



District No. 15 - Town of Eaton; Town of Liberty (W1,2); Town of Rockland (W1); Village of St. Nazianz -	Catherine E. Wagner
District No. 16 - Town of Franklin (W2); Town of Maple Grove; Town of Rockland (W2); Village of Reedsville (W1,2) -	Marion J. Nate
District No. 17 - Town of Franklin (W1); Town of Kossuth (W1); Town of Mishicot (W4); Village of Kellnersville; Village of Mishicot (W1,2) -	Susie Maresh
District No. 18 - Town of Cato (W1,2); Village of Valders; Village of Whitelaw -	Mary Muench
District No. 19 - Town of Cooperstown (W1,2); Town of Gibson (W1,2); Town of Mishicot (W3); Village of Maribel -	Robert Rasmussen
District No. 20 - Town of Mishicot (W1,2); Town of Two Creeks; Town of Two Rivers (W2,4) -	Glen Skubal
District No. 21 - Town of Kossuth (W2,3); Town of Manitowoc (W2); Town of Manitowoc Rapids (W2,3); Village of Francis Creek -	Lee A. Braunel
District No. 22 - Town of Two Rivers (W3); City of Two Rivers (Wards 1,2,3) -	Michael J. Bauknecht
District No. 23 - City of Two Rivers (Wards 4,5) -	Rick Henrickson
District No. 24 - City of Two Rivers (Wards 6,7) -	Bob Dobbs
District No. 25 - Town of Manitowoc (W3); Town of Two Rivers (W1); City of Two Rivers (Wards 8,9) -	David E. Gauger

Dated this 20th day of April, 2004.

Respectfully submitted:

Char Peterson  
County Clerk

All members elected to a two-year term - April 20, 2004 to April 18, 2006.

Roll call: 24 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisor Graunke was excused.

Establish the Rules: Supervisor Brey moved, seconded by Supervisor Sloan, to enact Ordinance 1 (2004/2005-1) Adopting County Board Rules for the County Board Elected in April 2004. Upon vote, the motion carried unanimously.

No. 2004/2005 - 1

**ORDINANCE ADOPTING COUNTY BOARD RULES  
FOR THE COUNTY BOARD ELECTED IN APRIL 2004**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County Code § 1.02(5) provides that the County Board may adopt and amend rules of procedure governing county board operations; and

WHEREAS, the County Board desires to adopt rules incorporating changes that are beneficial to the

5 efficient and effective operation of the County's business; and

6  
7 WHEREAS, the County Board recognizes that careful consideration must be given to all such  
8 changes in its rules or procedure;

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

12  
13 The Manitowoc County Board Rules for the County Board Elected April 2004, a copy of which  
14 is attached hereto and incorporated herein by reference, are adopted and shall be in effect for  
15 the 2004-2006 term of the Manitowoc County Board of Supervisors.

Dated this 20th day of April 2004.

Respectfully submitted by Don C. Markwardt, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

### **MANITOWOC COUNTY BOARD RULES COUNTY BOARD ELECTED APRIL 2004**

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|---|---|
| 1. Applicability Of Rules To County Board, Committees, Subunits, and Other Governmental Bodies. | 19. Exclusion of County Board Members from Closed Sessions.               |
| 2. Open Meetings Compliance.  | 20. Members Opportunity to Speak at Meetings.                             |
| 3. General Meeting Procedures.  | 21. Non-Members Opportunity to Speak During Public Input.                 |
| 4. County Board Meetings.   | 22. Non-members Opportunity to Speak During Debate.                       |
| 5. Joint Committee Meetings.  | 23. Motions and Questions.  |
| 6. County Board Committees.   | 24. Petitions, Resolutions, Ordinances, Written Motion, and Other Papers. |
| 7. Select County Board Committees.  | 25. Fiscal Impact Statement and Fiscal Note.                              |
| 8. Appointments to Boards, Commissions, and Other Governmental Units.                           | 26. Legal Note.   |
| 9. Meeting Agenda.  | 27. Action by Unanimous Consent.  |
| 10. County Board Agenda.  | 28. Voting.   |
| 11. Agenda for Committees, Subunits, and Other Governmental Bodies.                             | 29. Expense Reimbursement.  |
| 12. County Board Chair and Vice-Chairs.   | 30. Claims Against the County.  |
| 13. County Board Documents and Mailings.  | 31. Budgets, Funds, and Funding.  |
| 14. Attendance.   | 32. Purchase and Sale of Real Property.                                   |
| 15. Verification of Attendance.   | 33. County Contracts, Leases, And Agreements.                             |
| 16. Quorum.   | 34. Requests for Legal Opinions.  |
| 17. Minutes.  | 35. Rules of Construction and Severability.                               |
| 18. Closed Sessions.  | 36. Effective Date and Repeal of Prior Rules.                             |

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**1 Applicability Of Rules To County Board, Committees, Subunits, and Other Governmental Bodies.** These rules shall apply to the meetings of County Board, its committees, subunits, and other Manitowoc County governmental bodies.

**2 Open Meetings Compliance.**  
**(a) Policy.** It is the policy of Manitowoc

County that the public is entitled to have access to the fullest and most complete information regarding the affairs of County government as is compatible with the conduct of County affairs and the transaction of County business. All meetings, including closed sessions authorized by Wis. Stat. § 19.85 shall be held in compliance with the requirements of the Wisconsin Open Meetings

Law.

**(b) Meeting Notice.** All meetings shall be preceded by a public notice as specified in Wis. Stat. § 19.84. Each meeting notice shall set forth the time, date, place, and subject matter of the meeting, including any matter intended for consideration in closed session, in such form as is reasonably likely to apprise members of the public and the news media of the nature and purpose of the meeting. The notice shall also apprise members of the public that the governmental body may reconsider any action taken at the previous meeting without additional notice.

**(c) Unintended Quorums.** Members of the Manitowoc County Board of Supervisors are entitled to attend the meetings of subunits of the County Board, even when they are not members of the subunit. It is possible that the attendance of one or more non-member Supervisors at such a meeting may result in the creation of a quorum of another subunit of the County Board. Such a quorum is unintended and the non-member supervisors are not meeting for the purpose of and shall not exercise the responsibility, authority, power, or duties of any other subunit of the County Board.

**(d) No additional public notice** shall be required for any meeting of a subunit of the County Board which is held during a recess from or immediately following a meeting of the parent group, provided that the person presiding at the meeting of the parent group publically announces the time, place, and subject matter of the subunit meeting prior to the time the subunit meeting convenes.

### **3 General Meeting Procedures.**

**(a) Rules of Procedure.** All meetings shall be conducted in accordance with ROBERT'S RULES OF ORDER (NEWLY REVISED), as modified by these rules. No past practice, rule, or action shall be binding unless codified in these rules. No action shall be invalidated solely because of a failure to comply with ROBERT'S RULES or these rules.

**(b) Powers of Person Presiding.** The person presiding at a meeting shall have

the general powers to recognize members or other persons entitled to the floor; to state and put to a vote all questions which are moved and seconded or which arise during the course of a meeting; to announce the results of votes or other actions; to protect the meeting from all frivolous or dilatory actions; to decide all questions of order, subject to appeal to the assembly as a whole; to take such action as is necessary to expedite the business of the assembly; to take such action as is necessary in case of any disturbance, breach of decorum, or disorderly conduct; and to perform all other duties prescribed by statute, ordinance, or rule.

**(c) Placing Documents on File.** The person presiding at a meeting may direct that any appropriate document be distributed to the members or placed on file among the records of the meeting, or both.

**(d) Suspension Of Rules.** Except as provided herein, any rule may be temporarily suspended by a vote of two-thirds of the members present. Immediately upon completion of the business for which the rules were suspended, the rules set forth herein shall automatically be reinstated without requiring any further vote.

**(e) Amendment Of Rules.** These rules may be amended by a majority vote of the members of the County Board. An amendment may be voted upon only if it has been reduced to writing and distributed to the members of the County Board at least five days prior to the meeting at which it is presented to the County Board for adoption.

**(f) Exception to Suspension, Alteration, or Amendment of Rules.** Rule 31 pertaining to Budgets, Funds, and Funding shall not be suspended, altered, or amended except by a unanimous roll call vote.

**(g) Decorum.** Decorum shall be maintained at all times by members, interested parties, the public, and the media present at a meeting. The person presiding at a meeting is authorized to take such lawful and appropriate action as may be necessary to maintain decorum.

### **4 County Board Meetings. (a)**

**Organizational Meeting.** The County Board shall meet on the third Tuesday of April in each even numbered year to organize and to elect a Chair, First Vice-Chair, and a Second Vice-Chair for the duration of the two-year term. The Board may also transact business, including any business permitted at the annual meeting.

**(b) Annual Meeting.** The County Board shall hold an annual meeting on the last Monday of October in each year, except that the annual meeting shall be held on the first Monday in November in any year that the last Monday in October is the last day of the month.

**(c) Regular Meetings.** The County Board shall hold a regular monthly meeting on the third Tuesday of each month, except that the meeting shall be held on the fourth Tuesday of the month if a primary or general election for a seat on the County Board of Supervisors is held on the third Tuesday, and any regular meeting may be rescheduled to another date and time by the County Board Chair with such notice as is appropriate under the circumstances.

**(d) Special Meetings.** The County Board may call a special meeting as provided for in Wis. Stat. § 59.11(2) (1997-98).

**(e) Emergency Meetings.** The County Board Chair or, in his or her absence, either Vice-Chair may call an emergency meeting upon at least two hours notice in the event of a declared emergency. The person calling the meeting shall include a declaration of emergency as part of the meeting notice. Upon convening, the County Board shall ratify the existence of the emergency as a condition of proceeding further. For purposes of this rule, an emergency is deemed to exist if, at the time the meeting is called, time is of the essence and a delay in meeting is likely to or will actually result in substantial damage, injury, or harm to the County, its residents, or property.

**(f) Meeting Time.** All meetings of the County Board shall commence at 7:00 p.m. or as soon after as may be practical, unless another starting time is specified in the

meeting notice.

## **5 Joint Committee Meetings.**

**(a)** By majority vote, any committee may request a joint meeting with another committee on matters of common concern.

**(b)** When a joint committee meeting is requested, the chairs of the respective committees shall cooperate in preparing for the meeting. The committee chairs shall agree on when and where the meeting will take place, who is to preside at the meeting, who will take minutes of the meeting, and all other arrangements for the joint meeting. The person who presides at the meeting shall be responsible for providing notice of the meeting and for conducting the joint meeting.

