2 to operate a GPS inmate electronic monitoring program for up to 15 inmates; and  
3

4 WHEREAS, the electronic monitoring program reduces the jail population and frees bed space so that  
5 they can be rented to other counties and the Wisconsin Department of Corrections; and  
6

7 WHEREAS, Manitowoc County has a contract with the Wisconsin Department of Corrections (DOC)  
8 which requires that the county provide a minimum of 25 beds for state inmates in order for the contract to  
9 continue in effect; and  
10

11 WHEREAS, the increasing local jail population will soon cause the county to have less than 25 beds  
12 available for state inmates, which will result in the termination of the DOC contract and the loss of \$550,000  
13 in revenue that is generated by renting beds at the jail; and  
14

15 WHEREAS, expansion of the electronic monitoring program would require \$42,709 per year for one  
16 corrections officer position and \$50,370 in equipment rental costs, and would generate \$64,990 in revenue,  
17 for a net annual cost of approximately \$28,809; and  
18

19 WHEREAS, the additional costs of operating an expanding electronic monitoring program could be  
20 paid for out of increased jail fees which were implemented in January 2002 and have not been allocated to  
21 any specific budget expenditure; and  
22

23 WHEREAS, expansion of the electronic monitoring program would allow the county to retain the DOC  
24 contract and the \$550,000 in annual revenues that it generates, and  
25

26 WHEREAS, the Public Safety Committee and the Personnel Committee have approved the addition  
27 of one corrections officer position;  
28

29 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
30 the Manitowoc County Sheriff's Department to add one FTE corrections officer position for the purpose of  
31 operating an expanded electronic monitoring program provided that the position shall be eliminated if the  
32 expanded electronic monitoring program is discontinued; and  
33

34 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2002 Annual  
35 Budget is hereby amended by the amounts shown above, pro rated for the period from March 1 to December  
36 31, 2002, and that the Comptroller/Auditor is hereby directed to record such information in the official books  
37 of the County for the year ending December 31, 2002, as may be required.

Dated this 19th day of February 2002.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Based on a March 1, 2002 start date, amends the 2002 expenditure budget by  
\$81,568 (\$39,340 for personnel costs and \$42,228 for equipment rental), increases  
revenue from the electronic monitoring programs by \$54,873, and authorizes  
\$26,695 in uncommitted jail fee revenues to be budgeted for the electronic  
monitoring program. No tax levy impact, and the county avoids losing \$550,000  
in revenues from the DOC contract.

Chairperson Markwardt reported the next County Board meeting will be March 19, 2002.



Supervisor Brey moved to adjourn at 8:26 p.m. Supervisor Graunke seconded and the motion was adopted unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

March 19, 2002

Tuesday, 7:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 19<sup>th</sup> day of March, 2002, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 7:03 P.M.

The invocation was given by Supervisor Catherine Wagner and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Graunke, Grimm, Hansen, Henrickson, Juul, Kohlbeck, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner.

On motion by Supervisor Sloan, seconded by Supervisor Mueller, the February 19, 2002 meeting minutes were approved on a unanimous vote.

The County Clerk announced additions to the Agenda. On motion by Supervisor Brey, seconded by Supervisor Nate, the agenda was approved on a unanimous vote.

Chairperson Markwardt declared the public input open at 7:08 p.m.

Don Goeke, Manitowoc, spoke on the cost and necessity of repairing the Courthouse steps; the design concept and estimated price of a new Health Care Center; and the number of beds for the new Health Care Center facility.

Chairperson Markwardt declared the public input closed at 7:13 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Sharon Cornils, Personnel Director, spoke on contract proposals and the arbitration process. She also answered supervisors' questions.

APPOINTMENTS BY CHAIRPERSON

Chairperson Markwardt recommended the appointments of Marilyn Garceau, Janice Wichlacz, Mary Ann Johnson, and Ruth Neelis to the Long Term Support Planning Committee for three year terms expiring April 30, 2005. Supervisor Graunke moved, seconded by Supervisor Borremans, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan reported that the bids for the construction of the new Manitowoc County Health Care Center are due on April 10<sup>th</sup> at 2:00 p.m. The committee will be meeting on April 11<sup>th</sup> to review the bids. The County Board will meet on this issue before the new county board is seated. Discussion followed.

Board of Health: Supervisor Nate reported the state is working on strengthening the supply of the flu vaccine; mold is still a problem in the county; there will not be a stock pile of Potassium Iodide, which would be used in a nuclear catastrophe; the Clean Sweep Household Waste Collection will be held on May 18<sup>th</sup> at the Manitowoc County Expo, which will include a mercury thermometer exchange program for new digital thermometers; and a new milk chug machine was installed at Reedsville High School.

Executive Committee: Chairperson Markwardt moved, seconded by Supervisor Skubal, to adopt Resolution 1 (2001/2002-186) Adopting Web Site Privacy Policy. Corporation Counsel explained this resolution was drafted to protect the privacy interest of the citizens. Upon vote, the motion carried unanimously.

**RESOLUTION ADOPTING WEB SITE PRIVACY POLICY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County collects information about properties located within the county in the  
2 course of conducting its business and this information includes the names of property owners, the addresses  
3 and parcel numbers for the properties, assessments, easements, tax history and payments, and other such  
4 information; and  
5

6 WHEREAS, Manitowoc County maintains an Internet web site that provides information about county  
7 government and information which is of interest to Manitowoc County citizens, and Manitowoc County  
8 intends to place property information that it believes will be useful to its citizens on its web site; and  
9

10 WHEREAS, the Wisconsin Supreme Court has recognized that privacy interests may be affected by  
11 the disclosure of information contained in public records and has repeatedly held that such privacy interests  
12 must be adequately protected; and  
13

14 WHEREAS, Manitowoc County recognizes the need to balance the competing interests expressed in  
15 the Wisconsin Open Records Law with those personal privacy concerns articulated by the Wisconsin  
16 Supreme Court;  
17

18 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors  
19 that Manitowoc County government may publish such property information on its public access web site as  
20 it believes may be useful to its citizens, but that Manitowoc County will not will not directly identify the  
21 names of property owners on its public access web site; and  
22

23 BE IT FURTHER RESOLVED that Manitowoc County will continue to satisfy the requirements of  
24 the Wisconsin Open Records Law by making public records available at the offices where they are  
25 maintained.

Dated this 19th day of March 2002.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Chairperson Markwardt moved, seconded by Supervisor Swade, to adopt Resolution 2 (2001/2002-187)  
Objecting to Elimination of Shared Utility Tax Payments. Upon vote, the motion carried unanimously.

**RESOLUTION OBJECTING TO ELIMINATION  
OF SHARED UTILITY TAX PAYMENTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the state has collected utility taxes since 1929 for efficiency purposes and had returned  
2 83% of these taxes to counties and local units of governments as "in lieu of property tax" payments until the  
3 early 1970s; and  
4

5 WHEREAS, since creation of general shared revenues, the state has dramatically reduced these  
6 payments to help fund those general shared revenues; and  
7

8 WHEREAS, only 19% of these utility taxes, or \$26 million out of \$138 million collected, are actually  
9 returned to counties and local units of government which have utility sites; and  
10

11 WHEREAS, the "budget reform proposal" would reduce those tax payments to nothing;

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board objects to this supposed  
13 "reform" because it results in the state's diversion of even more dollars that are properly due Manitowoc  
14 County and other jurisdictions as "in lieu of property tax" payments; and  
15

16 BE IT FURTHER RESOLVED that the Manitowoc County Board urges the Governor and Legislature  
17 to enact a plan that either fairly and properly compensates counties and local units for hosting utility sites or  
18 returns taxing authority for utility property to these jurisdictions; and  
19

20 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this  
21 resolution to the Governor Scott McCallum, Senate President Fred Risser, Assembly Speaker Scott Jenson,  
22 Senators Jim Baumgart and Alan Lasee, Representatives Frank Lasee and Bob Ziegelbauer, and the County  
23 Clerks for those counties that are members of the Wisconsin Counties Utility Tax Association.

Dated this 19th day of March 2002.

Respectfully submitted by the Executive Committee.

Chairperson Lambert moved, seconded by Supervisor Strauss, to adopt Resolution 3 (2001/2002-188)  
Authorizing Out-of-State Travel for Don Markwardt and Glen Skubal. Upon discussion and vote, the motion  
carried with 23 ayes and 2 noes. Supervisors Graunke and Dobbs voted no; all other supervisors voted aye.

No. 2001/2002 - 188

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Don Markwardt and Glen Skubal)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Yucca Mountain in Nevada has been proposed as the site for the nation's high-energy  
2 waste repository for spent nuclear fuel; and  
3

4 WHEREAS, establishment of such a repository is of great interest to Manitowoc County because the  
5 Point Beach Nuclear Power Plant is located in Manitowoc County and the Kewaunee Nuclear Power Plant  
6 is located nearby; and  
7

8 WHEREAS, the Nuclear Energy Institute is sponsoring a briefing and tour of the Yucca Mountain  
9 facility for key government officials who serve localities where nuclear power plants are located; and  
10

11 WHEREAS, County Board Chair Don Markwardt and Supervisor Glen Skubal, who represents the  
12 district in which the Point Beach Nuclear Power Plant is located, were invited to attend the Nuclear Energy  
13 Institute's Yucca Mountain briefing in Nevada on March 11-13, 2002; and  
14

15 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) will be borne by the Nuclear  
16 Energy Institute; and  
17

18 WHEREAS, Manitowoc County policies permit the County Board Chair to grant advance authorization  
19 for out-of-state travel in certain circumstances, subject to the approval of County Board, and the Executive  
20 Committee reviewed the proposed travel and concluded that it was in the interest of Manitowoc County; and  
21

22 NOW, THEREFORE, BE IT RESOLVED that the County Board has reviewed and approved County  
23 Board Chair Don Markwardt and Supervisor Glen Skubal's out-of-state travel to attend the Nuclear Energy  
24 Institute's Yucca Mountain Briefing from March 11-13, 2002.

Dated this 19th day of March 2002.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: No tax levy impact. All expenses are paid by the Nuclear Energy Institute.

Chairperson Markwardt moved, seconded by Supervisor Brey, to enact Ordinance 4 (2001/2002-189) Amending the Manitowoc County Code § 1.07 Regarding the Official Seal. Upon vote, the motion carried unanimously.

No. 2001/2002 - 189

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 1.07  
(Official Seal)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted an official seal as authorized by Wis. Stat. § 59.52(5);  
2 and  
3

4 WHEREAS, use of the official seal is required by state law for the certification of certain facts related  
5 to the electoral process and the validation of county agreements, deeds, contracts; and  
6

7 WHEREAS, the official seal is used by Manitowoc County government to identify its employees,  
8 officials, and officers, and its communications, correspondence, documents, and property; and  
9

10 WHEREAS, use of the official seal by persons who are not authorized to do so or use of the official  
11 seal in ways that are not authorized compromises the integrity of the official seal; implies official approval  
12 which has not been granted; may confuse, deceive, or mislead the public; and is not in the county's interest;  
13

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

17 Manitowoc County Code § 1.07(6) is hereby created to read as follows:  
18

19 (6) Authorized Use. (a) The official seal may be used by employees, officials, and officers of  
20 Manitowoc County in the performance of their official duties.  
21

22 (b) The County Board may, by resolution, authorize the use of the official seal by other persons or for  
23 other purposes, or both, on such terms as it deems appropriate when it concludes that such use is in the  
24 county's interest. Section (8) notwithstanding, any use of the official seal, or a colorable imitation thereof,  
25 in connection with any commercial activity, impersonation, merchandise, retail product, solicitation, or in  
26 any manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized  
27 by Manitowoc County, must be authorized by County Board resolution.  
28

29 Manitowoc County Code § 1.07(7) is hereby created to read as follows:  
30

31 (7) Unauthorized use prohibited. The unauthorized use of the official seal, or any colorable imitation  
32 thereof, by any person is prohibited and is subject to the penalties specified in s. 1.07(9).  
33

34 Manitowoc County Code § 1.07(8) is hereby created to read as follows:  
35

36 (8) Fair Use. The use of the official seal, or a colorable imitation thereof, for commentary, criticism,  
37 news reporting, research, scholarship, and noncommercial teaching, may be deemed a fair use of the official  
38 seal. The purpose and character of the use shall be considered in determining whether a use of the official  
39 seal is a fair use.  
40

41 Manitowoc County Code § 1.07(9) is hereby created to read as follows:  
42

43 (9) Penalty for unauthorized use. Any person violating this section shall forfeit not less than \$10 nor  
44 more than \$100 per use. A separate offense shall be deemed committed each time that the official seal, or  
45 a colorable imitation thereof, is used or displayed in violation of this section.  
46

47 Manitowoc County Code § 1.07(10) is hereby created to read as follows:  
48

49 (10) Injunction. In addition to the penalties provided under sub. (9), the Corporation Counsel may  
50 commence an action to enjoin a violation of this section and may prosecute such violation in any court of  
51 appropriate jurisdiction.  
52

53 EFFECTIVE DATE: Upon publication.

Dated this 19th day of March 2002.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None

Chairperson Markwardt moved, seconded by Supervisor Muench, to enact Ordinance 5 (2001/2002-190) Amending the Manitowoc County Code § 2.04(3)(e) Regarding Members' Terms on the Human Services Board. Upon vote, the motion carried unanimously.