**(c)** In the event that differences arise which the respective committee chairs cannot resolve, the chair of any affected committee may ask the County Board Chair to intervene. The County Board Chair shall have the authority to order such action as is necessary to ensure the success of the joint committee meeting.

**(d)** Each Committee participating in a joint meeting shall vote separately on any matters that come before the joint meeting.

## **6 County Board Committees.**

**(a)** All matters pertaining to county organizational or administrative power shall be broadly construed in favor of the will of the County Board as set forth in these rules and consistent with the scope of authority as set forth in Wis. Stat. § 59.03.

**(b)** Every member of the Board shall serve on at least one standing committee.

**(c)** Standing committees shall be appointed by the County Board Chair as soon as practicable after the April reorganization meeting and, in no event, later than the next regular meeting of the board. County Board members appointed to standing committees shall serve for two years or until the expiration of the member's term, whichever is earlier.

**(d)** The County Board Chair shall

appoint all committee chairs, except for any committee whose membership is authorized by statute to elect its own chair. Committees shall elect their own vice-chairs and secretaries.

(e) The County Board Chair or the chair of the affected committee may seek to replace any member of a committee when the member's service has been found to be unsatisfactory or when personality conflicts within the committee require a change. The County Board may remove a member from any or all committees by a vote of two-thirds of the County Board members present.

(f) The County Board Chair shall appoint a replacement to fill any vacancy that occurs on a committee for any reason.

(g) Each committee shall be the public focal point for all programs and activities under its supervision and within its jurisdiction.

(h) The committee chair or a majority of the committee may call and schedule such committee meetings as are appropriate and necessary.

(i) A committee shall deny consideration to any ordinance, resolution, or motion which is substantially similar to any ordinance, resolution, or motion brought before the committee on three or more occasions during any 365-day period. An ordinance, resolution, or motion may be considered substantially similar despite the fact that a different individual brings it before the committee for action. A committee may waive application of this rule only for good cause upon two-thirds vote of the entire committee membership.

**7 Select County Board Committees.** (a) The County Board Chair may appoint select committees as the need arises, subject to approval by a majority of the County Board.

(b) Select committees shall perform such specific tasks as directed or ordered by the County Board Chair.

(c) Select committees may be dissolved at any time by order of the County Board Chair and shall be dissolved upon completion of the specific task for which the committee was created.

**8 Appointments to Boards, Commissions, and Other Governmental Units.** (a) Except where otherwise provided by state law, a County Board member who is appointed to a board, commission, or other governmental unit shall serve the full term for which he or she was appointed or until he or she ceases to be a County Board member, whichever occurs first.

(b) In the event of a vacancy on the County Board, the County Board Chair shall promptly appoint a person who is a qualified elector and resident of the unrepresented supervisory district to fill the unexpired portion of the term. The County Board shall vote at its first meeting following the appointment vote whether to approve the appointment. If the County Board does not approve the appointment, the members of the County Board shall offer nominations of persons who are qualified electors and residents of the unrepresented supervisory district to fill the vacancy and shall elect a person to fill the unexpired portion of the term.

**9 Meeting Agenda.** (a) A meeting agenda shall be prepared for all meetings of the County Board, committees, subunits, and other governmental bodies.

(b) The regular order of business for any meeting may be modified as necessary to accommodate the matters to be addressed at the meeting.

**10 County Board Agenda.** (a) The County Board Chair shall have an agenda prepared for each meeting and the County Clerk shall assist in the preparation of the agenda. The Chair shall determine the order in which communications, unfinished business, reports, and other business appeared on the agenda for each meeting. The Chair may rotate the order in which reports are presented from one meeting to the next.

**(b)** The regular order of business shall be as follows:

Call to Order by Chair  
Invocation  
Pledge of Allegiance  
Open Meetings Law Compliance  
Roll Call  
Approval of Minutes  
Additions or Deletions to Proposed Agenda  
Public Input  
Communications  
Unfinished Business, Including Any Motions to Reconsider Actions Taken at Last Meeting  
Reports of County Officials, Officers, and Department Directors  
Appointments  
Committee Reports, Including Petitions, Resolutions, and Ordinances  
Other Business, Including Claims and Such Other Matters as Are Authorized by Law  
Adjournment

**(c)** The regular order of business for the April reorganization meeting shall be as follows:

Call to Order by Chair  
Invocation  
Pledge of Allegiance  
Open Meetings Law Compliance  
Swearing in of Elected Supervisors  
Roll Call  
Approval of Rules  
Election of Officers (Chair, First Vice-chair, Second Vice-chair)  
Approval of Minutes  
Additions or Deletions to Proposed Agenda  
Public Input  
Communications  
Unfinished Business, Including Any Motions to Reconsider Actions Taken at Last Meeting  
Reports of County Officials, Officers, and Department

Directors  
Appointments  
Committee Reports, Including Petitions, Resolutions, and Ordinances  
Other Business, Including Claims and Such Other Matters as Are Authorized by Law  
Adjournment

**(d)** In the event that the County Board needs to convene in closed session, the closed session will normally be placed on the agenda following the conclusion of Other Business and before Adjournment.

**(e)** Any matter which is not on the agenda that comes before the County Board shall be referred to the appropriate committee by the County Board Chair.

**(f)** The County Board Chair may make the County Board aware of any correspondence received by the County Board Chair and may direct the County Clerk to read such correspondence to the County Board. Anonymous correspondence will not be read.

## **11 Agenda for Committees, Subunits, and Other Governmental Bodies.**

**(a)** The person presiding at the meeting of any committee, subunit, or other governmental body shall have an agenda prepared for each meeting.

**(b)** The regular order of business for committees, subunits, and other governmental bodies shall be as follows:

Call to Order by Chair  
Open Meetings Law Compliance  
Roll Call or Other Verification of Attendance  
Approval of Minutes  
Additions or Deletions to Proposed Agenda  
Public Input (Optional)  
Reports  
Unfinished Business, Including Any Motions to Reconsider Actions Taken at Last Meeting  
New Business, Including Claims and Such Other Matters as Are Authorized by Law

## Adjournment

**12 County Board Chair and Vice-Chairs.** (a) The County Board Chair shall preside at all meetings of the County Board, the Chairperson's Advisory Committee, and the Executive Committee. In the absence of the Chair, the First Vice-Chair shall preside. In the absence of the Chair and First Vice-Chair, the Second Vice-Chair shall preside. In the absence of all three persons, the County Board may elect a temporary chair to preside at a meeting.

(b) The Chair of the previous County Board shall call the new County Board to order at the Organizational Meeting. In the absence of the Chair, the First Vice-Chair shall preside. In the absence of the Chair and First Vice-Chair, the Second Vice-Chair shall preside. In the absence of all three persons, the County Clerk shall call the meeting to order and preside over the election of a temporary Chair, who shall not be eligible to run for County Board Chair. The person presiding shall conduct all matters of business on the agenda up to and including the election of a Chair for the new County Board. However, no person may preside over an election in which he or she is a candidate. Once a County Board Chair has been elected, the new Chair shall preside over the remainder of the elections and the agenda.

(c) The County Board Chair shall be an ex-officio member of every County Board committee of which he or she is not a regular member and may attend all committee meetings unless prohibited pursuant to state law or county ordinance.

(d) The County Board Chair, the First Vice-Chair, and the Second Vice-Chair shall constitute the Executive Committee and shall perform any and all duties required to be performed by statute, ordinance, or rule by members of the Executive Committee.

**13 County Board Documents and Mailings.** (a) The committee chair or the sponsor of a resolution, ordinance, or written motion shall submit a copy to the County Clerk at least one week before the regular meeting at which it is to be reported to the

County Board.

(b) The County Clerk will provide a copy of each resolution, ordinance, or written motion to the Comptroller and Corporation Counsel for review.

(c) The County Clerk shall mail a copy of the agenda, resolutions, ordinances, and written motions included on the agenda to each Supervisor not less than five days before the meeting, except as hereinafter provided.

(d) The County Board Chair may direct that the County Clerk provide the members of the County Board with copies of any communications or other papers addressed to the County Board either as part of an agenda mailing, in a separate mailing, or in person at a County Board meeting.

(e) For a special meeting of the County Board, except declared emergency meetings, the mailing of the agenda and related documents shall be at least 72 hours prior to the time set for the meeting.

(f) No additional mailing for a regular or special meeting shall be required when the County Board is in continuous session or meets on consecutive business days.

(g) Copies of late resolutions, ordinances, written motions, and other papers shall be provided to the County Board at the time of the meeting and may be considered by the County Board if the matter has been properly noticed in accordance with the Wisconsin Open Meetings Law.

(h) The County Clerk shall have copies of the proposed budget distributed to each Supervisor and the Corporation Counsel at or before the first regular meeting after the County Clerk has received a copy of the proposed budget that has been adopted by the Finance Committee.

(i) The County Clerk shall keep at least one copy of the agenda and related materials on file for public review.

**14 Attendance.** Attendance at all meetings is mandatory, but the County Board



Chair or the person presiding at a meeting may excuse the absence of a member from the meeting.

**(b)** A member shall notify the County Clerk of an expected absence from any meeting at least two hours prior to the start of the meeting. If the meeting is held outside normal business hours, the member shall notify the County Clerk prior to the close of business on the day of the meeting. The County Clerk shall report the expected absence to the person presiding at the meeting, and that person shall determine whether to excuse the absence.

**(c)** No member shall absent himself or herself from a meeting while the meeting is in session without leave of the person presiding.

**(d)** All absences from or during a meeting shall be noted in the minutes of the meeting along with an indication of whether the absence was excused.

**(e)** The person presiding over a committee, subunit, or other governmental body shall report to the County Board Chair the name of any member of the committee, subunit, or other governmental body who accumulates three or more unexcused absences within a year from properly noticed meetings of committee, subunit, or other governmental body. The County Board Chair shall report to the County Board the name of any member of the County Board, its committees, subunits, or other governmental bodies who accumulates three unexcused absences within a year from properly noticed meetings of the County Board, its committee, subunits, or other governmental bodies.

**(f)** The County Board may, consistent with the requirements of Wisconsin law, take such action as it deems appropriate with respect to any person who accumulates three or more unexcused absences within a year. Such action may include censure, suspension, or removal from the committee, subunit, or other governmental body.

**(g)** Any member may bring a motion for a call of the house. In the absence

of a quorum, a majority of those members present may order a call of the house. A member who has been excused from a meeting shall not be subject to a call of the house.

#### **15 Verification of Attendance.**

The person presiding at a meeting shall direct that a roll call or other action be taken to record the names of the members in attendance whenever a meeting convenes or reconvenes.

**16 Quorum.** A majority of all members shall constitute a quorum. Any business conducted in the absence of a quorum, except for procedural actions to adjourn, fix the time for adjournment, recess, or take measures to obtain a quorum, shall be null and void. A member may raise a point of order related to the absence of a quorum and may request a roll call to determine whether a quorum is present.

**17 Minutes. (a)** Minutes shall be kept of each meeting and shall include the name of the person who took the minutes, a record of attendance at the meeting, a record of the motions, and a record of all votes taken. Minutes may, at the direction of the person presiding, contain a description of the views expressed and a summary of any actions taken along with the reason for the action. Separate minutes shall be kept for each closed session.

**(b)** A draft of the minutes of every open session shall be available in the office of the County Clerk within one week after each meeting and, once approved, a signed copy of the minutes shall be filed in the office of the County Clerk within one week of approval. The minutes from any open session shall be open to the public for inspection and copying.

**(c)** A draft of the minutes of every closed session shall be provided to the office of the County Clerk within one week after each meeting and, once approved, a signed copy of the minutes shall be provided to the office of the County Clerk within one week of approval. The minutes of any closed session shall remain closed to the public for so long as the reason for convening the closed session continues, but shall become open to the public

for inspection and copying once the reason for convening the closed session has ended.

(d) Each member shall read the minutes of the last meeting before the next meeting. Any corrections to the minutes shall be made at the next adjourned or regular meeting, whichever comes first. In the event that there is a question about whether a particular correction should be made, the matter shall be determined by majority vote in accordance with these rules.

(e) The County Clerk shall provide one copy of the minutes of any meeting to any member of the County Board upon request and without charge.

(f) A copy of the approved minutes of each County Board meeting shall be printed in the Manitowoc County Board proceeding book.

**18 Closed Sessions.** (a) Every meeting shall initially be convened in open session. The meeting may subsequently convene in closed session if one of the exemptions in Wis. Stat. § 19.85(1) applies; the meeting notice has provided for a closed session or the need for a closed session was not known to the person providing the meeting notice at the time that notice was given; and a majority votes to convene in closed session.

(b) Whenever a closed session is anticipated at the time the agenda for a meeting is prepared, the person preparing the agenda shall provide notice of the anticipated closed session.

(c) Closed sessions should be held sparingly and only when necessary to protect the public interest. If there is any doubt about whether a closed session is permitted, the meeting should be held in open session.

(d) Discussions held during closed session shall be limited to the business specified in the public notice or other announcement of the closed session.

(e) Closed sessions are authorized by Wisconsin law when necessary to protect

the public interest and only when holding an open session would be incompatible with the conduct of government affairs. Discussions held, information presented or obtained, and actions taken during closed sessions are deemed to be Confidential Information and, except as required by law, shall not be disclosed without the approval of the governmental body that authorized the closed session.

(f) When the reason for holding the closed session has passed, the results of any formal action shall be made public, and discussions held and information presented or obtained during a closed session may be disclosed if the governmental body that authorized the closed session authorizes the disclosure.

(g) Disclosure of Confidential Information without proper legal authorization violates MCC § 5.06(3)(e) and is punishable by forfeiture.

**19 Exclusion of County Board Members from Closed Sessions.** (a) No County Board member may be excluded from any meeting or session, whether open or closed, of the County Board.

(b) A County Board member may be excluded from a meeting of a committee or subunit of the County Board by a majority vote if the subject of the closed session directly concerns the County Board member, a relative of the County Board member, or someone maintaining a confidential relationship with the County Board member.

(c) For purposes of this rule, the term “relative” shall include any aunt, brother, child, daughter-in-law, father-in-law, first cousin, foster child, grandparent, mother-in-law, nephew, niece, parent, sister, son-in-law, spouse or person in a marriage-like relationship, stepbrother, stepchild, stepparent, stepsister, or uncle; and the term “confidential relationship” includes both professional relationships, such as those between attorney and client, medical provider and patient, or religious counselor and petitioner; and personal relationships, such as those in which there is a long personal friendship and mutual

trust between the parties.

(d) A County Board member may be excluded from a closed session of any other governmental body which is not a committee or subunit of the County Board, such as the Ethics Board, by a majority vote.

**20 Members Opportunity to Speak at Meetings.** (a) A member who wishes to speak shall raise a hand and wait to be recognized by the person presiding. If two or more members seek to speak at the same time, the person presiding shall decide who is to speak first.

(b) A member who has been recognized by the person presiding and has begun to speak shall not be interrupted by another member or the person presiding except for a purpose recognized as appropriate by ROBERT'S RULES and then only when the urgency of the situation requires it. Examples of interruptions which may be permitted include questions of privilege, points of order, or requests that require an immediate response.

(c) Any member who has been called to order by the person presiding shall immediately cease speaking.

(d) Members shall confine remarks to the merits of the pending question. Statements shall be germane and must have a bearing on whether the pending question should be adopted. Members shall avoid personality and personal attacks.

(e) Complaints concerning county employees, officials, or departments shall first be brought to the County Executive, County Board Chair, Ethics Board, or the appropriate committee. Any such complaint which is first stated at a County Board meeting shall be immediately referred to the County Executive, County Board Chair, Ethics Board, or appropriate committee.

(f) Each member is allowed ten minutes and is limited to speaking no more than twice on the same topic, except to respond. A member who has used the time allowed may accept up to a total of five

minutes of time yielded from one or more other members. No member may speak in excess of fifteen minutes on the same topic.

(g) Following a motion to table, any member may speak one time to the merits of the motion for the time the member has remaining or for up to two minutes, whichever is less.

(h) A member's right to speak, discuss, or debate shall be limited by a "motion to close debate" or to "call the question" which is adopted by at least two-thirds of the members present.

**21 Non-Members Opportunity to Speak During Public Input.** (a) The purpose of public input is to provide non-members with an opportunity to present information on issues which concern them to governmental bodies. It is not intended to provide for interactive debate or for the cross-examination of citizens or members.

(b) A person must be recognized by the person presiding in order to address a governmental body during public input. Once recognized, a person has the right to speak without interruption, except for procedural matters. Any person who has been called to order by the person presiding shall immediately cease speaking.

(c) Each person shall normally be allowed five minutes for comments made during public input. However, the person presiding may establish a shorter time limit if necessary. Additional time will not normally be granted by the person presiding, but the person presiding may do so in exceptional cases or to allow for a response to a direct question.

(d) If a member wishes to ask a question, the member may do so after being recognized by the person presiding at the conclusion of the person's remarks. The person will be allowed up to one minute to respond.

(e) If a member wishes to respond to any question raised by a person during public input, the member may do so after

being recognized by the person presiding at the conclusion of the person's remarks. The member will be allowed up to one minute to respond.

(f) Neither the person speaking, nor any member is required to answer any question raised during public input.

(g) The person presiding will take such action as may be necessary to maintain an appropriate level of decorum and order at all times. The person presiding will not permit public input to becoming a running debate or to serve as a platform for personal attacks, and the person presiding may rule any citizen or member out of order if that person's comments or conduct is inappropriate. The person presiding may limit the number of persons who may speak on an issue and may call a non-member to order if the non-member's statements are not germane or are unduly repetitive.

**22 Non-members Opportunity to Speak During Debate.** (a) A member may ask the person presiding for leave to permit a non-member to speak at a meeting with respect to an agenda item when the item is properly before the meeting.

(b) A non-member may be denied permission to speak by a majority vote of the members present.

(c) No more than two non-members may be permitted to speak on the same topic at one meeting subsequent to public input, and each shall be allowed no more than five minutes to speak.

(d) The person presiding may call upon a department head or department designee to speak on an agenda item related to the department when the item is properly before the meeting. Such requests shall not be subject to the time limit and shall not count toward the number of non-members permitted to speak.

(e) The Corporation Counsel may provide advice to the County Board at any time during discussion or debate at the request of any member.

**23 Motions and Questions.** (a) No matter shall be put before the assembly or debated unless a motion has been made and seconded. Once seconded, the person presiding shall restate the motion.

(b) After a motion is stated by the person presiding, it shall be deemed to be in the possession of the assembly.

(c) A motion may be withdrawn at any time if a majority of the members present does not object.

(d) Whenever a motion, order, or resolution is entered into the minutes of the meeting, the names of the members moving and seconding the motion, order, or resolution shall be recorded. Withdrawn motions shall not be entered in the minutes.

(e) Any motion put before the assembly shall be reduced to writing upon the demand of any two members.

(f) Any question which is divisible shall be divided upon the demand of any member.

(g) A motion to reconsider may be made on any matter except the budget. The motion must be made by a member who voted with the prevailing side, provided that the motion for reconsideration is made on the same day, the following day if the meeting continues for more than one day, or at the next regular meeting.

(h) No motion, resolution, or ordinance offered from the floor for the purpose of rescinding something previously adopted shall be voted upon until the next meeting of the County Board unless the motion, resolution, or ordinance was properly noticed in accordance with the Wisconsin Open Meetings law.

**24 Petitions, Resolutions, Ordinances, Written Motion, and Other Papers.** (a) All resolutions, ordinances, and written motions shall be submitted to the appropriate standing committee for review before being presented to the County Board. This provision may be waived by the County

Board Chair, but any item added to the agenda as the result of such a waiver shall be stricken from the agenda upon the objection of any member. The foregoing notwithstanding, the County Board may, by majority vote, override the objection and restore the item to the agenda.

(b) A resolution, ordinance, or written motion which has been reviewed and approved by the appropriate standing committee shall normally be reported to the County Board by the committee chair. If the committee chair voted against or is otherwise opposed to the resolution, ordinance, or written motion, then a member of the committee who supports the resolution, ordinance, or written motion shall make the report to the County Board. The report shall provide the heading describing the matter, a brief summary of the matter, the fiscal impact, and the committee's findings and recommendation regarding the matter. Any member of the committee may make a minority report.

(c) A resolution, ordinance, or written motion which has been reviewed, but not approved, by the appropriate standing committee may be reported to the County Board by any sponsor of the resolution, ordinance, or written motion. The report shall provide the heading describing the matter, a brief summary of the matter, and the fiscal impact. The committee chair shall report the committee's findings and recommendation regarding the matter.

(d) Any resolution, ordinance, or written motion which is reported to the County Board shall be signed by the person making the report and may be signed by one or more other members of the County Board as sponsors.

(e) Resolutions, ordinances, written motions, and any other papers shall be taken up in the order in which they are presented, unless otherwise ordered by a majority of the County Board.

(f) A majority of the members present may require an oral reading of any petition, resolution, ordinance, written motion,

or other paper.