No. 2001/2002 - 190

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 2.04(3)(e)**  
**(Human Services Board)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Executive Committee has determined that the provisions contained in the Manitowoc  
2 County Code which establish the terms for Human Services Board members needs to be amended so that the  
3 terms of county board supervisors serving on the Human Services Board better conform to their terms of  
4 office;  
5

6 NOW, THEREFORE, the Board of Supervisors of the County of Manitowoc, Wisconsin does ordain  
7 as follows:  
8

9 Manitowoc County Code sec. 2.04(3)(e)3. is hereby amended by striking it in its entirety and recreating  
10 it as follows:  
11

12 3. Members of the Human Services Board shall serve for terms of 3 years, so arranged that as nearly  
13 as practicable, the terms of one-third of the members shall expire each year. The term for a county board  
14 supervisor shall commence on the 3rd Tuesday in April and the term for all other members shall commence  
15 on January 1. A member who was county board supervisor when appointed and who is not reelected to  
16 office shall be removed from the Human Services Board at the expiration of the supervisor's term upon due  
17 notice in writing, which shall be issued by the County Clerk.  
18

19 EFFECTIVE DATE: Upon publication.

Dated this 19th day of March 2002.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

Finance Committee: Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 6 (2001/2002-191) Authorizing Restatement of 2001 Appropriations and Transferring Funds. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING RESTATEMENT OF  
2001 APPROPRIATIONS AND TRANSFERRING FUNDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, events occur after the adoption of the Annual Budget that affect the various program activities and their appropriation for a given budget year; and

WHEREAS, the Comptroller/Auditor has produced a pre-audit report showing the affect of those events on the various activities and their appropriations for 2001 and has identified certain adjustments that should be made to reconcile the Annual Budget; and

WHEREAS, sound financial practice requires that such adjustments be recorded in the official books of the County; and

WHEREAS, the Finance Committee has reviewed the pre-audit adjustments that are shown below and recommends that the Comptroller/Auditor make such adjustments to the County's official books; and

WHEREAS, Wisconsin statutes and County Board rules require that the County Board take official action to authorize such adjustments to the appropriations and to transfer said funds; and

WHEREAS, additional adjustments may be needed following completion of the County's external audit which is a part of the preparation of the County's Comprehensive Annual Financial Report (CAFR);

NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors, that the changes to the activity revenue and expense appropriations and funds described below are hereby approved and that the Comptroller/Auditor is directed to record such in the official books of the County for the year ended December 31, 2001:

Activity Name	Account Number	Account Name	Revenue Expense	Amount
Airport	35100.48200	Rent	Revenue +	\$382
Airport	35100.48999	Other Revenue	Revenue +	\$2,449
Airport	35100.58300	Other-Outlay	Expense +	\$83,839
Airport	351000.48909	Insurance Recovery	Revenue +	\$67,205
Child Support	13300.43560.02	Child Support Aid	Revenue +	\$2,567
Child Support - Corp Counsel	13800.52110	Attorney/Legal Contracted Srv.	Expense +	\$2,567
Clerk of Courts	12100.45205	County Share State Fines	Revenue+	\$8,357
Clerk of Courts	12100.53997	Bad Debts Write Off	Expense +	\$8,357
Contingent Fund	1.59990	Contingent Fund	Expense -	\$246,847
County Board	11000.51300	Meeting Compensation	Expense +	\$755
County Board	11000.52999	Other Contract Services	Expense +	\$1,000
County Clerk	14200.53018	Publication of Legal Notices	Expense +	\$1,879
County Clerk - Insurances	19300.54128	Building Insurance	Expense +	\$1,103
County Clerk - Mail	14210.53007	Postage & Mailing	Expense -	\$1,879
Emergency Mgmt. - EPCRA	25300.43520.09	EPCRA Grant	Revenue +	\$1,208

	Activity Name	Account Number	Account Name	Revenue Expense	Amount
41	Emergency Mgmt. - EPCRA	25300.53998	Other Operating Supplies	Expense +	\$1,208
42	Emergency Mgmt. - LEPC	25200.43520.09	EPCRA Grant	Revenue +	\$451
43	Emergency Mgmt. - LEPC	25200.53055	Educational Supplies	Expense +	\$451
44	Joint Communications PSJS	21600.51200	Wages - Represented	Expense +	\$18,600
45	Joint Communications PSJS	21600.51250	Overtime	Expense +	\$32,100
46	Joint Communications PSJS	21600.51450	Extra-Hire Wages	Expense +	\$5,650
47	Joint Communications PSJS	21600.52225	Telephone Srv/Use Chgs.	Expense +	\$7,301
48	Planning & Parks	54400.43570.02	Snowmobile Trail Aids	Revenue +	\$10,045
49	Planning & Parks	54400.52417	Snowmobile Trails	Expense +	\$10,045
50	Public Works - Admin	16000.47440	Phone Co. Reimbursement	Revenue +	\$43,184
51	Public Works - Admin	16000.51490	Accrued Vacation	Expense +	\$3,972
52	Public Works - Admin	16000.53005	Operating Supplies	Expense +	\$745
53	Public Works - Admin	16000.58400	Storm Damage Repairs	Expense +	\$4,600
54	Public Works - Admin. Bldg.	16750.52223	Gas Utility	Expense +	\$901
55	Public Works - Admin. Bldg.	16750.58225	Building Improv./Main/Repr	Expense +	\$6,995
56	Public Works - Courthouse	16100.53050	Gas, Diesl, Oil, Grse, Antifrz	Expense +	\$909
57	Public Works - Evergreen Inn	16950.58225	Building Improv./Main/Repr	Expense -	\$12,000
58	Public Works - Office Complex	16200.52422	H.V.A.C. Contracted Service	Expense +	\$2,951
59	Public Works - Other Bldgs.	16800.52999	Other Contract Services	Expense +	\$11,060
60	Public Works - Other Bldgs.	16800.53048	Maintenance & Repair Supp.	Expense +	\$1,135
61	Public Works - Other Bldgs.	16800.58100	Outlay - Equipment	Expense +	\$3,806
62	Public Works - Other Bldgs.	16800.58200	Outlay - Buildings	Expense +	\$2,446
63	Public Works - PHS Bldg.	16700.52418	Cleaning Contracted Services	Expense +	\$2,434
64	Public Works - UW Center	16400.52422	H.V.A.C. Contracted Service	Expense +	\$2,808
65	Public Works - UW Center	16400.53048	Maintenance & Repair Supp.	Expense +	\$3,700
66	Public Works - UW Center	16400.58225	Building Improv./Main/Repr	Expense +	\$6,722
67	Register in Probate	12300.52115	Contracted Medical	Expense +	\$1,541
68	Register in Probate	12300.52154	Court Costs	Expense +	\$2,500
69	Sheriff - Retiree Benefits	27700.51800	Retire Sick Buy Back	Expense -	\$48,700
70	Sheriff's Dept. - Admin.	21000.46200.06	Inmate Phone Revenue	Revenue +	\$27,400
71	Sheriff's Dept. - Admin.	21000.46200.07	Reserve Deputy - Non Cty Fnct.	Revenue +	\$9,400
72	Sheriff's Dept. - Admin.	21000.51250	Overtime	Expense +	\$31,200
73	Sheriff's Dept. - Admin.	21000.51450	Xtra-Hire Wages	Expense +	\$55,000
74	Sheriff's Dept. - Admin.	21000.51554	Health Insurance	Expense +	\$6,000
75	Sheriff's Dept. - Admin.	21000.52225	Telephone Service	Expense +	\$22,400



	Activity Name	Account Number	Account Name	Revenue Expense	Amount
76	Sheriff's Dept. - Admin.	21000.53005	Operating Supplies	Expense +	\$17,000
77	Sheriff's Dept. - Admin.	21000.53010	Printing Duplicating	Expense +	\$7,886
78	Sheriff's Dept. - Jail	27000.51250	Overtime	Expense +	\$32,000
79	Sheriff's Dept. - Jail	27000.51450	Xtra-Hire Wages	Expense +	\$37,000
80	Sheriff's Dept. - Jail	27000.52115	Medical	Expense +	\$22,000
81	Sheriff's Dept. - Jail	27000.52185	GPS Inmate Monitoring Prog.	Expense +	\$18,000
82	Sheriff's Dept. - Jail	27000.53070	Food	Expense +	\$10,558
83	Sheriff's Dept. - Metro Drug	27500.53001	Office Supplies	Expense -	\$6,800
84	Sheriff's Dept. - Metro Drug	27500.53005	Operating Supplies	Expense -	\$4,250
85	Sheriff's Dept. - Training	21100.43520.01	Training Conference Reimb.	Revenue +	\$5,824
86	Sheriff's Dept. - Training	21100.53035	Meals & Lodging	Expense +	\$5,824
87	Soil & Water Conservation	61000.44325	Animal Waste Storage Permit	Revenue +	\$1,216
88	Soil & Water Conservation	61000.53100	Agricultural Supplies	Expense +	\$1,216
89	UW Extension State Programs	56350.46700.01	Meeting/Train/Pamph/Other	Revenue +	\$1,530
90	UW Extension State Programs	56350.52950	Meeting/Train/Pamph/Other	Expense +	\$1,530

91  
92 and

93  
94 BE IT FURTHER RESOLVED that if any other adjustments are found to be needed as a result of the  
95 external audit performed during the preparation of the County's Comprehensive Annual Financial Report,  
96 those adjustments shall be brought forward in a separate resolution at the conclusion of the field work.

Dated this 19th day of March 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases net appropriated Revenues and Expenses in the 2001 Budget by \$181,218.

Supervisor Grimm moved, seconded by Supervisor Geimer, to adopt Resolution 7 (2001/2002-192) Authorizing Carry-Over and Reappropriation of Specified Funds from 2001 to 2002. Upon vote, the motion carried unanimously.

No. 2001/2002 - 192

**RESOLUTION AUTHORIZING CARRY-OVER AND  
REAPPROPRIATION OF SPECIFIED FUNDS FROM 2001 TO 2002**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the Annual Budget that affect the various program  
2 activities and their appropriations for a given budget year; and  
3

4 WHEREAS, some of the programs, projects, and activities that were planned for the 2001 budget year  
5 either did not take place, were not fully completed, or are statutorily required to be on-going and are required  
6 to be carried-over into the next budget year; and  
7

8 WHEREAS, the Comptroller/Auditor has compiled a pre-audit list designating those programs,  
9 projects, and activities and the amount of funds for each which the various departments and their respective  
10 parent committees have indicated are requested or required to be carried forward; and  
11

12 WHEREAS, sound financial practice requires that such designations be recorded in the official books  
13 of the County; and  
14

15 WHEREAS, the Finance Committee has reviewed the list designating those carry-over items that are  
16 shown below and recommends that the Comptroller/Auditor make such designations to the County's official  
17 books; and  
18

19 WHEREAS, Wisconsin statutes and County Board rules require that the County Board take official  
20 action to authorize such designations and the carry-over of said amounts; and  
21

22 WHEREAS, any additional items or adjustments to the amounts shown that would be required at the  
23 completion of the County's external audit will be brought to the County Board in a separate resolution;  
24

25 NOW, THEREFORE BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
26 following amounts are hereby approved to be carried over from the official books of the County for the year  
27 ending December 31, 2001, and that the 2002 Annual Budget is hereby amended as may be required by the  
28 amounts so designated:  
29

Account Number	Department/Activity	12/31/2001 Balance
100.34222	Airport	\$16,299.46
100.34230	P & P Conservation	\$1,591.00
100.34232	P & P Special Mapping	\$28,901.36
100.34233	P & P Area Plan	\$21,762.00
100.34237	P & P Outlay	\$37,890.00
100.34239	P & P Systems	\$6,909.55
100.34240	Public Health Department	\$1,000.00
100.34245	Veterans Service Office	\$1,990.01
100.34248	P.W. Capital Projects	\$102,437.00
100.34270	Register of Deeds - Land Records	\$140,832.48
100.34272	Register of Deeds - Grant	\$26,556.00
100.34280	Emergency Management HAZMAT	\$125,320.25
100.34281	Emergency Management LEPC	\$85.44
100.34281	Emergency Management Security Plan	\$1,200.00
100.34282	Personnel	\$9,795.00
100.34284	U.W. Extension	\$6,000.00
100.34286	Payroll System Updates	\$15,000.00
100.34287	System Updates	\$75,000.00
100.34289	County Executive	\$9,000.00
100.34294	Clerk Of Courts	\$10,000.00
100.34295	P.W. Building Projects	\$676,351.56

53                                63000.43585    Coastal Management Grant Revenue                \$6,164.00  
54                                63000.52945    Coastal Management Grant Expense                \$6,164.00

55  
56 and

57  
58                BE IT FURTHER RESOLVED that the Comptroller/Auditor is hereby directed to record such  
59 information in the official books of the County for the year ended December 31, 2001, and for the year ending  
60 December 31, 2002, as may be required to effect the purposes of this resolution.

Dated this 19th day of March 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:                Carries over the amounts listed from the 2001 Annual Budget to the 2002 Annual  
Budget for the purposes designated and amends the 2002 Annual Budget as may  
be required and as described by the designation.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 8 (2001/2002-193) Authorizing  
Request for Proposals for Banking and Depository Services. Upon vote, the motion carried unanimously.