**25 Fiscal Impact Statement and Fiscal Note.** (a) Every resolution, ordinance, or written motion presented to the County Board shall contain a statement of Fiscal Impact which describes the costs, revenues, and economic impact associated with the resolution, ordinance, or written motion. If the fiscal impact is described as "unascertainable," "undetermined," or "unknown," or uses words of similar import, it shall provide a written explanation stating the reasons that the fiscal impact cannot be determined.

(b) Resolutions supporting or opposing legislation or honoring the accomplishments of an individual or group are exempt from the Fiscal Impact Statement requirement.

(c) The person reporting a resolution, ordinance, or written motion to the County Board shall assure that a Fiscal Impact Statement is prepared and provided for the matter when it is presented to the County Board.

(d) The Fiscal Impact Statement shall be reviewed the Comptroller or the Comptroller's designee before a matter may be presented to the County Board and every resolution, ordinance, or written motion presented to the County Board shall contain a Fiscal Note in the following form:

FISCAL NOTE: Reviewed and approved by Comptroller. \_\_\_\_\_

(e) The Comptroller shall initial the Fiscal Note on the original document if the Fiscal Impact Statement is approved. In the event the Comptroller does not approve the Fiscal Impact Statement, the Comptroller shall provide a memorandum to the County Board stating why the Fiscal Impact Statement was not approved.

**26 Legal Note.** (a) Every resolution, ordinance, or written motion presented to the County Board shall be reviewed by Corporation Counsel as to form and shall contain a Legal Note in the following form:

LEGAL NOTE: Approved as to form  
by Corporation Counsel. \_\_\_\_\_

(b) Corporation Counsel shall initial the legal note on the original document if the matter is approved as to form. In the event Corporation Counsel does not approve the form of a resolution, ordinance, or written motion, Corporation Counsel shall provide a memorandum to the County Board stating why the matter was not approved as to form.

**27 Action by Unanimous Consent.** The County Board, committees, subunits, and other governmental bodies may take action without the formality of a motion by unanimous consent. The person presiding may obtain unanimous consent by stating “if there is no objection...” and then describing the action to be taken. If no member calls out an objection, then the person presiding shall announce that there was no objection and shall state the action decided. The minutes shall reflect that the matter was adopted by unanimous consent. If any member calls out an objection, the matter shall be put to a vote.

**28 Voting. (a) Secret Ballots.** Unless specifically authorized by statute, no secret ballot may be utilized to determine any election or other decision of a governmental body except the election of officers. A secret ballot shall be used when voting for the election of officers. Officers shall be elected one at a time and succeeding formal ballots shall be cast until a majority vote of the members present elects the officer. Only votes cast for persons who have been nominated shall be considered during a formal ballot and any ballot cast in violation of this rule shall be void.

(b) Regular Method of Voting. The regular method of voting by the County Board shall be by electronic tabulation. The county board may vote by other means. The regular method of voting by any committee, subunit, or other governmental body shall be a voice vote.

(c) Ascertaining and Recording Votes. Any member may request a show of hands or a roll call vote or otherwise require that a vote be taken in such a manner that the

vote of each member is ascertained and recorded, except when voting to determine the election of officers.

(d) Voice Vote. The person presiding at the meeting shall first ask “all those in favor of the motion say ‘aye’” and then ask “all those opposed say ‘no.’” If the vote appears close, the person presiding shall announce either that “the ayes appear to have it” or “the noes appear to have it” and then pausing long enough for any member to request a show of hands or a roll call vote. If the vote does not appear close or if no division or roll call is requested, the person presiding shall then announce either that “the ayes have it and the motion is carried” or “the noes have it and the motion is defeated.”

(e) Show of Hands. The person presiding shall first ask “all those in favor of the motion raise a hand” and shall cause the name of each person with a raised hand to be recorded. The person presiding shall then ask “all those opposed raise a hand” and shall cause the name of each person with a raised hand to be recorded. The person presiding shall then announce that “there are \_\_\_\_ votes in the affirmative and \_\_\_\_ votes in the negative” and either that “the ayes have it and the motion is carried” or “the noes have it and the motion is defeated.” The results of vote, including the name and vote of each person voting shall be recorded in the minutes.

(f) Roll Call. When a roll call vote is held, the order shall be rotated so that the member voting first shall have his or her name called next to last on the next roll call vote. The person presiding shall be the last person called upon on all roll call votes. Any error in the sequence of rotation of names shall not invalidate a vote which is otherwise proper.

(g) Closed Session Votes. The County Board, committees, subunits, and other governmental bodies may vote in closed session when such a vote is an integral part of deliberations authorized to be conducted in closed session under Wis. Stat. § 19.85(1), but should vote in open session unless doing so would compromise the need for the closed session. Whenever a vote is taken in closed

session, the motion and the result of the vote, including the name and vote of each person in attendance, shall be recorded and made a matter of public record.

**(h) Duty and Opportunity to Vote.** Although it is the duty of every member who has an opinion on a pending question to express that opinion by voting, a member cannot be compelled to vote and may abstain from voting. The person presiding may vote on any matter, including an appeal from the decision of the chair, in the same manner as any other member.

**(i) Abstain.** A member who believes that he or she is legally required to abstain from voting shall do so. The person presiding shall ask any member who abstains to state the reason for doing so. The abstention and the reason for the abstention shall be recorded in the minutes. A member who abstains from voting shall not be included when calculating the number of votes required for passage.

**(j) Present.** A member who is in attendance at a meeting but does not vote on a matter shall be deemed to have voted "present." A member who is deemed to have voted present shall not be asked the reason for not voting and shall not be permitted to explain the reason for his or her not voting. A member who is deemed to have voted present shall be included when calculating the number of votes required for passage.

**29 Expense Reimbursement. (a)** It is the policy of Manitowoc County to reimburse certain authorized reasonable and necessary expenses incurred while conducting official county business. For purposes of this rule, official county business includes attendance at County Board and committee meetings, educational programs, professional associations, public hearings and meetings, training seminars and other similar activities which are related to county business and which have been properly authorized.

**(b)** County Board members shall be paid the monthly salary set by resolution and shall be reimbursed for certain mileage and other expenses incurred while conducting

official County business.

**(c)** Members of committees, subunits, and other governmental bodies who are not members of the County Board shall be paid a per diem or other compensation set by resolution or ordinance and shall be reimbursed for certain mileage and other authorized expenses incurred while conducting official County business

**(d) Authorized expenses. (1)** Meals. The cost of meals incurred while conducting official county business outside Manitowoc County shall be reimbursed at the rate and on the terms set forth in MCC § 5.11(3).

**(2) Lodging.** The ordinary, necessary, and reasonable cost of a single occupancy room incurred while conducting official county business outside Manitowoc County shall be reimbursed.

**(3) Mileage.** Mileage shall be paid at the rate established by the County Board by resolution for necessary travel between places by the most direct route while conducting official county business.

**(4) Parking.** The actual cost of parking incurred while conducting official county business shall be reimbursed.

**(5) Other Expenses.** Other reasonable and necessary expenses incurred while conducting official county business may be reimbursed provided that such reimbursement is authorized by the County Board prior to the date on which the expense is incurred.

**(e) Limitations on Authorized Expenses.**

**(1)** Mileage will be paid for one trip per day from a person's residence to one meeting location and from one meeting location to the person's residence, even if the person attends more than one meeting and returns home between meetings. Mileage will be paid for necessary travel between meeting locations.

(2) No expenses will be paid to any person attending any meeting when that person has not been authorized to attend the meeting as a member of the group that is meeting, as a program participant, or by direction of the County Board Chair, the County Board, or a County Board committee, subunit, other governmental body, the County Executive, or a department head.

(3) Expenses associated with attending any public hearing may be reimbursed only if approved in advance by the County Board or the appropriate committee. Such approval shall be recorded in the minutes of the County Board or committee.

**(f) Expenses Not Authorized.** No compensation or reimbursement may be claimed or paid for any entertainment expense, for the purchase of any intoxicant or alcohol beverage, or for any expense not specifically authorized by or pursuant to this rule.

**(g) Per Diem Limits.** The amount of any per diem paid shall be limited to the per diem set by County Board resolution or ordinance. No per diem shall be paid to any person for attendance at any meeting if the person arrives more than 15 minutes after the time set for the meeting to begin or leaves prior to the adjournment of such meeting, unless the person presiding at the meeting has excused the absence.

**(h) Advances.** Members of the County Board, committees, subunits, and other governmental bodies shall, upon request, receive an advance toward any reimbursable expenses other than mileage that are expected to be incurred while conducting official county business outside Manitowoc County which has been authorized by the County Board.

**(i) Claims, Verification, and Receipts.** All claims for reimbursement by members of the County Board, committees, subunits, or other governmental bodies shall be itemized and submitted to the County Clerk in a form approved by the County Clerk. All such claims must be accompanied by receipts for the expenses claimed or by a statement explaining the absence of a receipt. All

claims must be signed by the person seeking reimbursement swearing or affirming that the claim is accurate and that the expenses were reasonably and necessarily incurred while conducting official county business.

### **30 Claims Against the County.**

**(a)** No action shall be taken on any claim unless the claim has been filed in the Comptroller's Office and the claim has been verified as a legitimate claim against the County by the appropriate department head.

**(b)** When any claim is allowed by the County Board, either in whole or in part, the County Board shall direct that an order be drawn by the County Treasurer in favor of the claimant for the amount allowed.

**31 Budgets, Funds, and Funding.** **(a)** Annual Budget. The County Board shall adopt an annual budget in compliance and conformity with Wis. Stat. § 65.90, which shall be approved by majority vote of the County Board. Any amendments to the budget subsequent to its adoption shall require a two-thirds vote.

**(b)** Contingency Fund. A vote of two-thirds of the members of the County Board shall be required to make any appropriation from the Contingency Fund if the appropriation has not been approved by the Finance Committee and the appropriate committee as provided for by Rule 31(e).

**(c)** General Fund. A vote of two-thirds vote of the members of the County Board shall be required to make an appropriation from the General Fund.

**(d)** Borrowing Funds. A vote of two-thirds vote of the members of the County Board shall be required before the County Board may borrow funds.

**(e)** Transfer of Funds. Rule 3(f) notwithstanding, the Finance Committee may, with the approval of the appropriate committee, transfer funds between budgeted items of an individual county office or department, if such budgeted items have been separately appropriated, and may supplement the appropriations for a particular office,



department, or activity by transfers from the contingent fund. Such committee transfers shall not exceed the amount set up in the contingent fund as adopted in the annual budget, nor aggregate in the case of an individual office, department, or activity in excess of ten per cent of the funds originally provided for such office, department, or activity in the annual budget.

**32 Purchase and Sale of Real Property.** (a) Except for tax foreclosed real estate sold pursuant to MCC § 4.12, no real estate owned by the County shall be sold unless the sale is first authorized by majority vote of the County Board in open session.

(b) The County will not consider, vote upon, or accept any offer to purchase real property owned by the county which provides for a conveyance by Warranty Deed unless the offer is in a form customarily used for the purchase and sale of real estate and will create a binding contract for sale upon acceptance.

(c) Sales or transfers by Quit Claim Deed shall be in such form and with such formalities as the County Board directs.

(d) All offers to purchase or sell real property shall be contingent upon review and approval as to form by the Corporation Counsel, unless the County Board directs otherwise.

**33 County Contracts, Leases, And Agreements.** (a) County contracts, leases, and agreements in excess of \$5,000 within a one year period or which may subject the county to legal liability in excess of \$5,000 must be approved in advance by the appropriate County Board committee or by the County Board. Such approval shall be reflected in the committee or County Board minutes.

(b) All county contracts, leases, and agreements shall be in a form approved by the Corporation Counsel and shall be presented to and reviewed by Corporation Counsel prior to being presented to the appropriate County Board committee or the County Board.

(c) It is the responsibility of the officer, official, or employee executing or otherwise entering into a contract, lease, or agreement to seek, in advance, all necessary advice from Corporation Counsel regarding the terms of the contract, lease, or agreement and to request the assistance of any other department which has expertise necessary to prepare the contract, lease, or agreement.

(d) No County official or employee shall enter into, execute, or continue such a contract, lease, or agreement without first securing the approvals required by this rule, and any contract, lease, or agreement entered into, executed, or continued in violation of these rules shall voidable by a majority vote of the County Board.

**34 Requests for Legal Opinions.** (a) The County Board Chair may request a legal opinion from Corporation Counsel or the Attorney General on any matter on which the Corporation Counsel or the Attorney General is authorized to provide an opinion.

(b) Any member of the County Board desiring a legal opinion from Corporation Counsel or the Attorney General shall submit the request for such an opinion to the appropriate standing committee for review. If the matter does not fall within the jurisdiction of any committee or if the committee to which the request has been submitted does not approve the request, a member may make the request in the form of a written motion at any meeting of the County Board in accordance with these rules. Approved requests for a legal opinion from Corporation Counsel or the Attorney General shall be recorded in the minutes of the meeting at which the request was approved.

(c) All requests for a legal opinion from the Corporation Counsel or the Attorney General shall be submitted to the Corporation Counsel in writing by the person presiding at the meeting which approved the request or by the County Board Chair.

(d) A copy of all written requests or motions seeking a legal opinion shall be provided to the County Clerk and shall be distributed to the members of the County

Board as provided in Rule 10.

**35 Rules of Construction and Severability.** Nothing in these rules shall be construed to conflict with any statute. These rules shall be deemed to be severable and if any rule is held invalid, void, or unenforceable by operation of law or by a court of competent jurisdiction, the remainder of the rules shall

remain in full force and effect and shall in no way be affected, impaired, or invalidated.

**36 Effective Date and Repeal of Prior Rules.** These rules shall become effective and any and all prior rules of the Manitowoc County Board shall be repealed immediately upon adoption of these rules.

## ELECTIONS

### CHAIRPERSON:

Acting Chair Markwardt announced that nominations were open for the position of Chairperson. Supervisor Sloan nominated Supervisor Hansen. Supervisor Vogt nominated Supervisor Behnke. There were no more nominations. Supervisor Rasmussen moved, seconded by Supervisor Brey to close nominations. Motion carried unanimously. Speeches were given by the prospective candidates for the Chairperson position. Ballots were cast and the results were read aloud as follows: Supervisor Hansen received 15 votes, and Supervisor Behnke received 9 votes. Supervisor Hansen was elected as Chairperson for a two year term, and assumed the Chair position.

### FIRST VICE-CHAIR:

Chairperson Hansen announced that nominations were open for the position of First Vice-Chairperson. Supervisor Rappe nominated Supervisor Brey. There were no more nominations. Supervisor Rasmussen moved, seconded by Supervisor Nate, to close nominations. Motion carried unanimously. Supervisor Mueller moved, seconded by Supervisor Rasmussen, to vote by a show of hands. Motion carried unanimously. Supervisor Brey was elected as First Vice-Chairperson for a two year term.

### SECOND VICE-CHAIR:

Chairperson Hansen announced that nominations were open for the position of Second Vice-Chairperson. Supervisor Henrickson nominated Supervisor Goeke. Supervisor Skubal nominated Supervisor Sloan. Supervisor Vogt nominated Supervisor Behnke. There were no more nominations. Supervisor Rasmussen moved, seconded by Supervisor Brey, to close nominations. Motion carried unanimously.

Vote #1: Ballots were cast and the results were read aloud as follows: Supervisor Goeke received 2 votes, Supervisor Sloan received 11 votes, and Supervisor Behnke received 11 votes. There was not a majority vote and ballots had to be cast again.

Vote #2: Ballots were cast and the results were read aloud as follows: Supervisor Goeke received 1 vote, Supervisor Sloan received 11 votes, and Supervisor Behnke received 12 votes. There was not a majority vote and ballots had to be cast again.

Vote #3: Ballots were cast and the results were read aloud as follows: Supervisor Goeke received 0 votes, Supervisor Sloan received 10 votes, and Supervisor Behnke received 14 votes.

Supervisor Behnke was elected as Second Vice-Chairperson for a two year term.

On motion by Supervisor Markwardt, seconded by Supervisor Behnke, the March 16, 2004 meeting minutes were approved on a unanimous vote.

Chairperson Hansen declared public input open at 7:46 p.m.

Alysia Koch, Sexual Assault Resource Center Coordinator, and Ann Gretz, Sexual Assault Resource Center Community Educator, spoke on Sexual Assault Awareness Month. Alysia Koch stated the Center has been providing free services for victims and families of abuse since 1993. Services include a 24 hour Hotline, individual and group therapy, and community education. She stated only twelve percent of the victims report an assault within 24 hours and twenty-eight percent report an assault during their lifetime. She asked for

supervisors support in declaring April Sexual Assault Awareness Month.

There was no one else present who wished to speak and public input was closed at 7:50 p.m.

#### REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Public Works Director Jeff Beyer presented a Certificate of Appreciation to retiring Manitowoc County employee Mike Sobush for nineteen years of service as Maintenance Supervisor at the Health Care Center.

Public Works Director Jeff Beyer spoke on the Courthouse Historic Structure Grant and areas that will require renovation. County Executive Assistant Lauren Reed discussed four key funding sources that include energy efficiency, handicap accessibility, courthouse security, and historic structure restoration. She stated the Historic Structure Report will give us an idea on what needs to be done at the Courthouse and reported the National Trust for Historic Preservation awarded Manitowoc County a \$24,000 Grant for the Structure Report. Supervisor Brey noted the Finance Committee approved \$24,000 matching money and will be bringing a resolution to the County Board next month recommending authorization of the funding.

Corporation Counsel Steve Rollins advised supervisors on the "Wisconsin Open Meeting Law." He explained the procedure to properly give advance notice to the public on a "closed session," reasons for going into "closed session," and voting procedures in closed sessions. He also explained the various types of quorums and how they would effect meetings. He answered supervisors' questions.

County Executive Dan Fischer spoke on the Joint Dispatch Agreement that expires on May 4, 2004. He gave a brief history on the entities involved in the initial 1994 agreement providing joint dispatch emergency services. He explained the old agreement required the County to pay for all equipment and the new agreement would make each division responsible for their own equipment and maintenance costs. He explained the composition of the new PSJS Board will include a County Board Supervisor. He also noted it will be an advisory board with any required communication link to be approved by the County Board. The City of Two Rivers has approved the new agreement and the Cities of Kiel and Manitowoc are expected to act on it. He stated his intention is to have a resolution brought before the Board at the April 27th meeting to be approved before the May 4th deadline. He answered supervisors' questions.

#### COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Board of Health: Supervisor Nate reported they are working on the Community Health Assessment. She announced the Health Department Director and Planning and Park Department Director will be attending a "Land use Planning and Public Health Workshop" in Washington D.C. on April 22 and 23rd. She also stated the Task Force is making progress with the "Teen Pregnancy Prevention Program."

Land Conservation Committee/Natural Resources Committee: Supervisor Nate reported Faye Malek, Family Living Educator, provided a handout entitled "Identify Theft." She reminded everyone the Clean Sweep Program will be May 14 at the Kiel City Garage and May 14 and 15 at Manitowoc County Expo. She reported the Silver Lake restoration will move into Phase III of the plan on April 28 with the lake being treated with alum to control phosphorus levels for algae growth. During the treatment period, the Silver Lake boat landing will be closed. Following the treatment, the lake ecology will become favorably dominated by rooted aquatic plants. She reported Jerry Halverson from Soil and Water has been appointed to the State Panel of Experts to develop statewide standards for the recently passed Livestock Siting Legislation. She also stated Department Director Tom Ward was presented the Public Service Wisconsin Lake Stewardship Award from the Wisconsin Lake Association for his leadership and dedication to improve and preserve our natural resources.

Personnel Committee: Supervisor Vogt reported the new committee will have their first meeting on Monday, May 4th.

Miscellaneous: Supervisor Barnes attended a WCA Health and Human Services Steering Committee meeting where TABOR was discussed. He also reported they are looking at shifting the inspection of x-ray equipment to the local Health Departments.

Supervisor Markwardt reported WCA will be sending a sample resolution on TABOR to all Counties.

Supervisor Skubal moved, seconded by Supervisor Nate, to keep the same seating arrangement and let the

new supervisors sit where the vacant seats are. Motion carried with 19 ayes and 5 noes. Supervisors Hansen, Rasmussen, Rappe, Behnke and Markwardt voted no; all others voted aye.

Chairperson Hansen announced supervisors should be at the County Board Room by 6:30 p.m. on April 27 for a group picture.

Supervisor Brey moved to adjourn to April 27, 2004 at 7:00 p.m. to continue the organization of the 2004-2006 Board. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Char Peterson  
County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

April 27, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc County, in the City of Manitowoc, being the 27th day of April, 2004, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Paul Hansen at 7:02 P.M.

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

Roll call: 24 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisor Rappe was excused.

On motion by Supervisor Brey, seconded by Supervisor Henrickson, the April 20, 2004 meeting minutes were approved on a unanimous vote.