No. 2001/2002 - 193

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS  
FOR BANKING AND DEPOSITORY SERVICES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1                WHEREAS, Wisconsin law requires that the county board designate one or more public depositories,  
2 and the county board has complied with this requirement, but the most recent designation was by resolution  
3 no. 90/91-125 on March 19, 1991; and  
4

5                WHEREAS, it is in the best interest of Manitowoc County to periodically review its banking services  
6 and depository services; and  
7

8                WHEREAS, a request for proposal is an efficient method to obtain information on banking alternatives  
9 and to obtain the best available services for the county; and  
10

11                NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Treasurer is authorized to issue  
12 a request for proposals for banking and depository services and to review such proposals in order to make  
13 a recommendation to the county board.

Dated this 19th day of March 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:                None.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Kohlbeck reported  
on the 4-H Program stating there are 646 youth enrolled and they pledged 3069 volunteer hours. There are  
60 adults that have completed a certification program to become leaders.

Personnel Committee: Supervisor Vogt reported the Personnel Department will be sending a survey to all  
employees on the wellness program. This should help the health of all employees.

Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 9 (2001/2002-194) Amending  
the 2002 Child Support Budget. Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2002 CHILD SUPPORT BUDGET**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Child Support Agency provides numerous child support services to the residents of  
2 Manitowoc County that are funded by the return of our federal and state tax dollars through federal and state  
3 aid; and  
4

5 WHEREAS, the Child Support Agency can only include funds in its proposed budget that it has been  
6 scheduled or contracted to receive at the time the annual budget is prepared; and  
7

8 WHEREAS, federal and state funding changed after the budget was approved and the state government  
9 will be amending its contract with the Child Support Agency to provide an additional \$52,247 in funding;  
10 and  
11

12 WHEREAS, the Personnel Committee recommends that the Manitowoc County Board of Supervisors  
13 amend the 2002 Annual Budget to recognize this increased funding;  
14

15 NOW, THEREFORE, IT BE RESOLVED by the Manitowoc County Board of Supervisors that the  
16 appropriate revenue and expense line items in the 2002 Annual Budget are hereby amended to incorporate  
17 the change stated above and that the Comptroller/Auditor is hereby directed to record such information in the  
18 official books of the County for the year ended December 31, 2002, as may be required.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Increases authorized revenues and expenses for the programs by \$52,247. These  
programs are fully funded and there is no tax levy impact.

Supervisor Vogt moved, seconded by Supervisor Swade, to adopt Resolution 10 (2001/2002-195) Revising  
the Employee Policy and Procedure Manual. Upon vote, the motion carried unanimously.

**RESOLUTION REVISING EMPLOYEE POLICY AND PROCEDURE MANUAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors has adopted an Employee Policy and  
2 Procedure Manual to establish uniform personnel policies and procedures and to insure compliance with all  
3 local, state, and federal employment laws, rules, and regulations; and  
4

5 WHEREAS, the Manual contains a vacation extension policy which provides employees an  
6 opportunity to request an extension of time to use available vacation; and  
7

8 WHEREAS, the current policy does not provide an employee with any appeal right if vacation is  
9 forfeited because of a failure to request an extension prior to certain deadlines; and  
10

11 WHEREAS, allowing employees to appeal vacation forfeitures when unusual or unavoidable  
12 circumstances prevent them from requesting an extension within defined deadlines will have a positive effect  
13 on employee morale and will promote a standard of fair and equitable treatment of all employees; and  
14

15 WHEREAS, the Personnel Committee has reviewed the attached revision to section 12.07(4) of the  
16 Manual and recommends that it be approved by the County Board;  
17

18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
19 Employee Policy and Procedure Manual Section 12.07(4) of Personnel & Policy Manual  
20 be revised as recommended by the Personnel Committee.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Indeterminable.

Supervisor Vogt moved, seconded by Supervisor Grimm, to adopt Resolution 11 (2001/2002-196) Ratifying and Adopting Flexible Benefits Plan. Upon vote, the motion carried unanimously.

No. 2001/2002 - 196

### **RESOLUTION RATIFYING AND ADOPTING FLEXIBLE BENEFITS PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County maintains the County of Manitowoc Group Health and Dental Benefit  
2 Plans (the "Group Health and Dental Plans"); and  
3

4 WHEREAS, Manitowoc County desires to allow its employees to participate in health and dependent  
5 care flexible spending account benefits as set forth in the County of Manitowoc Flexible Benefits Plan  
6 ("Flexible Benefits Plan"); and  
7

8 WHEREAS, Manitowoc County wishes to adopt a Flexible Benefits Plan that complies with Internal  
9 Revenue Code § 125 so that its employees can choose to receive tax-excluded benefits under the Flexible  
10 Benefits Plan or taxable cash compensation, or a combination of both;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
13 ratifies and adopts the Flexible Benefits Plan consisting of the Flexible Benefits Plan Document and  
14 component Benefit Plans and Policies, as amended and restated, effective as of January 1, 2002; and  
15

16 BE IT FURTHER RESOLVED that the operation of the Group Health and Dental Benefits Plan will  
17 continue and all employee contributions thereunder will be made pursuant to the elections under the Flexible  
18 Benefits Plan Document; and  
19

20 BE IT FURTHER RESOLVED that the officers and officials of Manitowoc County are authorized and  
21 directed to take such action as may be necessary to effectuate this Resolution.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

Supervisor Vogt moved, seconded by Supervisor Swade, to adopt Resolution 12 (2001/2002-197) Ratifying 2002-2003 Collective Bargaining Agreement with Health Department Employees Represented by Local 5068. Upon vote, the motion carried unanimously.

**RESOLUTION RATIFYING 2002-2003 COLLECTIVE BARGAINING AGREEMENT  
WITH HEALTH DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 5068**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has negotiated a 2002-2003 collective bargaining agreement  
2 with the employees represented by Local 5068; and  
3

4 WHEREAS, a summary of the changes in hours, wages and working conditions for the employees  
5 represented by Local 5068 is attached to this resolution;  
6

7 NOW, THEREFORE, BE IT RESOLVED that the collective bargaining agreement negotiated between  
8 the Personnel Committee and the Manitowoc County employees represented by Local 5068 is ratified,  
9 confirmed, and approved with the pay schedules, benefits, and terms set forth; and  
10

11 BE IT FURTHER RESOLVED that the County Board Chair, the Chair of the Personnel Committee,  
12 and the Personnel Director are authorized to execute this agreement.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2002	2003
Wages	\$18,347	\$18,897
FICA	\$ 1,403	\$ 1,446
WRS	\$ 1,890	\$ 1,946
Implementation of Drug Card	(\$ 6,395)	(\$ 7,675) <sup>1</sup>
HCRA Contribution	\$ 2,950	
	\$18,195	\$14,614

*Footnote 1: Cost savings due to implementation of CompAdvantage Plan in 2003 will not be known until enrollment is completed in November 2002. Cost savings from the rate reduction resulting from implementation of drug card is based on a 20% increase in the cost of health insurance in 2003.*

Supervisor Vogt moved, seconded by Supervisor Barnes, to adopt Resolution 13 (2001/2002-198) Ratifying 2002-2003 Collective Bargaining Agreement with Sheriff Department Employees Represented by WPPA. Upon vote, the motion carried unanimously.

**RESOLUTION RATIFYING 2002-2003 COLLECTIVE BARGAINING AGREEMENT  
WITH SHERIFF DEPARTMENT EMPLOYEES REPRESENTED BY WPPA**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has negotiated a 2002-2003 collective bargaining agreement  
2 with the employees represented by WPPA; and  
3

4 WHEREAS, a summary of the changes in hours, wages and working conditions for the employees  
5 represented by WPPA is attached to this resolution;  
6

7 NOW, THEREFORE, BE IT RESOLVED that the collective bargaining agreement negotiated  
8 between the Personnel Committee and the Manitowoc County employees represented by WPPA is ratified,  
9 confirmed, and approved with the pay schedules, benefits, and terms set forth; and

10 BE IT FURTHER RESOLVED that the County Board Chair, the Chair of the Personnel Committee,  
11 and the Personnel Director are authorized to execute this agreement.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2002	2003
Wages	\$37,761.17	\$38,894.00
FICA	\$ 2,888.73	\$ 2,975.39
WRS	\$ 5,513.13	\$ 5,658.52 <sup>2</sup>
Health Insurance Changes	(\$12,370.38) <sup>3</sup>	( \$19,792.60) <sup>4</sup>
Post Employment Health Plan	<u>\$ 6,400.00</u>	<u>\$ 8,320.00</u>
	\$40,192.65	\$36,055.31

Footnote 2: Assumes WRS rate for 2003 remains the same as 2002.

Footnote 3: Based on savings for 9 months in 2002; PEHP contribution based on effective date of 4/1.

Footnote 4: Assumes a 20% increase in health insurance premiums in 2003.

Supervisor Vogt moved, seconded by Supervisor Mueller, to adopt Resolution 14 (2001/2002-199) Authorizing Increased Regular Non-Represented Employee Compensation. Upon vote, the motion carried unanimously.

No. 2001/2002 - 199

**RESOLUTION AUTHORIZING INCREASED  
REGULAR NON-REPRESENTED EMPLOYEE COMPENSATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors has adopted a compensation plan for non-  
2 represented employees which compensates these employees in a fair and equitable manner; and  
3

4 WHEREAS, all non-represented employees receive annual performance evaluations to ensure that  
5 employees are fulfilling the essential functions of the positions they hold; and  
6

7 WHEREAS, the elected offices of Clerk of Court, Coroner, County Clerk, Register of Deeds,  
8 Sheriff, and Treasurer received a 3.0% wage increase effective January 1, 2002; and  
9

10 WHEREAS, a wage increase for regular non-represented employees of 3.0% has been  
11 incorporated into the 2002 budget, along with the associated FICA and WRS costs;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the non-represented wage schedule is increased by  
14 3.0% effective January 1, 2002; and  
15

16 BE IT FURTHER RESOLVED that non-represented positions listed on the attached sheets and the  
17 Administrative Coordinator receive the 3.0% wage increase effective January 1, 2002; and  
18

19 BE IT FURTHER RESOLVED that those employees still serving their probationary period shall be  
20 granted an increase of 3.0% effective upon the successful completion of their probationary period.

Dated this 19th day of March 2002.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Wages	\$173,495.14
	FICA \$ 13,272.38
	<u>WRS \$ 17,870.00</u>
	Total \$204,637.52

Supervisor Vogt reported that negotiations continue with the remaining AFSCME units.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to adopt Resolution 15 (2001/2002-200) Authorizing 2002-2003 Snowmobile Trail Program. Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Dobbs and Geimer voted no; all other supervisors voted aye.

No. 2001/2002 - 200

### **RESOLUTION AUTHORIZING 2002-2003 SNOWMOBILE TRAIL PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has completed twenty-nine years of participation in Wisconsin  
2 Snowmobile Aids Program by annually acquiring, developing, insuring, and maintaining county public  
3 snowmobile trails in accordance with Wisconsin Department of Natural Resources ("DNR") standards; and  
4

5 WHEREAS, the Wisconsin Snowmobile Aids Program provides funds for the costs of acquisition,  
6 development, and maintenance of public snowmobile trail systems in eligible counties and Manitowoc  
7 County is eligible to participate in the Snowmobile Aids Program; and  
8

9 WHEREAS, the Planning and Park Commission recommends that the Manitowoc County Board of  
10 Supervisors approve the accompanying trail system map which provides for 203.7 miles of trail; and  
11

12 WHEREAS, Manitowoc County has budgeted \$42,075 for front end costs of the Snowmobile Program,  
13 but will need to amend its budget to add \$8,850 to cover costs for 203.7 miles of trail because additional miles  
14 were added to program after the 2002 budget was adopted; and  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
17 approves the trail system map as recommended by the Planning and Park Commission; and  
18

19 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby designates  
20 the Manitowoc County Planning and Park Commission as the agency to act on behalf of Manitowoc County  
21 in submitting applications seeking state snowmobile aids for eligible maintenance, acquisition, development,  
22 bridge rehabilitation, and insurance costs of the public snowmobile trail system; and  
23

24 BE IT FURTHER RESOLVED that the Planning and Park Director is authorized to sign documents  
25 and take the actions necessary to undertake, direct, and complete the 2002-2003 Snowmobile Program; and  
26

27 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and redevelopment  
28 of the snowmobile trails, said trails be designated as public snowmobile trails; and  
29

30 BE IT FURTHER RESOLVED by the Manitowoc County Board of Supervisors that the 2002 Annual  
31 Budget is hereby amended by the amounts stated above and that the Comptroller/Auditor is hereby directed  
32 to record such information in the official books of the County for the year ending December 31, 2002, as may  
33 be required; and  
34

35 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limit of funds appropriated  
36 for such purposes in the amended 2002 Budget, provide for adequate maintenance of the trails and facilities  
37 that have been funded for acquisition and maintenance through the Wisconsin Snowmobile Trail Program



38 in accordance with DNR requirements and funding eligibility criteria; comply with state and federal rules for  
39 the program; maintain the completed project in an attractive, inviting, and safe manner; keep facilities open  
40 to the general public during reasonable hours consistent with the type of facility; and obtain approval in  
41 writing from the DNR before any changes are made in the use of the project site.

Dated this 19th day of March 2002.

Respectfully submitted by the Planning & Park Commission.