The County Clerk announced the additions and changes to the agenda. Supervisor Markwardt moved, seconded by Supervisor Mueller, to approve the agenda. Upon vote, the motion was adopted unanimously.

Chairperson Hansen declared public input open at 7:07 p.m. There was no one present who wished to speak and public input was closed.

There were no Amendments to Resolution No. 1 to Establish the Rules to Govern the Board for the 2004-2006 County Board Term.

APPOINTMENTS BY CHAIRPERSON

Supervisor Vogt moved, seconded by Supervisor Sloan, to approve the recommended appointments to standing committees, commissions and other organizations. The suggested committee appointments are as follows: Finance Committee: Brey-Chair, Graunke, Muench, Rasmussen, and Kozlowski; Highway Committee: Sloan-Chair, Bundy, Skubal, Markwardt, and Behnke; Health Care Center: Vogt-Chair, Henrickson, Nate, Rappe, and Hansen; Legislative Review Committee: Markwardt-Chair, Henrickson, Dobbs, Bundy, and Bauknecht; Natural Resources & Education Committee: Wagner-Chair, Nate, Mueller, Maresh, and Goeke; Personnel Committee: Vogt-Chair, Barnes, Rappe, Janowski, and Markwardt; Public Safety Committee: Muench-Chair, Graunke, Henrickson, Gauger, and Goeke; Public Works Committee: Behnke-Chair, Mueller, Sloan, Brey, and Braunel; Commission on Aging: Goeke; Sergeant-at-arms: Henrickson. Upon vote, the appointments to committees, commissions and other organizations were confirmed by unanimous consent.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments to various boards, commissions and other organizations. The suggested committee appointments are as follows: Board of Health: Barnes, Dobbs, Nate, Rasmussen, and Janowski; Citizens Participation Committee: Muench; Community Action Program (CAP): Bundy; Economic Development Corporation Board of Directors: Maresh; English Lake Management District: Janowski; Ethics Board: Dobbs; Expo, Inc. Liaison Members: Vogt and Braunel; Glacierland Resource Conservation & Development Council: Mueller; Human Services Board: Bundy, Rappe, Bauknecht, Barnes, Kozlowski, and Maresh; Ice Center Board: Gauger and Bauknecht; Industrial Development Corp: Markwardt; Joint Dispatch Board: Muench; Lester Public Library Board of Trustees: Gauger; Loan Review Board: Brey; Local Emergency Planning Committee: Sloan and alternate Rappe; Long Term Support Planning Committee: Graunke and Wagner; Manitowoc-Calumet Library System Board of Trustees: Graunke; Manitowoc Public Library Board of Trustees: Graunke; Planning and Park Commission: Rasmussen, Skubal, Muench, and Mueller; Transportation Coordinating Committee: Mueller and Goeke; VTAE District II Farm Committee: Wagner; WI Counties Utility Tax Association: Skubal. Supervisor Nate moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon vote, the motion carried unanimously.

## COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Board of Health: Supervisor Nate welcomed committee members and announced she is stepping down as chairperson. Their first meeting will be May 5 with election of officers. Chairperson Hansen thanked Supervisor Nate for her years of service as Committee Chair.

Executive Committee: Chairperson Hansen reported they met on April 22 for committee assignments. They will try to meet on a regular basis to convey information on state and local issues to appropriate committees. He asked anyone with concerns on issues to see one of the committee members.

Finance Committee: Supervisor Brey announced their first meeting will be May 10 at the Administration Building.

Health Care Center Committee: Chairperson Hansen thanked Supervisor Behnke for serving on the Committee. Supervisor Vogt announced their first meeting will be on May 11.

Highway Committee: Supervisor Sloan announced their first meeting will be May 11. He reminded supervisors on the Annual Towns and Villages Association meeting Thursday, April 29 at Seven Lakes.

Human Services Committee: Supervisor Bundy announced their first meeting will be May 25.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner announced their first meeting will be May 6 at 4:30 p.m. She also congratulated Soil and Water Director Tom Ward who received the Public Service Wisconsin Lake Stewardship Award from the Wisconsin Lakes Association.

Legislative Review Committee: Supervisor Markwardt stated there is no meeting date set but as issues arise resolutions will be referred to the appropriate committees for endorsement.

Personnel Committee: Supervisor Vogt announced their first meeting will be May 4 at the Administration Building.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen to enact Ordinance 1 (2004/2005-2) Amending Zoning Map for Roland Anderson, Ordinance 2 (2004/2005-3) Amending Zoning Map for Glen Barbier, Ordinance 3 (2004/2005-4) Amending Zoning Map for Allan Biely, Ordinance 4 (2004/2005-5) Amending Zoning Map for Conrad Evenson, and Ordinance 5 (2004/2005-6) Amending Zoning Map for Victor and Kenneth Walsh. Upon vote, the motion carried unanimously.

No. 2004/2005 - 2

### **ORDINANCE AMENDING ZONING MAP (Roland Anderson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Friday, February 20, 2004, 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 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, SE1/4, Section 20, T20N-R21E, Town of Maple Grove,  
12 commencing at the E1/4 Corner of said Section 20; thence westerly approximately 250 feet; thence  
13 southerly approximately 33 feet to the south r/w of Taus Road, which is the point of real beginning;  
14 thence continue southerly approximately 525 feet; thence westerly approximately 700 feet; thence  
15 northerly approximately 525 feet; thence easterly along the south r/w of Taus Road approximately  
16 700 feet to the point of real beginning, said parcel containing approximately 8.43 acres of land, shall

17 be and is hereby rezoned from A3 Agriculture to A2 Agriculture.  
Dated this 27th day of April 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 3

**ORDINANCE AMENDING ZONING MAP  
(Glen Barbier)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 22, 2004, 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 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, Section 6, T21N-R23E, Town of Gibson, commencing at the  
12 S1/4 Corner of said Section 6; thence northerly approximately 33 feet to the north r/w of Zander  
13 Road which is the point of real beginning; thence westerly along the north r/w of Zander Road  
14 approximately 1050 feet; thence northerly along the center of Neshota River approximately 387 feet;  
15 thence westerly approximately 184 feet; thence northerly approximately 257 feet; thence westerly  
16 approximately 475 feet; thence northerly approximately 500 feet; thence easterly approximately  
17 1470 feet; thence southerly approximately 1320 feet the point of real beginning, said parcel  
18 containing approximately 32.81 acres of land, shall be and is hereby rezoned from A3 Agriculture  
19 to A2 Agriculture.

Dated this 27th day of April 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 4

**ORDINANCE AMENDING ZONING MAP  
(Allan Biely)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 22, 2004, 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 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 31, T21N-R24E, Town of Mishicot,  
12 commencing at the NE Corner of said Section 31; thence N. 89° 52' 00" E. a distance of 241.92 feet  
13 along the section line, to the point of real beginning; thence S. 4° 08' 32" E. a distance of 383.24 feet;  
14 thence S. 89° 52' 00" W. a distance of 213.85 feet; thence N. 8° 18' 02" W. a distance of 386.21 feet;  
15 thence N. 89° 52' 00" E. a distance of 241.92 feet along the section line to the point of real  
16 beginning, said parcel containing approximately 2.00 acres of land, shall be and is hereby rezoned  
17 from A3 Agriculture to A1 Agriculture.

Dated this 27th day of April 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 5

**ORDINANCE AMENDING ZONING MAP  
(Conrad Evenson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 22, 2004, 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 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, SW1/4, Section 7, T18N-R22E, Town of Liberty,  
12 commencing at the SW Corner of said Section 7; thence northerly approximately 702 feet; thence  
13 easterly approximately 33 feet to the east r/w of CTH A which is the point of real beginning; thence  
14 continue easterly approximately 463 feet; thence northerly approximately 624 feet; thence westerly  
15 approximately 522 feet; thence southerly along the east r/w of CTH A approximately 250 feet;  
16 thence easterly approximately 323 feet; thence southerly approximately 150 feet; thence westerly  
17 approximately 323 feet; thence southerly along the east r/w of CTH A approximately 175 feet to the  
18 point of real beginning, said parcel containing approximately 6.39 acres of land, shall be and is  
19 hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 27th day of April 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 6

**ORDINANCE AMENDING ZONING MAP  
(Victor & Kenneth Walsh)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:



1 WHEREAS, a public hearing was held on Monday, March 22, 2004, 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 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 36, T18N-R22E, Town of Liberty,  
12 commencing at the Center of said Section 36; thence northerly approximately 1050 feet to the east  
13 r/w of STH 42 which is the point of real beginning; thence easterly approximately 300 feet; thence  
14 northerly approximately 300 feet; thence westerly approximately 100 feet; thence southerly along  
15 the east r/w of STH 42 to the point of real beginning, said parcel containing approximately 1.25  
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 27th day of April 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal announced the Planning and Park Commission is changing when they meet. They will be holding the Advisory meetings and Hearings on the same day with the first one scheduled for Monday, May 17 at 7:00 p.m.

Public Safety Committee: Supervisor Muench announced their first meeting will be Tuesday, May 4th.

Public Works Committee: Supervisor Behnke announced their first meeting will be May 5th at the Recycling Center.

Miscellaneous: Supervisor Markwardt moved, seconded by Supervisor Sloan, to adopt Resolution 6 (2004/2005-7) Proclaiming Sexual Assault Awareness Month. Upon vote, the motion carried unanimously.

No. 2004/2005 - 7

## **RESOLUTION PROCLAIMING SEXUAL ASSAULT AWARENESS MONTH**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, non-stranger and stranger rape and sexual assault affect women, children, and men of  
2 all racial, cultural, and economic backgrounds; and  
3

4 WHEREAS, sexual violence against the citizens of Manitowoc County continues at an alarming rate,  
5 with the majority of victims being children, and sexual violence affects every person in Manitowoc County  
6 as a survivor or a family member, friend, co-worker, or neighbor of a survivor and has a devastating impact  
7 on the survivor and for the family and friends of the survivor; and  
8

9 WHEREAS, it is essential to foster greater public awareness of the causes and effects of sexual  
10 violence and to address the problem on every civic level in order to prevent future sexual violence against  
11 our citizens; and  
12

13 WHEREAS, Manitowoc County recognizes the importance of designating a time to increase the  
14 public's awareness of sexual violence, to celebrate the courage of survivors, and to recognize the tireless  
15 efforts of Sexual Assault Resource Centers Advocates throughout the county; and  
16

17 WHEREAS, important partnerships have been formed among criminal and juvenile justice agencies,  
18 health care providers, allied professionals, and victim services; and  
19

20 WHEREAS, Manitowoc County wishes to join with Holy Family Memorial's Sexual Assault  
21 Resource Center, other Sexual Assault Service Providers, the Wisconsin Coalition Against Sexual Assault,  
22 and other interested organizations to increase public awareness and understanding of the issues surrounding  
23 sexual assault;  
24

25 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
26 proclaims April 2004 as Sexual Assault Awareness Month in Manitowoc County and urges the people of  
27 Manitowoc County to increase their awareness of the special programs available for the understanding and  
28 prevention of sexual violence.

Dated this 27th day of April 2004.

Respectfully submitted by Don C. Markwardt, Supervisor.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Maresh, to adopt Resolution 7 (2004/2005-8) Commending Manitowoc Lakeshore Wind Ensemble. Supervisor Markwardt reported he will present the Resolution at the Lakeshore Wind Ensemble Banquet on May 4. Upon vote, the motion carried unanimously.

No. 2004/2005 - 8

**RESOLUTION COMMENDING  
MANITOWOC LAKESHORE WIND ENSEMBLE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the University of Wisconsin-Manitowoc Lakeshore Wind Ensemble was founded by  
2 Professor Michael J. Arendt in the Fall of 1983 as part of the University's community outreach program; and  
3

4 WHEREAS, the Lakeshore Wind Ensemble held its rehearsals in the basement of Founders Hall until  
5 1987, when Hillside Hall was built and provided the Lakeshore Wind Ensemble with a new music facility,  
6 and the Lakeshore Wind Ensemble's concerts were moved to the Capitol Civic Centre in 1990 to  
7 accommodate larger audiences; and  
8

9 WHEREAS, membership in the Lakeshore Wind Ensemble has grown from thirty-five student and  
10 community members to ninety musicians; and  
11

12 WHEREAS, the Lakeshore Wind Ensemble provides its members with unique learning and  
13 performance experiences and enriches the community's cultural opportunities;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
16 recognizes and congratulates Professor Michael J. Arendt, Conductor/Music Director, and the members of  
17 the Lakeshore Wind Ensemble for their great achievements and their contributions to the community as they  
18 celebrate their Twentieth Anniversary.

Dated this 27th day of April 2004.

Respectfully submitted by Don C. Markwardt, Supervisor.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved to adopt Resolution 8 (2004/2005-9) Commemorating David Douglas. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Supervisor Markwardt requested a moment of silence.

**RESOLUTION COMMEMORATING DAVID DOUGLAS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, David Douglas was born in Manitowoc on July 31, 1947, and was a graduate of  
2 Wayland Academy in Beaver Dam and the University of Denver, and passed away on Tuesday, March 23,  
3 2004, at the age of 56; and

4  
5 WHEREAS, David Douglas had a career in finance and was employed in management positions at  
6 Rockline Industries; VanderVaart, Inc.; Foster Needle Company; Burger Boat; and Investors Community  
7 Bank; and

8  
9 WHEREAS, David Douglas served on the Manitowoc County Board from 1992 to 1997 and was a  
10 member of the Area Board of Vocational Technical and Adult Education District II, Chairperson's Advisory  
11 Committee, Community Action Program, Executive Committee, Finance Committee, Handicapped  
12 Children's Education Board, Human Services Board, Long Term Planning Committee, Manitowoc Public  
13 Library Board of Trustees, and the Personnel Committee; and

14  
15 WHEREAS, David Douglas was instrumental in the development of Fischer Creek Park and the  
16 Manitowoc County Ice Rink, which will be appreciated for many generations; and

17  
18 WHEREAS, David Douglas served the citizens of Manitowoc County in various capacities as a  
19 strong leader, contributed many hours to improving the quality of life in Manitowoc County, and will be  
20 greatly missed; and

21  
22 WHEREAS, the Manitowoc County Board of Supervisors shares in the loss with David Douglas'  
23 family and friends;

24  
25 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
26 commemorates the life of David Douglas and expresses its condolences to his wife, Deborah Douglas, and  
27 to the other members of his family. A copy of this resolution shall be provided to David Douglas' wife.

Dated this 27th day of April 2004.

Respectfully submitted by Don C. Markwardt.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved to adopt Resolution 9 (2004/2005-10) Commemorating Anthony V. Dufek.  
Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.  
Supervisors stood for a moment of silence.

**RESOLUTION COMMEMORATING ANTHONY V. DUFEK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Anthony V. Dufek was born in Manitowoc on April 5, 1921; was a graduate of  
2 Manitowoc Lincoln High School; was employed with the Chicago & Northwestern Railroad from 1946 to  
3 1973; and was elected Mayor of the City of Manitowoc from 1973 until his retirement in 1989; and passed  
4 away on Tuesday, April 13, 2004, at the age of 83; and

5  
6 WHEREAS, Anthony V. Dufek served on the Manitowoc County Board from 1966 to 1973 and from  
7 1990 until his passing in April 2004; served as Chairperson from 1970 to 1973; was a member of the Ad Hoc  
8 Space Needs Study Committee; the Area Board of Vocational, Technical and Adult Education; the Bay-Lake  
9 Regional Planning Commission; the Board of Health; the Chairperson's Advisory Committee; the

Commission on Aging; the Economic Development Group; the Grievance Committee; the Human Services Board; the Manitowoc County Merit System Board; the Personnel Committee; the Public Works Committee; the Veterans Service and Public Health Committee; and was a liaison to the Ice Center Board; and

WHEREAS, Anthony V. Dufek also served on the Manitowoc School Board of Education from 1986 to 2001; was the author of the weekly Lakeshore Update that was published in the Lakeshore Chronicle from 1989 to April 2004; and produced a radio show called the Lakeshore Comments on WCUB for 30 years; was a member of the Manitowoc 4th Degree Knights of Columbus; Elks Lodge #687; Fraternal Order of Eagles Aerie # 706; VFW Otto Oas Post No. 659; American Legion Drews Bleser Post No. 88; and AmVets Post 99; and

WHEREAS, Anthony V. Dufek served and led the citizens of Manitowoc County in many capacities, was a strong leader, contributed countless hours to improve the quality of life for all; and was instrumental in the location of Interstate Highway 43 that resulted in increased economic development and tourism for the lakeshore area; and

WHEREAS, the Manitowoc County Board of Supervisors shares in the loss of Anthony V. Dufek with his family and friends;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby commemorates the life of Anthony V. Dufek and expresses its condolences to his wife, Elaine Dufek, and to the other members of his family.

Dated this 27th day of April 2004.

Respectfully submitted by Don C. Markwardt, Supervisor.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Nate, to adopt Resolution 10 (2004/2005-11) Approving Town of Newton Zoning Ordinance for Robert Jost. Supervisor Behnke explained a few townships do their own zone changes and the zoning amendments require County Board approval to amend the official map. Upon vote, the motion carried unanimously.

No. 2004/2005 - 11

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE  
(Robert Jost)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Town of Newton has adopted a new zoning ordinance in accordance with Wis. Stat. § 60.62; and

WHEREAS, the Town of Newton 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 Newton zoning ordinance which was adopted by the Town Board of the Town of Newton on April 14, 2004, for Robert Jost.

Dated this 27th day of April 2004.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Sloan, to adopt Resolution 11 (2004/2005-12) Authorizing Joint Dispatch Agreement. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 12

### **RESOLUTION AUTHORIZING JOINT DISPATCH AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County and the Cities of Kiel, Manitowoc, and Two Rivers entered into  
2 a Public Safety Joint Services Agreement in May 1994 in order to consolidate their emergency  
3 communications centers and to avoid the duplication of services, personnel, facilities, and equipment; and  
4

5 WHEREAS, Manitowoc County believes that the joint dispatch of emergency services is a vital  
6 public service and intends to continue operating a Joint Dispatch Center, but has concluded that the May  
7 1994 Public Safety Joint Services Agreement will not be renewed at the end of its current term; and  
8

9 WHEREAS, Manitowoc County has worked with the PSJS Board to prepare a new Joint Dispatch  
10 Agreement that addresses funding, governance, operational, legal, policy, and structural issues that have been  
11 identified during the past decade; and  
12

13 WHEREAS, Manitowoc County needs to enter into the new Joint Dispatch Agreement with each  
14 city located in Manitowoc County that wants to receive emergency dispatch services through the Joint  
15 Dispatch Center; and  
16

17 WHEREAS, the previous Public Safety Committee reviewed the proposed Joint Dispatch  
18 Agreement, provided copies of the Agreements to the County Board, and recommended that the County  
19 Board proceed with approving the Agreements;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
22 authorizes the County Executive, the County Clerk, and such other county officials as may be necessary to  
23 enter into the Joint Dispatch Agreement with each city that wishes to receive emergency dispatch services  
24 through the Joint Dispatch Center.

Dated this 27th day of April 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Mueller moved to adopt Resolution 12 (2004/2005-13) Recognizing Health Care Center Volunteers Ray and Ruth Goeke. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Supervisors recognized Ray and Ruth Goeke with a round of applause.

No. 2004/2005 - 13

### **RESOLUTION RECOGNIZING HEALTH CARE CENTER VOLUNTEERS (Ray and Ruth Goeke)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Association of Homes and Services for the Aging is a state-wide  
2 organization of not-for-profit corporations serving the elderly and disabled and is comprised of 190 religious,  
3 fraternal, private, and governmental organizations that own, operate, or sponsor nursing homes, facilities for

4 the developmentally disabled, community based residential facilities, independent living facilities, and  
5 community service agencies; and

6  
7 WHEREAS, the Association recognizes volunteers each year for their dedication, effort, and service  
8 in helping to meet the needs of elderly and disabled individuals; and

9  
10 WHEREAS, the Association has selected Ray and Ruth Goeke to receive its Volunteer of the Year  
11 Award because of their caring commitment and dedicated volunteer service to the Manitowoc Health Care  
12 Center and its residents; and

13  
14 WHEREAS, the Manitowoc County Board of Supervisors truly appreciates the dedicated service that  
15 Ray and Ruth Goeke have given to our most vulnerable citizens;

16  
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
18 commends Ray and Ruth Goeke for their service to the residents of the Manitowoc County Health Care  
19 Center and directs that a copy of this resolution be presented to them to honor their many years of dedicated  
20 and caring volunteer service.

Dated this 27th day of April 2004.

Respectfully submitted by the Health Care Center Committee, Paul B. Hansen, County Board Chair.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Sloan, to adopt Resolution 13 (2004/2005-14) Authorizing  
Funding for Courthouse Historic Structures Report. Upon discussion and vote, the motion carried  
unanimously.