FISCAL IMPACT: \$42,075 included in the 2002 approved budget is increased by \$8,850 to a total of \$50,925. The State of Wisconsin reimburses Manitowoc County for the total amount of funds spent for this program. Budget must be increased by \$8,850 to cover additional miles.

Supervisor Skubal moved, seconded by Supervisor Borremans, to enact Ordinance 16 (2001/2002-201) Amending the Zoning Map for Steven D. Schleunes. Upon vote, the motion carried unanimously.

No. 2001/2002 - 201

**ORDINANCE AMENDING MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Steven D. Schleunes)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, a public hearing was held on Monday, February 25, 2002, at 7:30 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, SW1/4, Section 6, T19N-R24E, Town of Manitowoc,  
12 commencing at the center of said Section 6; thence southerly approximately 550 feet which is  
13 the point of real beginning; thence continue southerly approximately 368 feet; thence westerly  
14 approximately 1140 feet to the east r/w of CTH Q; thence northwesterly approximately 379 feet  
15 along the east r/w of CTH Q; thence easterly approximately 1229 feet to the point of real  
16 beginning, said parcel containing approximately 10.00 acres of land, shall be and is hereby  
17 rezoned from A3 Agriculture to A2 Agriculture.  
18

19 EFFECTIVE DATE: March 19, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Borremans, to enact Ordinance 17 (2001/2002-202) Amending Zoning Map for Richard R. Grajek. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY  
ZONING ORDINANCE MAP  
(Richard R. Grajek)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, February 25, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the NE1/4, NE1/4, Section 28, T19N-R23E, Town of Manitowoc  
12 Rapids, commencing at the NE Corner of said Section 28; thence southerly approximately 1084  
13 feet along the east line of the NE1/4, NE1/4, Section 28; thence westerly approximately 250 feet  
14 which is the point of real beginning; thence continue westerly approximately 225 feet; thence  
15 southerly approximately 225 feet; thence easterly approximately 225 feet; thence southerly  
16 approximately 225 feet to the point of real beginning, said parcel containing approximately 1.20  
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
18

19 EFFECTIVE DATE: March 19, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

Public Safety Committee: Supervisor Juul moved, seconded by Supervisor Muench, to adopt Resolution 18  
(2001/2002-203) Authorizing Out-of-State Travel for Joseph Keil. Upon vote, the motion carried with 23  
ayes and 2 noes. Supervisors Kohlbeck and Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(JOSEPH KEIL)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the International Association of Chiefs of Police (IACP), with support from the National  
2 Highway Traffic Safety Administration and US Department of Transportation, is sponsoring an annual  
3 training conference on drugs, alcohol, and impaired driving in Dallas/Plano, Texas, on June 14-16, 2002; and  
4

5 WHEREAS, the Drug Recognition Expert (DRE) Program has been successful in training officers to  
6 detect and remove impaired drivers from our roadways, and DRE testimony has often proven effective when  
7 prosecuting the impaired driver; and  
8

9 WHEREAS, the Wisconsin Department of Transportation has previously trained and certified Deputy  
10 Joseph Keil as a National Instructor Drug Recognition Expert and will fund 100% of the cost of the training,  
11 transportation, lodging, and meals; and  
12

13 WHEREAS, the Drug Recognition Expert status held by Deputy Keil allows him to successfully train  
14 Sheriff's Department officers to detect and remove impaired drivers from our roadways;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
17 Deputy Joseph Keil to attend the Eighth IACP DRE Training Conference on Drugs, Alcohol, and Impaired  
18 Driving in Dallas/Plano Texas on June 14-16, 2002.

Dated this 19th day of March 2002.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Total estimated cost for registration, transportation, meals,  
and lodging is \$1500, which will be paid by Wisconsin Department of  
Transportation.

Supervisor Juul moved, seconded by Supervisor Henrickson, to adopt Resolution 19 (2001/2002-204)  
Authorizing Domestic Preparedness Equipment Grants. Upon vote, the motion carried unanimously.

No. 2001/2002 - 204

**RESOLUTION AUTHORIZING DOMESTIC  
PREPAREDNESS EQUIPMENT GRANTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making grants available to counties for county-  
2 wide Hazardous Materials Response Teams; will provide grants of \$10,000 from FY 1999 funds and \$10,000  
3 from FY 2000-01 funds to be used for domestic preparedness equipment funding; and will provide a grant  
4 of \$47,200 from FY 2000-01 funds for domestic preparedness equipment for local response disciplines (bomb  
5 squads, emergency management, emergency medical services, fire, law enforcement, public health, and public  
6 works); and  
7

8 WHEREAS, these and any future grants will enhance the county's preparedness in responding to acts  
9 of terrorism involving weapons of mass destruction;  
10

11 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes  
12 the Manitowoc County Emergency Management Department to apply for and accept the Wisconsin  
13 Emergency Management grant funds of up to \$67,200; and  
14

15 BE IT FURTHER RESOLVED that upon receipt of such grant funds, the Comptroller/Auditor is  
16 hereby directed to record such information in the official books of the County for the year ending December  
17 31, 2002, as may be required

Dated this 19th day of March 2002.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by up to \$67,200.

Supervisor Juul reported that a citizen in the City of Two Rivers called a 911 dispatcher for help. The citizen  
felt that our dispatchers should be further trained in procedures to provide medical assistance.

Chairperson Markwardt reported the next County Board meeting will be April 11, 2002.

Supervisor Brey moved to adjourn at 8:20 p.m. Supervisor Swade seconded and the motion was adopted  
unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

April 16, 2002

Tuesday, 6:00 P.M.

Pursuant to Wis. Stat. Section 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the UW-Manitowoc, 705 Viebahn St, in the City of Manitowoc, being the 16<sup>th</sup> day of April, 2002, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Markwardt at 6:02 P.M.

The invocation was given by Supervisor Allan Geimer and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Supervisors Barnes, Behnke, Borremans, Brey, Bundy, Dobbs, Dufek, Geimer, Grimm, Hansen, Henrickson, Juul, Lambert, Markwardt, Muench, Mueller, Nate, Skubal, Sloan, Strauss, Swade, Vogt & Wagner. Supervisors Graunke and Kohlbeck were excused.

On motion by Supervisor Brey, seconded by Supervisor Barnes, the March 19, 2002 meeting minutes were approved on a unanimous vote.

The County Clerk announced additions to the Agenda. On motion by Supervisor Borremans, seconded by Supervisor Strauss, the agenda was approved on a unanimous vote.

Chairperson Markwardt declared the public input open at 6:08 p.m.

Corey Geiger, Reedsville, addressed the Board in opposition to the rezoning of property near his parents farm in the Town of Rockland.

Don Goeke, Manitowoc, spoke on the replacement of the existing Health Care Center and the proceeds from the sale of the property being used to offset costs of building the new facility.

Chairperson Markwardt declared the public input closed at 6:16 p.m.

APPOINTMENTS BY CHAIRPERSON

Chairperson Markwardt recommended the appointments of Robert Hoff and Paul Ertel to the Solid Waste Management System Advisory Committee to complete three year terms expiring July 2004. Supervisor Strauss moved, seconded by Supervisor Behnke, to approve the appointments. Upon vote, the motion carried unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS & ORDINANCES:

Ad Hoc Health Care Center Construction Committee: Supervisor Sloan moved, seconded by Supervisor Markwardt, to adopt Resolution 1 (2001/2002-205) Awarding the Health Care Center Contract. Upon vote, the motion carried unanimously.

No. 2001/2002 - 205

**RESOLUTION AUTHORIZING ACCEPTANCE OF BID FOR  
CONSTRUCTION OF MANITOWOC COUNTY HEALTH CARE CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Ad Hoc Health Care Center Committee received plans and specifications and  
2 advertised for bids for the construction of a new health care center; and  
3

4 WHEREAS, sealed bids were received and publicly opened and are reported to the Manitowoc County  
5 Board of Supervisors for consideration; and  
6

7 WHEREAS, the Ad Hoc Health Care Center Construction Committee recommends that the following  
8 bid be accepted for the construction of the new Manitowoc County Health Care Center;

Miron Construction	
Base Bid	\$10,007,174
Alternate Bid No. 1	\$292,472
Alternate Bid No. 2	\$188,727
Alternate Bid No. 3	Not Accepted
Alternate Bid No. 4	\$35,403
Alternate Bid No. 5	(\$14,669)
<u>TOTAL</u>	<u>\$10,509,107</u>

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the foregoing bid for the construction of the Manitowoc County Health Care Center be accepted; and

BE IT FURTHER RESOLVED that the Ad Hoc Health Care Center Construction Committee shall be dissolved and the Public Works Committee shall provide guidance and advise the Board on such policy matters as may arise during the construction of the new health care center; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk shall execute such contracts and perform such other administrative duties as may be necessary on behalf of Manitowoc County with respect to the construction of the new health care center.

Dated this 16th day of April 2002.

Respectfully submitted by the Ad Hoc Health Care Center Construction Committee.

FISCAL IMPACT: None listed.

Board of Health: Supervisor Nate reported the Backyard Compost Bin Sale will be on April 27<sup>th</sup>; the Household Clean Sweep will be held on May 18<sup>th</sup> from 9 to 1 at the Expo Grounds; the Ag Clean Sweep will be held on Friday May 17<sup>th</sup> from 8 to 10 at the Expo Grounds and from 2 to 6 in the City of Kiel. Also, on May 18<sup>th</sup> there will be a mercury thermometer exchange where you can bring in your old mercury thermometers and receive a digital thermometer replacement.

Finance Committee: Todd Reckelberg, Comptroller introduced Bradley Viegut, a representative from Robert W. Baird & Co., who discussed the bidding process for the Health Care Center Building Project bond issue.

Supervisor Grimm moved, seconded by Supervisor Brey, to adopt Resolution 2 (2001/2002-206) Awarding \$13,500,000 in General Obligation Corporate Purpose Bonds. Upon vote, the motion carried unanimously.

No. 2001/2002 - 206

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$13,500,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, on April 17, 2001, the County Board of Supervisors of Manitowoc County, Wisconsin (sometimes hereinafter called the "County") adopted a resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds in an amount not to exceed \$13,500,000 for the public purpose of financing the design and construction of a Health Care Center Facility (the "Project"); and

WHEREAS, on June 29, 2001, the County issued its \$5,000,000 Bond Anticipation Notes dated June 29, 2001 (the "2001 Notes"), to provide interim financing for the Project authorized by the Initial Resolution; and

WHEREAS, the County has now determined to issue bonds authorized by the Initial Resolution in the principal amount of \$8,500,000; and

WHEREAS, the County is also presently in need of the sum of \$5,000,000 for the public purpose of refunding the 2001 Notes, including interest on them; and

WHEREAS the County Board of Supervisors of the County deems it necessary and in the best interest of the County that said sum be borrowed pursuant to the provisions of Wis. Stat. § 67.04; and

WHEREAS, general obligation bonds authorized by the Initial Resolution in the principal amount of \$8,500,000 and general obligation bonds authorized by this Resolution in the principal amount of \$5,000,000 shall be combined into one issue of "General Obligation Corporate Purpose Bonds" in the aggregate principal amount of \$13,500,000 (the "Bonds"); and

WHEREAS the County has duly received bids for the Bonds; and

WHEREAS it has been determined that the best bid received was that submitted by A.G. Edwards & Sons, Inc. and associates;

NOW, THEREFORE, BE IT RESOLVED that the County borrow an amount not to exceed \$5,000,000 by issuing its general obligation bonds for the public purpose of refunding obligations of the County, including interest on them; and

BE IT FURTHER RESOLVED that:

Section 1. Award. The bid of A.G. Edwards & Sons, Inc. and associates, for the purchase price of \$13,500,120.15, be and hereby is accepted and the Chairperson and County Clerk are authorized and directed to execute an acceptance of the offer of said successful bidder on behalf of the County. The good faith deposit of the successful bidder shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2(A). The Bonds. The Chairperson and County Clerk shall make, execute and deliver the Bonds to said purchaser, for and on behalf of the County. The Bonds shall be negotiable, general obligation bonds of the County in the aggregate principal amount of \$13,500,000, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated May 15, 2002. The Bonds shall mature on November 1 of each of the years and in the amounts set forth below and shall bear interest at the rates per annum set forth below. The Bonds described in Section 2(B) (the "Term Bonds") shall be subject to mandatory redemption by lot on November 1 of each of the years and in the amounts specified in Section 2(B), and in the manner specified in Section 2(B).

Year	Principal Amount	Interest Rate
2003	\$ 435,000	4.00
2004	\$ 3,440,000	4.25
2005	\$ 550,000	3.40
2006	\$ 570,000	3.40
2007	\$ 590,000	3.65
2008	\$ 610,000	3.80
2009	\$ 630,000	4.00
2010	\$ 655,000	4.05
2011	\$ 635,000	4.15
2012	\$ 535,000	5.00

63	2013	\$ 535,000	4.40
64	2014	\$ 535,000	4.50
65	2015	\$ 540,000	4.65
66	2016	\$ 540,000	4.75
67	2017	\$ 540,000	4.85
68	2018	\$ 540,000	5.00
69	2019	\$ 540,000	5.00
70	2020	\$ 540,000	5.00
71	2021	\$ 540,000	5.00

72  
73 Interest shall be payable on May 1 and November 1 of each year, commencing November 1, 2002.  
74

75 Bonds maturing in the years 2013 through 2021 shall be subject to call and prior payment at the option  
76 of the County in whole or from time to time in part on November 1, 2012, or on any date thereafter at the  
77 price of par plus accrued interest to the date of redemption. The amounts and maturities of the Bonds to be  
78 redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be  
79 redeemed, the Bonds of that maturity which are to be redeemed shall be selected by lot.  
80

81 Section 2(B). Mandatory Redemption of Term Bonds. The Bonds maturing on November 1 of each  
82 of the following years are Term Bonds:  
83

84 N/A  
85

86 The Term Bonds shall be subject to mandatory redemption on November 1 of each of the years and  
87 in the amounts set forth below at the price of par plus accrued interest.  
88

89 For Term Bonds Maturing in the Year  
90

Year	Amount
------	--------

92 N/A  
93  
94

95 For Term Bonds Maturing in the Year  
96  
97

Year	Amount
------	--------

99 N/A  
100  
101

102 The Term Bonds to be so redeemed in each such year shall be selected by lot from among the Term  
103 Bonds then outstanding. Notice of each such redemption shall be given in the manner and at the times  
104 specified in the bond form established in Section 3 hereof.  
105

106 Section 3. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A.  
107

108 Section 4. Tax Provisions.  
109

110 (A) Direct Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the  
111 Bonds as the same become due, the full faith, credit and resources of the County are hereby irrevocably  
112 pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual,

irrepealable tax in such years and in such amounts as are sufficient to meet such principal and interest payments when due; said tax is hereby levied in the following years and in the following minimum amounts:

Year of Levy	Amount
2002	\$ 1,287,982.06
2003	\$ 4,006,390.00
2004	\$ 970,190.00
2005	\$ 971,490.00
2006	\$ 972,110.00
2007	\$ 970,575.00
2008	\$ 967,395.00
2009	\$ 967,195.00
2010	\$ 920,667.50
2011	\$ 794,315.00
2012	\$ 767,565.00
2013	\$ 744,025.00
2014	\$ 724,950.00
2015	\$ 699,840.00
2016	\$ 674,190.00
2017	\$ 648,000.00
2018	\$ 621,000.00
2019	\$ 594,000.00
2020	\$ 567,000.00

(B) Tax Collection. The County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(C) Additional Funds. If in any year there shall be insufficient funds from the tax levy to pay the principal of or interest on the Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

(D) Appropriation. There be and there hereby is appropriated from funds of the County on hand a sum sufficient to be deposited in the Debt Service Account to meet payments with respect to debt service due on November 1, 2002, which sum may be returned to the general fund upon collection of the taxes herein levied for the year 2002.

#### Section 5. Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund separate and distinct from every other fund, which shall



be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for \$13,500,000 'General Obligation Corporate Purpose Bonds' dated May 15, 2002" (the "Debt Service Account"), and said Account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (iv) any premium which may be received by the County over and above the par value of the Bonds and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Wis. Stat. § 67.11.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Wis. Stat. § 67.11(2)(a) in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Borrowed Money Fund. All monies received by the County upon the delivery of the Bonds to the purchaser thereof except for accrued interest and premium, if any, shall be deposited by the County Treasurer into a Borrowed Money Fund and such fund shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purposes for which the Bonds are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Wis. Stat. § 66.0603(1m). Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of said Code or Regulations.

Section 8. Fiscal Agent. The County will enter into a contract with Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") to serve as its fiscal agent with respect to the Bonds pursuant to Wis. Stat. § 67.10(2), which contract shall be in substantially the form attached hereto as Exhibit B. The Chairperson and County Clerk are hereby authorized to enter into such contract on the County's behalf. Such contract may provide among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stat. § 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

214 Section 9. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the  
215 registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any  
216 Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and  
217 payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All  
218 such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent  
219 of the sum or sums so paid.  
220

221 Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office  
222 of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the  
223 registered owner or his attorney duly authorized in writing. Upon such transfer, the Fiscal Agent shall deliver  
224 in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series  
225 and maturity and shall record the name of each transferee in the registration book. No registration shall be  
226 made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.  
227

228 The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized  
229 to execute any new Bond or Bonds necessary to effect any such transfer.  
230

231 The fifteenth day of each calendar month next preceding each interest payment date shall be the record  
232 dates for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the  
233 registered owners of the Bonds as they appear on the registration book of the Fiscal Agent at the close of  
234 business on the corresponding record date.  
235

236 Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the  
237 projects financed by the Bonds and the 2001 Notes and their ownership, management and use will not cause  
238 the Bonds or the 2001 Notes to be "private activity bonds" within the meaning of Section 141 of the Code.  
239 The County further covenants that it shall comply with the provisions of the Code to the extent necessary to  
240 maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements  
241 of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any  
242 action or permit the taking or omission of any action within its control (including, without limitation, making  
243 or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would  
244 cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or  
245 would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for  
246 federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility  
247 of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and  
248 covenanting that it will comply with the provisions of the Code and Regulations.  
249

250 (b) The County also covenants to use its best efforts to meet the requirements and restrictions of any  
251 different or additional federal legislation which may be made applicable to the Bonds provided that in  
252 meeting such requirements the County will do so only to the extent consistent with the proceedings  
253 authorizing the Bonds and the laws of Wisconsin, and to the extent that there is a reasonable period of time  
254 in which to comply.  
255

256 Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make  
257 the Bonds eligible for the services provided by The Depository Trust Company, New York, New York, the  
258 County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously  
259 executed on behalf of the County and on file in the County Clerk's office.  
260

261 Section 12. Call of Refunded Obligations. The 2001 Notes are called for prior payment on May 17,  
262 2002, or as soon thereafter as is practicable, at the price of par plus accrued interest to the date of redemption.  
263 The appropriate County officials are hereby authorized and directed to take such actions as are necessary to  
264 call the 2001 Notes for prepayment.  
265

266 Section 13. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the  
267 benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC  
268 Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and  
269 Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and  
270 operating data and timely notices of the occurrence of certain events in accordance with the Rule. The  
271 Undertaking shall be enforceable by the holders of the Bonds or by the original purchaser(s) of the Bonds on  
272 behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking

shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Records. The County Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Bonds.

Section 15. Initial Resolution. The first resolution paragraph of this Resolution shall constitute the initial resolution required under Wis. Stat. § 67.05(1) with respect to the portion of the Bonds issued to refund obligations of the County.

Section 16. Bond Insurance. If the purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 17. Closing. The Chairperson and County Clerk are hereby authorized and directed to execute and deliver the Bonds to the purchaser thereof upon receipt of the purchase price. The Chairperson and County Clerk may execute the Bonds by manual or facsimile signature, but, unless the County has contracted with the Fiscal Agent to authenticate the Bonds, at least one of said officers shall sign the Bonds manually.

The officers of the County hereby are directed and authorized to take all necessary steps to close the bond issue as soon as practicable hereafter, in accordance with the terms of sale thereof, and said officers are hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Dated this 16th day of April 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases the tax levy required for debt service by the amounts shown under Section 4, Tax Provisions.

EXHIBIT A

(Form of Bond)

REGISTERED

REGISTERED

UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
MANITOWOC COUNTY

GENERAL OBLIGATION CORPORATE PURPOSE BOND

Number	Rate	Maturity Date	Date of Original Issue	Amount	CUSIP
R-	%		May 15, 2002		

KNOW ALL MEN BY THESE PRESENTS: That Manitowoc County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to \_\_\_\_\_, or registered assigns, the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) on the maturity date specified above, together with interest thereon from May 15, 2002, or the most recent payment date to which interest has been paid, unless the date of registration of this Bond is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable on May 1 and November 1 of each year, with the first interest on this issue being payable on November 1, 2002. For the prompt payment of this Bond with interest hereon as aforesaid, the full faith, credit and resources of the County have been and are hereby irrevocably pledged.

Bonds of this issue maturing in the years 2013 through 2021 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on November 1, 2012, or on any date thereafter, at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Bonds to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Bonds of that maturity which are to be redeemed shall be selected by lot.

Bonds maturing in the years \_\_\_\_ and \_\_\_\_ are also subject to mandatory redemption by lot as provided in the Resolution authorizing the sale of the Bonds at the redemption price of par plus accrued interest to the date of redemption and without premium.

Notice of any call of the Bonds for redemption shall be given by the mailing of a notice thereof by registered or certified mail at least thirty (30) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. The principal of this Bond shall be payable only upon presentation and surrender of this Bond at the principal office of Associated Trust Company, National Association, Green Bay, Wisconsin, the Fiscal Agent, or any successor thereto. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Fiscal Agent to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Bond is transferable only upon the books of the County kept for that purpose at the principal office of the Fiscal Agent, or any successor thereto, by the registered owner in person or his duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new Bond or Bonds of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County and Fiscal Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Bond is one of an issue aggregating \$13,500,000, each of which is of like original issue date and tenor except as to numbers, interest rates, redemption privilege and maturities, issued for the following public purposes: \$8,500,000 to finance the design and construction of a Health Care Center Facility and \$5,000,000 to refund obligations of the County, including interest on them, pursuant to initial resolutions duly adopted by the County Board of Supervisors and in full conformity with the Constitution and laws of the State of Wisconsin thereunto enabling.

It is hereby recited and certified that all acts, conditions and things required by law to be done precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, time and manner; that a direct, annual irrepealable tax has been levied by the County sufficient in times and amounts to pay the interest on this Bond when it falls due and also to pay and discharge the principal hereof at maturity; and that this Bond, together with all other existing indebtedness of the County, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, Manitowoc County, Wisconsin has caused this Bond to be executed in its behalf by its duly qualified and acting Chairperson and County Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

MANITOWOC COUNTY

By: \_\_\_\_\_  
County Board Chair

(SEAL)

By: \_\_\_\_\_  
County Clerk

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

\_\_\_\_\_

the within Bond, and all rights thereunder, hereby irrevocably constituting and appointing

\_\_\_\_\_  
Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

\_\_\_\_\_

Supervisor Grimm moved, seconded by Supervisor Swade, to adopt Resolution 2a. (2001/2002-207) Denying Claim from the Village of Cleveland. Upon vote, the motion carried unanimously.

No. 2001/2002 - 207

**RESOLUTION DENYING CLAIM  
FROM THE VILLAGE OF CLEVELAND**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Village of Cleveland and its insurer, Employers Insurance of Wausau, through their  
2 attorney, has notified Manitowoc County pursuant to Wis. Stat. § 893.80 of their claim for contribution in  
3 the amount of \$50,000 as the result of injuries which are the subject of a lawsuit captioned as *Holstrom,*  
4 *Parisek, and Managed Health Services Insurance Corp. v. Employers Insurance of Wausau and Village of*  
5 *Cleveland*, Case No. 01-CV-0622 (Sheboygan County Cir. Ct.) for which venue has been changed and which

6 has now been filed as *Holstrom, Parisek, and Managed Health Services Insurance Corp. v. Employers*  
7 *Insurance of Wausau and Village of Cleveland*, Case No. 02-CV-009 (Manitowoc County Cir. Ct.); and

8  
9 WHEREAS, Manitowoc County provided a copy of the claim to its insurance carrier and the insurance  
10 carrier recommends that the claim be denied; and

11  
12 WHEREAS, the Corporation Counsel has reviewed the claim and recommends that it be denied; and

13  
14 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and  
15 recommends that the claim be denied;

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

Dated this 16th day of April 2002.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

Health Care Center Committee: Supervisor Behnke reported on the net savings to the County when two  
clients are returned home from Sheboygan County and placed at the Health Care Center verses the cost to the  
Human Services Department to house them out of the county.

Highway Committee: Supervisor Lambert moved, seconded by Supervisor Sloan, to enact Ordinance 3  
(2001/2002-208) Amending the Manitowoc County Code § 2.02 Relating to the Highway Department. Upon  
vote, the motion carried unanimously.

No. 2001/2002 - 208

#### **ORDINANCE AMENDING MANITOWOC COUNTY CODE § 2.02**

1 WHEREAS, the Manitowoc County Airport presently is classified as a free-standing department which  
2 operates under the supervision of the Manitowoc County Highway Department; and

3  
4 WHEREAS, Manitowoc County has determined that it is in its best interests to reorganize the  
5 operations at the Manitowoc County Airport so that operational services are provided by the Highway  
6 Department and managerial services are provided under contract; and

7  
8 WHEREAS, these organizational changes mean that it is no longer necessary or efficient for the  
9 Airport to exist as a free-standing department;

10  
11 NOW, THEREFORE, the Board of Supervisors of the County of Manitowoc, Wisconsin does ordain  
12 as follows:

13  
14 Manitowoc County Code § 2.02(2) is hereby deleted in its entirety.

15  
16 Manitowoc County Code § 2.02(15) is hereby amended to read as follows:

17  
18 **(15) Highway.** Provide for convenient, safe transportation of people and goods within Manitowoc  
19 County by constructing and maintaining highways of suitable standards and specifications, as provided in  
20 Wis. Stat. Chs. 80 - 86. The Commissioner of the Highway Department or his or her designees may enter  
21 into contracts with cities, villages, and towns to construct and maintain highways as authorized by Wis. Stat.  
22 § 83.035. Maintain and operate the Manitowoc County Airport located on Menasha Avenue in the City of  
23 Manitowoc, pursuant to Wis. Stat. § 114.11.

24  
25 Effective Date: Upon publication.

Dated this 16th day of April 2002.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

Human Services Board: Supervisor Hansen moved, seconded by Supervisor Nate, to adopt Resolution 4 (2001/2002-209) Authorizing Increased Hours for a Part-Time Registered Nurse Position in the Human Services Department. Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Lambert and Geimer voted no; all other supervisors voted aye.

No. 2001/2002 - 209

**RESOLUTION AUTHORIZING INCREASED HOURS FOR A PART-TIME  
REGISTERED NURSE POSITION IN THE HUMAN SERVICES DEPARTMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Human Services Department operates the Medical Assistance  
2 Personal Care Program to provide residents who are eligible for Medical Assistance benefits with personal  
3 care services; and  
4

5 WHEREAS, the Human Services Department employs a Registered Nurse for 15 hours per week (.39  
6 full-time equivalent) to oversee the Medical Assistance Personal Care Program, train care providers and  
7 certify care plans for eligible recipients; and  
8

9 WHEREAS, increasing the number of hours authorized for this position will reduce waiting lists for  
10 in-home personal care services and will help to ensure a high quality of care; and  
11

12 WHEREAS, increasing the number of hours authorized for this position will reduce group home costs  
13 paid by the Human Services Department and will result in increased administrative revenues that will offset  
14 the additional wage and fringe benefit costs, which are estimated to be \$17,907;  
15

16 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of Supervisors  
17 authorizes the Human Services Department to increase the Registered Nurse position assigned to the Medical  
18 Assistance Personal Care Program to 30 hours per week (.78 full-time equivalent) as soon as is practicable;  
19 and  
20

21 BE IT FURTHER RESOLVED the 2002 Annual Budget is hereby amended by the amount shown  
22 above and that the Comptroller/Auditor is hereby directed to record such information in the official books  
23 of the County for the year ending December 31, 2002, as may be necessary.

Dated this 16th day of April 2002.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: No additional tax levy. Additional expenses of approximately \$17,907 for wages  
and fringe benefits will be realized as revenue through administrative dollars  
earned by the program.

Supervisor Hansen moved, seconded by Supervisor Behnke, to adopt Resolution 5 (2001/2002-210)  
Authorizing Out-of-State Travel for Jerri Burkart. Upon vote, the motion carried with 21 ayes and 2 noes.  
Supervisors Sloan and Markwardt voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Jerri Burkart)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department has invested considerable resources in a comprehensive,  
2 agency-wide computer system provided by CMHC Systems, Inc. (CMHC); and  
3

4 WHEREAS, Jerri Burkart, the Department's new Computer Technician/Trainer, requires system  
5 administration training that is only offered at the CMHC headquarters in Dublin, Ohio; and  
6

7 WHEREAS, there is no charge for the training and the travel costs are included in the Human Services  
8 Department's 2002 budget; and  
9

10 WHEREAS, the Human Services Board recommends Jerri Burkart's attendance at the system  
11 administration training course that is scheduled for April 22-23, 2002;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
14 authorizes Jerri Burkart to attend a system administration training course in Dublin, Ohio, on April 22-23,  
15 2002, or on such other date as the system administration training course may be available.

Dated this 16th day of April 2002.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Total estimated cost of \$660, which is included in the Human Services Department  
2002 budget, consists of the following:

Airfare	\$292
Car rental	\$120
Meals	\$ 90
Lodging	\$158.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Hansen moved, seconded by Supervisor Muench, to adopt Resolution 6 (2001/2002-211) Approving the Acceptance of Grant Funding (Spanish for Law Enforcement Officers). Discussion followed. Upon vote, the motion carried with 19 ayes and 4 noes. Supervisors Henrickson, Dufek, Strauss, and Geimer voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDING  
(Spanish for Law Enforcement Officers)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Hispanic/Latino population is growing in Manitowoc County; and  
2

3 WHEREAS, the majority of Hispanics/Latinos residing in Manitowoc County primarily speak  
4 Spanish, while law enforcement personnel in Manitowoc County primarily speak English; and  
5

6 WHEREAS, language barriers can cause confusion and unstable conditions when law enforcement  
7 personnel make contact with Hispanic/Latino people; and  
8

9 WHEREAS, the Manitowoc County UW-Extension Office is committed to providing education  
10 through methods that are most beneficial for clientele; and  
11



12 WHEREAS, the Manitowoc County UW-Extension Advisory Committee has encouraged the UW-  
13 Extension Office to “develop and promote language immersion seminars for those working with the Hispanic  
14 community;” and  
15

16 WHEREAS, the Manitowoc County UW-Extension Family Living Educator conducted six in-service  
17 training sessions with the Manitowoc Police Department after law enforcement personnel asked for assistance  
18 in dealing with the language barrier; and  
19

20 WHEREAS, Manitowoc County and other units of government within Manitowoc County do not have  
21 funding for Spanish language classes for law enforcement personnel due to budget constraints;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is  
24 authorized to apply for and accept up \$3,200 in UW-Extension Northeast District Management Resource  
25 Dollars to pay the cost for up to forty law enforcement officers in Manitowoc County to take a “Spanish for  
26 Law Enforcement Officers” course; and  
27

28 BE IT FURTHER RESOLVED that the 2002 Annual Budget is hereby amended by the amount  
29 stated above and that the Comptroller/Auditor is hereby directed to record such information in the official  
30 books of the County for the year ending December 31, 2002, as may be required.

Dated this 16<sup>th</sup> day of April 2002.

Respectfully submitted by the Natural Resources and Education Committee.

FISCAL IMPACT: Increases revenues and expenses by an amount not to exceed \$3200.

Personnel Committee: Supervisor Vogt reported that health insurance studies show Manitowoc County employees have a high usage of counseling services. There is pending legislation that would eliminate the limits set for mental health services which could increase the expenses incurred by the county.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 7 (2001/2002-212) Amending Zoning Map for Delton Duchow; Ordinance 8 (2001/2002-213) Amending the Zoning Map for James Engelbert; Ordinance 9 (2001/2002-214) Amending Zoning Map for Charles Riederer; Ordinance 10 (2001/2002-215) Amending the Zoning Map for Norbert Koenig. Upon vote, the motion carried unanimously.

No. 2001/2002 - 212

**ORDINANCE AMENDING ZONING ORDINANCE MAP  
(Delton Duchow)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 25, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SW 1/4, NW 1/4, Section 33, T19N-R21E, Town of Rockland,  
12 commencing at the W ¼ Corner of said section 33; thence northerly approximately 33 feet to  
13 the north r/w of Woodcock Road, which is the point of real beginning; thence continue northerly  
14 approximately 225 feet; thence easterly approximately 300 feet; thence southerly approximately  
15 225 feet; thence westerly along the north r/w of Woodcock Road approximately 300 feet to the

16 point of real beginning, said parcel containing approximately 1.55 acres of land, shall be and  
17 is hereby rezoned from A3 Agriculture to A1 Agriculture.

18  
19 EFFECTIVE DATE: April 16, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 213

**ORDINANCE AMENDING ZONING ORDINANCE MAP  
(James Englebert)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 25, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE1/4, NE1/4, Section 1, T20N-R24E, Town of Two Rivers,  
12 commencing at the center of said Section 1; thence easterly approximately 1250 feet which is  
13 the point of real beginning; thence continue easterly approximately 225 feet; thence northerly  
14 approximately 400 feet; thence westerly approximately 225 feet; thence southerly approximately  
15 400 feet to the point of real beginning, said parcel containing approximately 2.0 acres of land,  
16 shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
17

18 EFFECTIVE DATE: April 16, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 214

**ORDINANCE AMENDING ZONING ORDINANCE MAP  
(Charles Riederer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 25, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 Two parcels of land located in the NW1/4, NW1/4, Section 3, T19N-R22E, Town of Cato,  
12 further described as follows:  
13

Parcel No. 1, commencing at the NW corner of said Section 3; thence easterly approximately 33 feet to the east r/w of CTH J, which is the point of real beginning; thence continue easterly approximately 800 feet; thence southerly approximately 550 feet; thence westerly approximately 800 feet; thence northerly approximately 550 along the east r/w of CTH J to the point of real beginning, said parcel containing approximately 10.10 acres of land, and

Parcel No. 2, commencing at the NW corner of said Section 3; thence easterly approximately 833 feet along the south r/w of San Road which is the point of real beginning; thence southerly approximately 975 feet; thence easterly approximately 450 feet; thence northerly approximately 975 feet; thence westerly approximately 450 feet along the south r/w of San Road which is the point of real beginning, said parcel containing approximately 10.07 acres of land,

shall be and are hereby rezoned from A3 Agriculture to GA General Agriculture.

EFFECTIVE DATE: April 16, 2002.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

No. 2001/2002 - 215

**ORDINANCE AMENDING ZONING ORDINANCE MAP  
(Norbert Koenig)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, a public hearing was held on Monday, March 25, 2002, at 7:00 p.m. at the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of testimony at the hearing and an examination of the fact attendant with the petition, has recommended the petition be approved for the reasons stated in the report attached to this ordinance;

NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as follows:

A parcel of land located in the SE1/4, NE1/4, Section 9, T21N-R24E, Town of Mishicot, commencing at the E 1/4 corner of said Section 9; thence northerly approximately 700 feet; thence westerly approximately 33 feet to the west r/w of Tannery Road, which is the point of real beginning; thence continue westerly approximately 400 feet; thence northerly approximately 550 feet; thence easterly approximately 400 feet; thence southerly along the west r/w of Tannery Road approximately 550 feet to the point of real beginning, said parcel containing approximately 5.05 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

EFFECTIVE DATE: April 16, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 11 (2001/2002-216) Amending Zoning Map for William Ebert. Upon vote, the motion carried with 17 ayes and 6 noes. Supervisors Wagner, Henrickson, Juul, Vogt, Swade, and Dobbs voted no; all other supervisors voted aye.

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 25, 2002, at 7:00 p.m. at the Manitowoc  
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
5 testimony at the hearing and an examination of the fact attendant with the petition, has recommended the  
6 petition be approved for the reasons stated in the report attached to this ordinance;  
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as  
9 follows:  
10

11 A parcel of land located in the SE1/4, NW1/4, Section 4, T19N-R21E, Town of Rockland,  
12 commencing at the center of said Section 4; thence northerly approximately 520 feet; thence  
13 westerly approximately 33 feet to the west r/w line of Jerabek Road, which is the point of real  
14 beginning; thence continue westerly approximately 600 feet; thence northerly approximately  
15 800 feet; thence easterly approximately 600 feet to said r/w line; thence southerly approximately  
16 800 feet to the point of real beginning, said parcel containing approximately 11.1 acres of land,  
17 shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
18

19 EFFECTIVE DATE: April 16, 2002.

Respectfully submitted by the Planning And Park Commission.

FISCAL IMPACT: None.

Chairperson Markwardt presented Supervisors Strauss, Grimm, Juul, Borremans, and Kohlbeck with  
Certificates of Appreciation for their years of service on the County Board. Supervisor Kohlbeck was absent.

Supervisor Borremans moved to adjourn at 7:00 p.m. Supervisor Juul seconded and the motion was adopted  
unanimously.

Respectfully submitted,

Dan Fischer, County Clerk

**COUNTY BOARD PROCEEDINGS INDEX**

**APPOINTMENTS**

**April 17, 2001 Session:**

- ▶ Board of Health: Angela Bell, Charlene Lulloff, & Dr. Henry Loomans.
- ▶ Local Emergency Planning Committee: Gary Shavlik & Alternate: Mark Juul.

**May 15, 2001 Session:**

- ▶ Board of Health: Raymond Sturzl & Supr. Jim Barnes.
- ▶ Local Emergency Planning Committee: Randy Ammerman & Alternate: Gary Sheahan, Marj LaBrecque & Roger Vetting.

**June 19, 2001 Session:**

- ▶ Local Emergency Planning Committee: Tom Bowens.
- ▶ Board of Adjustment: Laurel Vondrachek.

- ▶ Planning & Park Commission: Edward J. Spurney.
- ▶ Public Works Committee: Robert Dobbs.

**July 17, 2001 Session:**

- ▶ Solid Waste Management System Advisory Committee: William Handlos, Scott Thorenson, Randy Neils, Harvey Jannette, Donna Kieckbusch, & Mark Wendt.

**August 21, 2001 Session:**

- ▶ Local Emergency Planning Committee: Tom Bowens, Tim Veith & alternate Kevin Hoffman.

**September 18, 2001 Session:**

- ▶ Bay-Lake Regional Planning Committee: Don Markwardt.

**October 16, 2001 Session:**

- ▶ Manitowoc-Calumet Library System Board: Cheryl Kjelstrup.
- ▶ Public Works Committee: Supr. Ken Swade.
- ▶ Loan Review Board: Charles Indestadt.

**November 20, 2001 Session:**

- ▶ Human Services Board: Supr. Jim Brey, Supr. Kathie Bundy, & Supr. Kevin Behnke.
- ▶ Veterans' Service Commission: Ed Stuhr.
- ▶ Ethics Board: Atty. Katherine Reynolds.
- ▶ Local Emergency Planning Committee: Supr. Ken Swade & Alternate Supr. Mary Muench, Jim Blaha & Alternate Amy Wergin, Chris Meyer & Alternate Carl Stueck, Nancy Crowley, Randy Neils, & Gerald Wiesner.
- ▶ Manitowoc County Member of the Board of Directors of the Bay Area Agency on Aging: Donald Glaeser.

**December 18, 2001 Session:**

- ▶ Board of Health: Tony Yaggie.
- ▶ Planning & Park Commission: Jim VanLaanen.
- ▶ Manitowoc-Calumet Library System Board: Gail Fox, Supr. Kathie Bundy, & Cheryl Kjelstrup.
- ▶ Wisconsin Works Steering Committee: Dale Moschea, Tom Hilke, Cherouta Yang, & Faye Malek.

## **APPOINTMENTS cont...**

**January 15, 2002 Session:**

- ▶ Commission on Aging: Meredith Stangel, Joyce Bratz, Wilfred Gries, & Eugenia Peterson.
- ▶ Local Emergency Planning Committee: Gary Sheahan & Alternate Robert Kappelman.

**March 19, 2002 Session:**

- ▶ Long Term Support Planning Committee: Marilyn Garceau, Janice Wichlacz, Mary Ann Johnson, & Ruth Neelis.

**April 16, 2002 Session:**

- ▶ Solid Waste Management System Advisory Committee: Robert Hoff, Paul Ertel,

## **COMMUNICATIONS**

**April 17, 2001 Session:**

1. Senator Jim Baumgart - Letter Regarding the IGT Fund Agreement Between the State and the County.
2. Representative Bob Ziegelbauer - Letter Relating to the Intergovernmental Transfer Program.
3. Governor Scott McCallum - Letter Acknowledging Receipt of State-Wide Sales Tax and the Blue Ribbon Commission.
4. Jackson County - Resolution Regarding the Crisis in Agriculture.
5. Senator Jim Baumgart - Letter Acknowledging Receipt of Res. 00/01-180 Opposing the Governor's Proposed Budget Relating to Recycling and a Tipping Fee Surcharge.

6. Representative Bob Ziegelbauer - Letter Responding to Information Reported by Supr. Bob Dobbs at the March 20<sup>th</sup> County Board Meeting.
7. Brown County, Douglas County - Resolution Supporting the Kettl Commission Proposal.
8. Representative Frank Lasee - Letter Regarding the Best Practices Partnership for Children, Youth and Families Budget Initiative.
9. Supervisor Bob Dobbs - Letter Relating to Representative Ziegelbauer's Letter.
10. Douglas County - Resolution Regarding State Mandated Insurance Payments.
11. Douglas County - Resolution Regarding State Policies for Housing Probation and Parole Violation Inmates in County Jails.
12. Douglas County - Resolution Requesting the Governor and the WI Legislature to Allow Counties, by Ordinance, to Impose a Special Sales Tax for the Construction and Operation of County Jails.
13. Representative Lasee - Letter Acknowledging Receipt of Res. 00/01-180 Opposing Governor's Proposed Recycling Budget and Supporting Tipping Fee Surcharge.
14. Manitowoc County Highway Commission - Invitation to Annual Towns & Villages Meeting on April 30<sup>th</sup>.
15. Repr. Frank Lasee - Letter Regarding Agreement Between State and Counties on the Distribution of Additional IGT Funds.
16. Governor McCallum - Letter Acknowledging Receipt of Resolution Regarding Recycling Funding in the 2001-2002 Biennial Budget.
17. Office of the Governor - Letter Acknowledging Receipt of Resolutions Regarding Supporting Blue-Ribbon Commission Recommendations for Funding Human Services and the State Justice System, Supporting LRB 1866/3 & Opposing 0.1% Sales Tax Referendum.
18. National Extension Association of Family & Consumer Sciences - Letter Announcing the Mary W. Wells Memorial Diversity Award.

### **COMMUNICATIONS cont...**

#### **May 15, 2001 Session:**

1. LaCrosse County - Resolution Encouraging the WI Governor and Legislators to use Tobacco Settlement Funds as They Become Available for Tobacco Control and Treatment of Tobacco Related Disease.
2. Trempealeau County - Resolution Requesting Additional Sales Tax for Counties.
3. Waupaca County - Resolution Opposing 0.1 Percent Sales Tax Referendum.
4. Waupaca County, Florence County, LaCrosse County, Calumet County, Sauk County, Pierce County & Bayfield County - Resolution Supporting Complete Funding of Probation and Parole Violation Inmates.
5. Wood County - Resolution To Encourage State of WI Financial Support for Infrastructure Development for Local Public Health Departments.
6. Senator Baumgart - Letter Acknowledging Receipt of Resolutions 2001/2002-3,5,6,13,14,15 & 16 Regarding Numerous Issues of Interest Before the State Legislature.
7. Jan Graunke - Letter of Resignation from the Board of Health.
8. Valders High School - Letter Thanking Don Markwardt for Speaking to Students About County Government.
9. Laurel Vondrachek - Letter Requesting Reappointment to the Board of Adjustment.
10. Repr. Bob Ziegelbauer - Letter Acknowledging Receipt of Seven Resolutions from the April 17<sup>th</sup> County Board meeting.
11. Manitowoc County Unit of Wisconsin Towns Association - Invitation to Their Meeting on May 24<sup>th</sup>.
12. Repr. Frank Lasee - Letter Acknowledging Receipt of Resolutions Adopted @ the April 17<sup>th</sup> County Board meeting.
13. Senator Baumgart - Letter Regarding the Medicaid Intergovernmental Transfer Funding.
14. Dept. of Health & Human Services - A Fax Regarding the State Plan Amendment on Payment for Nursing Homes.
15. Senator Baumgart - Letter Regarding the Funding for Wisconsin Waysides.
16. City of Two Rivers - Letter Supporting Continuation of a 25-Member Board of Supervisors.

#### **June 19, 2001 Session:**

1. Buffalo County and Dodge County - Resolution Requesting Complete Funding of Probation and Parole Violation Inmates.

2. Sauk County - Resolution Opposing the Funding of Expenses for the Wisconsin Veterans Museum and Veterans Education Center from the Veterans Trust Fund.
3. Sauk County - Resolution Opposing Elimination of the Emergency Health Care Payment Benefit From the WI Dept. of Veterans Affairs Health Care Aid Grant Program.
4. LaCrosse County - Resolution Requesting WI Legislation to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation.
5. Repr. Bob Ziegelbauer - Letter Acknowledging Receipt of Resolution 2001/2002-23 Opposing Restrictions on Mandatory Overtime for Health Care workers.
6. Senator Baumgart - Letter Acknowledging Receipt of Resolution in Opposition to Restrictions on Mandatory Overtime for Health Care Workers.
7. Senator Baumgart - Letter Regarding the IGT Program.
8. Repr. Ziegelbauer - Letter Regarding Support of the WCA's IGT Agreement with DHFS and DOA.
9. Repr. Lasee - Letter Acknowledging Receipt of Res. 01/02-23 Opposing Restrictions on Mandatory Overtime for Health Care Workers.
10. Don Goeke - Copy of His Speech he Gave to the Board on May 15<sup>th</sup>.
11. Marinette County - Resolution Supporting WI Counties Association Development of a Strategic Planning Process.

### **COMMUNICATIONS cont...**

12. Human Services Board - Letter to Representatives to the State Legislature Conveying Disappointment with the Recommendation of the Joint Finance Committee to Drastically Reduce Funding to Manitowoc County for W-2 Administration and Community Reinvestment.
13. Washburn County - Resolution Requesting Complete Funding of Probation & Parole Violation Inmates.
14. Towns Association - Notification of Meeting on June 28<sup>th</sup> @ the Schleswig Town Hall.
15. The White House - Letter Acknowledging Receipt of Correspondence Regarding the Intergovernmental Transfer Program.
16. Russell Steeber - Letter Regarding the Health Care Center.
17. Douglas County - Resolution Regarding Unfunded Mandates Impacting County Courts.
18. Senator Baumgart - Letter Regarding the Intergovernmental Transfer Program.
19. Rick Henrikson - Letter Resigning from the Public Works Committee.

#### **June 19, 2001 Session:**

1. James Wyss - Manitowoc City Attorney/Personnel Director - Letter Regarding City Purchase of County Highway Shop Property.
2. Russell Steeber - Copy of His Letter to the Editor Regarding the Health Care Center.

#### **July 17, 2001 Session:**

1. Manitowoc County Villages Association - Invitation to Their Quarterly Meeting on July 18, 2001.
2. Dunn County - Resolution Supporting Wisconsin Counties Association Development of a Strategic Planning Process.
3. LaCrosse County - Resolution Supporting Welcome Home Baby Legislation.
4. LaCrosse County - Resolution Regarding Crisis in Agriculture.
5. Pierce County - Resolution to Show Non-Support for WCHSA Youth Aids Proposal and Call for Adequate, Equitable and Sustained Youth Aids Funding.
6. Shawano County, Waupaca County, & Grant County - Resolution Requesting Wisconsin Legislation to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation.
7. Racine County - Letter Regarding Opposing WCA and WCA Services, Inc.'s Promotion of Off-Reservation Gambling Facilities.
8. Governor Scott McCallum - Letter Acknowledging Receipt of Resolutions 2001/2002-13, 15, & 16.
9. Repr. Bob Ziegelbauer - Letter Acknowledging Receipt of four resolutions adopted on June 19, 2001.
10. Jim FitzGerald, DA - Letter Regarding Funding Additional Assistant District Attorneys.
11. WCA - Letter to Chief Justice Abrahamson Urging Rejection of Request to Reconsider its June 2001 Decision on the 1999 Pension Law.
12. Waushara County - Resolution in Opposition of State Budget Motion #1058 Approved by the Joint Finance Committee.
13. Senator Baumgart - Letter Acknowledging Receipt of Resolutions Relating to Various Issues Before the State Legislature.
14. James Wyss, City Attorney - Letter Regarding Closing of City Purchase of the County Highway Shop Property.

**August 21, 2001 Session:**

1. La Crosse County - Resolution Supporting WI Counties Association Development of a Strategic Planning Process.
2. Momentum Chippewa Valley - Letter Regarding Proposed Changes in Share Revenue Funding Levels from the State.

**COMMUNICATIONS cont...**

3. Dept. of Health & Human Services - Letter Regarding Intergovernmental Transfer Program.
4. Senator Jim Baumgart - Letter Acknowledging Receipt of Resolution Opposing Grace Periods for Delinquent Taxpayers Adopted by the Board.
5. Jessi Wanserski - Letter Resigning from the Revolving Loan Fund Review Board.
6. Kewaunee County - Resolution Supporting Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions.
7. Kewaunee County - Resolution Supporting Legislation to Prevent Increased Importation of Milk Protein Concentrates in the U.S. and Use of Milk Protein Concentrates in Real Dairy Products in the State of Wisconsin.
8. Representative Bob Ziegelbauer - Letter Acknowledging Receipt of Resolution 2001/2002-67 Relating to the Tax Collection System.
9. Marinette County - Resolution Opposing Reduction of and/or Limitation on County Shares of Fines and Forfeitures Imposed by the Courts Under Chapters 341 through 347, 349 and 351, of the WI Statutes.
10. Wood County - Resolution Opposing Elimination of the Emergency Health Care Payment Benefit from the WI Dept. of Veterans Affairs Health Care Aid Grant Program.
11. Wood County and Brown County- Resolution Opposing Funding of Expenses for the WI Veterans Museum and Veterans Education Center from the Veterans Trust Fund.
12. Governor Scott McCallum - Letter Acknowledging Receipt of Resolution 2001/2002-67 Regarding the Proposed Grace Period for Payment of Property Taxes.
13. Monroe County - Resolution in Support of Four Year Terms for County Board Supervisors.
14. Brown County - Resolution Opposing Eliminating the Emergency Health Care Payment Benefit From the WI Dept. of Veterans Affairs Health Care Aid Grant Program.
15. Florence County - Resolution Relating to Unfunded Mandates Impacting County Courts.
16. Metalware Corporation - Formal Offer of Property to Manitowoc County.

**September 18, 2001 Session:**

1. Oneida County & Florence County - Resolution Opposing the Passage of 2001 Senate Bill 209.
2. Oneida County & LaCrosse County & Florence County & Wood County - Resolution Opposing Reduction and/or Limitation on County Shares of Fines & Forfeitures Imposed by the Courts Under Chapters 341 Through 347, 349, and 351 of the Wisconsin Statutes.
3. Langlade County & Sauk County & Fond du Lac County & Brown County - Resolution Requesting WI Legislation to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation.
4. Langlade County - Resolution Supporting Assembly Bill 303 and Senate Bill 115 to Install a System of Full Public Funding for WI Supreme Court Elections.
5. Iowa County - Resolution Supporting Reinstatement of Funding Within State Budget for Tobacco Control Board.
6. Repr. Frank Lasee - Letter Regarding the Intergovernmental Transfer Program.
7. Outagamie County & Marathon County - Resolution Requesting WCA to Implement a Strategic Planning Process with the Goal of Aligning Itself with all Member Counties and Establishing a More Positive Relationship with the Legislature.
8. Senator Jim Baumgart - Letter Acknowledging Receipt of Resolutions from August 21<sup>st</sup> County Board meeting.
9. Repr. Bob Ziegelbauer - Letter Acknowledging Receipt of Resolutions 2001/2002-86,87, 88, & 89 from August 21<sup>st</sup> County Board meeting.

**COMMUNICATIONS cont...**



10. Marathon County - Resolution Supporting Federal Legislation to Prevent Increased Importation of Milk Protein Concentrates in the U.S. and Use of Milk Protein Concentrates in Real Dairy Products in the State of WI.
11. Marathon County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions.
12. City of Two Rivers - Resolution Supporting Consideration of the Metal Ware Property on Woodland Drive as the Site for the New Manitowoc County Health Care Center.
13. Kewaunee County - Resolution Concurring with the 2001 Annual Report of the District Comprehensive Economic Development Strategy.
14. City of Manitowoc - Letter Regarding Manitowoc County Health Care Center Proposed Woodland Drive Site.
15. Manitowoc County Villages Assn - Notification of Quarterly Meeting to be Held on October 17, 2001.

**October 16, 2001 Session:**

1. Marinette County & Florence County & Brown County - Resolution Concurring with the 2001 Annual Report of the Comprehensive Economic Development Strategy.
2. Winnebago County & Waupaca County - Resolution Supporting President's Relief Efforts Regarding Terrorist Attacks.
3. Senator James Baumgart - Letter Regarding Support for an Override of the Governor's Veto of the State Public Defender's Budget Provision.

**October 29, 2001 Session:**

1. Lincoln County - Resolution Regarding WI Counties Association Strategic Planning.
2. Green Lake County - Resolution Relating to the Attack on America.
3. Silver Lake College - Letter Regarding Storage of Student Resident Furniture at Evergreen Inn.
4. Oconto County - Resolution Concurring with the 2001 Annual Report of the District Comprehensive Economic Development Strategy.
5. Kewaunee County - Resolution Supporting Legislation to Preserve Wisconsin's Wetland Programs in the 2002 Farm Bill.
6. LaCrosse County - Resolution Supporting Four Year Terms for County Board Supervisors.
7. LaCrosse County - Resolution Requesting WI Legislation to Update Poverty Guidelines & Increase Funding to Help with Financial Pressures Imposed by the State.
8. Florence County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions.

**November 20, 2001 Session:**

1. Senator Baumgart - Letter Regarding Information on Possible Grants to Fund County Level Juvenile Delinquency Prevention Programs.
2. Repr. Ziegelbauer - Letter Acknowledging Receipt of Resolutions on SB157 & AB324.
3. Senator Baumgart - Letter Acknowledging Receipt of Resolutions from Oct. 29 County Board Meeting.
4. Dawn Tisler - Letter Supporting Implementation of Hot Lunch Program.
5. Todd LeNoble, Dairy Focus Consultant/Cargill Animal Nutrition - Letter Opposing Elimination of a County Agent.
6. Lakeshore Farm Management Assn - Letter Supporting Current Staffing @ the UW-Extension.
7. Sarah Murphy & Sandy Imhoff - Letters Supporting Implementation of a Hot Lunch Program in the Manitowoc School System.

**COMMUNICATIONS cont...**

**December 18, 2001 Session:**

1. Winnebago County - Resolution Opposing Senate Bill 248 & Assembly Bill 518: Prohibition of Municipal Ownership of Telecommunications Network.
2. Trempealeau County - Resolution Regarding the Attack on America.
3. Chippewa County - Resolution Supporting Federal Legislation to Prevent Increased Importation of Milk Protein Concentrate in the U.S. and Use of Milk Protein Concentrates in Real Dairy Products in the State of Wisconsin.
4. Chippewa County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Product to Contribute to the Costs of U.S. Dairy Promotions.
5. Winnebago County - Proclamation proclaiming December 2001 to be Honored as Veterans' Month.

6. St. Croix County - Resolution Requesting the Wisconsin Counties Association to Implement a Strategic Planning Process.
7. Repr. Ziegelbauer - Letter Acknowledging Receipt of Resolution from Nov. 20<sup>th</sup> Co. Bd. Meeting.

**January 15, 2002 Session:**

1. Shawano County - Resolution Encouraging the State Legislature to Enact Legislation that Would Allow Additional Court Costs to be Used to Establish County Security Funds Statewide.
2. Lincoln County - Resolution Supporting Federal Legislation to Prevent Increased Importation of Milk Protein Concentrate into the U.S. and Use of Milk Protein Concentrate in Real Dairy Products in the State of Wisconsin.
3. Racine County - Resolution Supporting State Budgeting for the WI Immunization Program.
4. Thomas Vracko - Letter Asking that English be Declared the Official Language of the County.
5. Lincoln County - Resolution Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions.
6. Senator Baumgart - Letter Acknowledging Receipt of Resolution 01/02-145.
7. City of Manitowoc - Resolution Concurring with the Development of a Regional Technology Zone.

**February 19, 2002 Session:**

1. Repr. Bob Ziegelbauer – Letter Acknowledging Receipt of Resolutions from December 18, 2001 County Board meeting.
2. Polk County – Resolution Encouraging the State Legislature to Enact Legislation that Would Allow Additional Court Costs to be Used to Establish Court Security Funds Statewide.
3. Winnebago County, Marinette County, City of Two Rivers, Outagamie County, Oconto County, Brown County – Resolution Authorizing a Multi-County Application for the Wisconsin Department of Commerce Technology Zone.
4. Wood County – Resolution Requesting the State of Wisconsin Share 60% of the Expense of the Collection Deputy Position of any County that Employs an Individual to Increase the Collection Rate, Enhancing the Revenue at Both the State and County Level.
5. Senator Baumgart – Letter Acknowledging Receipt of Resolutions from the December 18, 2001 County Board meeting.
6. Wood County – Resolution Congratulating Mark O’Connell as Newly Appointed WCA Executive Director and to Encourage Renewed Efforts in Effectiveness on Behalf of Wisconsin Counties.
7. Door County – Resolution Requesting Reform of NWTC Practices and Funding Policies.
8. Michael Jinks, Garden Philosopher – Letter Asking to Reconsider Building of Commercial or Other Retail Businesses on the Site of the Old Health Center.

## **COMMUNICATIONS cont...**

**March 19, 2002 Session:**

1. Kewaunee County, Sheboygan County, Florence County, Calumet County – Resolution Regarding Authorization to Submit a Multi County Application for the Wisconsin Dept. of Commerce Technology.
2. Winnebago County, Lincoln County – Resolution Encouraging Enactment of Legislation to Allow Additional Court Costs for Use to Establish Court Security Fund Statewide.
3. Ozaukee County – Resolution Regarding Exemption from County Library Tax.
4. Jackson County – Resolution in Support of Legislation Permitting the Imposition of Additional Court Costs to be used for County Courthouse Security.
5. Jackson County – Resolution Regarding Adopting English as its Official Language.
6. Pierce County, Lafayette County – Resolution Requesting the Wisconsin Counties Association to Implement a Strategic Planning Process.
7. Pierce County – Resolution to Protest State Decrease in Intoxicated Driver Program Supplemental Funding.
8. Brown County – Resolution Regarding State Funding for Long Term (12 or more Months) Mental Health Inpatient Hospitalizations at State Institutions.
9. Towns Association – Meeting on Thursday, March 21, 2002 at 8:00 p.m.

10. Senator Baumgart – Letter Acknowledging Receipt of Resolution 2001/2002-171 Opposing the Governor’s Proposed Budget and 2001/2002-177 Opposing Senate Bill 248 and Assembly Bill 518 Relating to the Telecommunications Industry.
11. WHEDA – Letter Regarding “Manitowoc Place” Development.
12. Lafayette County – Resolution Congratulating Mark O’Connell as Newly Appointed WCA Executive Director and to Encourage Renewed Efforts in Effectiveness on Behalf of Wisconsin Counties.
13. Manitowoc Public Library – Letter Regarding Participation in Library Planning Process.

**April 16, 2002 Session:**

1. Don C. Markwardt - Proclaiming April 1-7, 2002 as National Public Health Week throughout the County.
2. Dunn County - Resolution Urging the Governor and Legislature to Either Enact a Plan that Properly Compensates Counties and Local Units for Hosting Utility Sites or Returns the Property Taxing Authority to These Jurisdictions for Utility Property.
3. Florence County - Resolution Supporting Federal Legislation to Prevent Increased Importation of Milk Protein Concentrates in the U.S. and Use of Milk Protein Concentrates in Real Dairy Products in the State of Wisconsin.
4. Governor McCallum - Letter Regarding the State Budget and the State Tax Environment.
5. Manitowoc County Villages Association - Quarterly Meeting on Wednesday, April 17<sup>th</sup> in St. Nazianz.
6. Racine County - Resolution by the Legislative Committee Opposing Senate Bill 232 and Assembly Bill 294 Which Would Allow the Awarding of Compensation and Punitive Damages Under the Wisconsin Fair Employment Act.
7. Heritage Real Estate - Letter Regarding Purchase/Sale of Property Adjacent to the Evergreen Inn Property.
8. Attorney General John Ashcroft - Letter Regarding the Homeland Security Advisory System.
9. Senator Baumgart - Letter Acknowledging Receipt of Resolution 2001/2002-187 Relating to the Elimination of Shared Utility Tax Payments.
10. Brown County and Waupaca County - Resolution Encouraging the State Legislature to Allow Additional Court Costs to be Used to Establish Court Security Funds Statewide.

**PETITIONS**

**April 17, 2001 Session:**

1. David & Beverly Endries - Town of Eaton.
2. David Pekarske - Town of Cato.
3. Donald Bubolz - Town of Maple Grove.
4. Tim Thor - Town of Rockland.
5. Theodore J. Thorne - Town of Gibson.

**May 15, 2001 Session:**

1. John Ziegler - Town of Meeme.
2. Roger Borgwardt - Town of Liberty.
3. Veterinary Associates, LLC - Town of Maple Grove
4. Manitowoc County Planning & Park Commission -Ordinance Amendment Adopting Chapter 21 of the Manitowoc County Code Entitled “Manitowoc County Non-Metallic Mining Reclamation Ordinance”.

**June 19, 2001 Session:**

1. Alan E. Miller - Town of Mishicot.
2. Craig & Gary Kohls - Town of Mishicot.
3. Jon & Kelly Miller - Town of Gibson.
4. Steve Fredericks & Debbie Thompson - Town of Cooperstown.
5. Dolores Avery - Town of Gibson.

**July 17, 2001 Session:**

1. Henry Schurr - Town of Manitowoc.
2. Richard E. Raynier - Town of Mishicot.

**August 21, 2001 Session:**

1. Mary Ellen Kiel - Town of Cato.
2. Duane & Mary Argall - Town of Gibson.
3. Charles & Elizabeth Petrie - Town of Schleswig.
4. Timothy M. Martinez - Town of Manitowoc Rapids.
5. LeRoy & Tom Fischer - Town of Manitowoc Rapids.

**September 18, 2001 Session:**

1. Manitowoc County Planning & Park Commission - Manitowoc County.

**October 16, 2001 Session:**

1. Warren D. & Edward D. Heckmann - Town of Meeme.
2. David S. Rodney - Town of Gibson.
3. Jerry Pravechek - Town of Mishicot.
4. Travis Riesterer - Town of Mishicot.
5. Kevin & Melany Kumbalek - Town of Manitowoc Rapids.
6. Warren Otto (Time Warner Cable) - Town of Liberty.
7. Manitowoc County Planning & Park Commission - Text Amendment to Chapter 4, Section 4.13(2) Fees.

**PETITIONS cont....**

**November 20, 2001 Session:**

1. James & Marsha Guex - Town of Gibson.
2. Alan Schilke - Town of Gibson.
3. Airport Advisory Committee - Zoning Text Amendment - Ch. 20.

**December 18, 2001 Session:**

1. **Town of Cato** - Braun Bridge
2. **Town of Centerville** - Albrecht Bridge, Bauman Bridge, Fischer Bridge, Heinzen Bridge, Jaeger Bridge, Jones Bridge, Koenig Bridge, Kowalski Bridge, Leiteritz Bridge, Lutze Bridge, Minister Bridge, Salm Bridge, Saxton Bridge, Stemper Bridge, Stuckman Bridge, Vareka Bridge
3. **Town of Cooperstown** - Hostak Bridge, Radtke Road Bridge, Rameker Road Bridge
4. **Town of Eaton** - Quarry Road Bridge, Ristow Bridge
5. **Town of Franklin** - Borman Bridge, Falvey Bridge
6. **Town of Gibson** - Lesmonde Bridge, Old "Y" Bridge
7. **Town of Kossuth** - Keil Bridge
8. **Town of Manitowoc** - Knuth Bridge
9. **Town of Maple Grove** - Sheahan Bridge
10. **Town of Meeme** - Harfman Bridge, Heckmann Bridge, Siemers Bridge
11. **Town of Rockland** - Boxwood Road Bridge

**January 15, 2002 Session:**

1. Cheryle Jandrey - Town of Rockland.

**February 19, 2002 Session:**

1. Steven D. Schleunes - Town of Manitowoc.
2. Richard R. & Rosemarie Grajek - Town of Manitowoc Rapids.
3. River Central, LLP - Kevin Ramminger - Town of Manitowoc Rapids.

**March 19, 2002 Session:**

1. Norbert Koenig - Town of Mishicot
2. James & Margaret Englebert - Town of Two Rivers.
3. Bill & Sue Ebert - Town of Rockland.
4. Delton A. & Cheryl M. Duchow - Town of Rockland.
5. Charles Riederer - Town of Cato.

**April 16, 2002 Session:**

1. Ric & Lynnette Walt - Town of Cato.
2. S.E. Rusty Strauss - Town of Manitowoc Rapids.
3. Ronald & June Cleveringa - Town of Manitowoc Rapids.

\* Denotes an Ordinance.

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