No. 2004/2005 - 14

**RESOLUTION AUTHORIZING FUNDING FOR  
COURTHOUSE HISTORIC STRUCTURES REPORT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Courthouse is a landmark in the County and the State of  
2 Wisconsin, is a nationally registered historic building, and is nearing its 100th anniversary; and

3  
4 WHEREAS, past Public Works Committees have reviewed the condition of the Courthouse and have  
5 recommend the restoration of the Courthouse for its centennial; and

6  
7 WHEREAS, the previous Public Works Committee recommended that the county pursue grants for  
8 the restoration of the Courthouse to help defer the overall cost of restoration; and

9  
10 WHEREAS, most grants require that an Historic Structures Report be completed as a planning  
11 document to collect basic administrative data about the courthouse; analyze its significance in the  
12 community; note its appearance, condition, occupation, and use; make recommendations for its preservation;  
13 provide an engineering report; estimate costs; and compile relevant technical information; and

14  
15 WHEREAS, the National Trust for Historic Preservation has awarded Manitowoc County up to  
16 \$24,000 in grant funds to pay for one-half the cost of an Historic Structures Report; and

17  
18 WHEREAS, the Finance Committee, at its meeting on April 12, 2004, authorized the transfer of an  
19 amount not to exceed \$24,000 from the Contingent Fund to the appropriate account in order to provide  
20 required local matching funds;

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
23 authorizes the County Executive to accept the grant for an Historic Structures Report for the Courthouse and  
24 authorizes the Public Works Director to enter into such agreements as may be necessary to complete the

25 report; and

26  
27 BE IT FURTHER RESOLVED that the 2004 Budget is amended by the amount of the grant  
28 received, not to exceed \$24,000, and that the Comptroller/Auditor is hereby directed to record such  
29 information in the official books of the County for the year ending December 31, 2004, as may be required.

Dated this 27th day of April 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by up to \$24,000.

APPROVED: Dan Fischer, County Executive.

Supervisor Henrickson moved to adopt Resolution 14 (2004/2005-15) Honoring Don C. Markwardt for His Service as County Board Chair. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Chairperson Hansen presented Supervisor Markwardt with a Certificate of Appreciation. Supervisor Markwardt stated it was an honor and a privilege to serve in this position for six plus terms. He emphasized the honor should go to supervisors for helping him through the process.

No. 2004/2005 - 15

**RESOLUTION HONORING DON C. MARKWARDT  
FOR HIS SERVICE AS COUNTY BOARD CHAIR**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Don C. Markwardt has served as the Manitowoc County Board Chair since November  
2 1991; and

3  
4 WHEREAS, the County Board has implemented a variety of efficient and innovative methods for  
5 delivering high quality services to the citizens of Manitowoc County during Don's tenure as County Board  
6 Chair, including merging the City and County Health Departments, formation of a Public Safety Joint  
7 Services Department, and restructuring the county's Wisconsin Retirement System debt; and

8  
9 WHEREAS, the County Board accomplished an aggressive program of infrastructure development  
10 during Don's tenure as County Board Chair, including expansion at UW-Manitowoc and the construction  
11 of a new Jail, Highway Department, and Health Care Center; and

12  
13 WHEREAS, Don has effectively represented the interests of Manitowoc County as a member of the  
14 Bay Area Workforce Development Coalition, the Bay Lakes Area Regional Planning Commission, and the  
15 I-43 Corridor Study Group, and has also served on the Wisconsin Counties Association Board of Directors;  
16 and

17  
18 WHEREAS, Don has honorably served the Manitowoc County Board and has effectively  
19 communicated the County Board's actions to the citizens of Manitowoc County by appearing on local radio  
20 shows and speaking before local community groups;

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors honors  
23 Don C. Markwardt for his twelve years of service to the County Board and the community as County Board  
24 Chair.

Dated this 27th day of April 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Markwardt reminded supervisors there will be a County Officials workshop for new supervisors on May 19th at the UW-Extension. Chairperson Hansen noted supervisors should let him know if they are interested in attending.

Chairperson Hansen announced the Wisconsin Counties Association Conference will be in September and to let him know if anyone is interested in attending.

Supervisor Skubal announced he will be attending a Wisconsin Counties Utility Tax Association Committee meeting on May 21st in Madison.

Supervisor Markwardt announced the East Central District of Wisconsin Counties Association meeting will be May 4. He will be seeking re-election to the Board of Directors.

County Clerk Char Peterson announced Manitowoc County Code books were distributed to new supervisors and updates to several chapters in the Manitowoc County Code were handed out to returning supervisors.

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

Respectfully submitted,

Char Peterson  
County Clerk



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

May 18, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc County, in the City of Manitowoc, being the 18th day of May, 2004, for the purpose of transacting business as a Board of Supervisors.

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

The invocation was given by Chairperson Paul Hansen and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present; Barnes, Bauknecht, Behnke, Braudel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner.

The County Clerk announced a correction to the April 27, 2004 minutes. On page 3 under Other Business, paragraph 4, the change is: "East Central District of Wisconsin Counties Association meeting." On motion by Supervisor Brey, seconded by Supervisor Skubal, the April 27, 2004 meeting minutes were approved on a unanimous vote.

The County Clerk announced the additions and changes to the agenda. Supervisor Henrickson moved, seconded by Supervisor Graunke, to approve the agenda. Upon vote, the motion was adopted unanimously.

Chairperson Hansen declared Public Input open at 7:05 p.m.

Curt Drumm, Chairperson of the 12th annual 2004 Manitowoc County Airshow, presented an overview of the upcoming event scheduled for June 5th and 6th. He went through the list of performers, military acts, exhibits, and flying showcase events that will be a part of the Airshow, along with a special 60th Anniversary salute to D-Day. He announced volunteers are still needed and if anyone is interested, they can contact the Chamber of Commerce. There is also a website at [www.manitowocairshow.com](http://www.manitowocairshow.com).

Rita Metzger, an employee at the Health Care Center, spoke on issues at the Manitowoc County Health Care Center. She stated frustration is high and morale is low among employees. They want to have a part in helping to resolve the problems at the Health Care Center. She asked supervisors to please consider the issues presented in her handout.

Cindy Satori, an employee at the Health Care Center in the Developmentally Disabled Unit, spoke on the effects outsourcing has on employees and the economy in Manitowoc County. She stated the only things rising are unemployment and the amount of tax dollars sent to other counties. She asked supervisors to look at the big picture to see what outsourcing does to the economy.

Bill Neumann, President of Manitowoc County Dairy Promotion Committee, spoke on the agriculture industry in Manitowoc County. He reported there are 1400 farms in the County and total farm and farm related employment in the County equals 20%. He thanked the County Board for their support of the UW-Extension and the two discovery farms that are being developed for research and education.

Jerome Herrmann, representing the Manitowoc County Farm Bureau, invited everyone to the 14th annual "Breakfast on the Farm" at Steve and Kim Fischer's Clover View Farm on June 6. He noted it is important for everyone to support the farmers this month.

Chairperson Hansen declared public input closed at 7:30 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS.

Michael Thomas, Health Care Center Administrator, presented a Certificate of Appreciation to retiring Manitowoc County employee Nancy Hubbartt for twenty-five years of devoted service at the Health Care Center. Nancy thanked supervisors for their support. She stated she wanted to make residents comfortable

and happy and felt she accomplished that during her tenure.

Steve Rollins, Corporation Counsel, spoke on the Manitowoc County Ethics Code which represents the county's commitment to the highest standard of conduct. He presented guidelines for supervisors that included not to accept gifts or favors and not to use County property or public office for personal monetary gain. He also spoke on the balance between public interest and private contracts. He informed supervisors they have resources to assist them which are the County Code, the Corporation Counsel, or by obtaining an opinion from the Ethics Board.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Eric Storm and alternate Brian Helminger to the Local Emergency Planning Committee for two year terms expiring June 2006. Supervisor Muench moved, seconded by Supervisor Vogt, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Mary Jo Krueger to complete Meredith Stangel's term expiring February 2005, Frank Hlinak to complete Paul Tikalsky's term expiring February 2006, and Melvin Bourgeois to complete a vacant position expiring February 2006 to the Manitowoc County Commission on Aging. Supervisor Rasmussen moved, seconded by Supervisor Goeke, to approve the appointments. Upon vote, the motion carried unanimously.

#### COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Board of Health: Supervisor Barnes reported Supervisor Rasmussen was elected vice-chair and Supervisor Dobbs was elected secretary at their organizational meeting. He reported the Health Department and Planning & Park Department will be working on the impact of land use planning on the public's health. He also reported beach testing may be reduced due to money constraints, a food safety course was presented with 225 people participating in the training, three billboards have been put up in Manitowoc for Teen Pregnancy Month, and he, along with Amy Wergin and Charlene Lulloff attended the Northeast Region of Wisconsin Association Local Health Department and Boards meeting.

Executive Committee: Chairperson Hansen stated anyone who would like to receive minutes of standing committee meetings should contact the County Clerk. He reported they discussed ways to convey information to the Board. This can be done through Committee of the Whole meetings or during regular County Board meetings. They are also looking at the issue of better communication with the Wisconsin Counties Association. He reported their next meeting will address the Health Care Center.

Finance Committee: Supervisor Brey reported Supervisor Rasmussen was elected vice-chair and Supervisor Kozlowski was elected secretary at their organizational meeting on May 10.

Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 1 (2004/2005-16) Dissolving Economic Development Group. Upon vote, the motion carried unanimously.

No. 2004/2005 - 16

### **RESOLUTION DISSOLVING ECONOMIC DEVELOPMENT GROUP**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Resolution No. 2000/2001-181 dated March 20, 2001, created an Economic  
2 Development Group to address economic development issues at the county level; and  
3

4 WHEREAS, Resolution No. 2003/2004-126 dated March 16, 2004, committed County resources to  
5 a new Economic Development Corporation that will serve as the leader for diversified economic and  
6 community development efforts at all levels in order to improve the long term prosperity of the business  
7 community and residents of Manitowoc County; and  
8

9 WHEREAS, the new Economic Development Corporation has a broader focus and has made the old  
10 Economic Development Group unnecessary;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Economic Development Group is dissolved.

Dated this 18th day of May 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 2 (2004/2005-17) Amending Budget (Airport Homeland Security Grant). Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 17

**RESOLUTION AMENDING BUDGET  
(AIRPORT HOMELAND SECURITY GRANT)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates the Manitowoc County Airport and the County  
2 Board has approved the filing of a petition for federal and state aid for airport improvements, including  
3 improvements related to airport security; and  
4

5 WHEREAS, the Wisconsin Department of Transportation, Bureau of Aeronautics, has made  
6 Homeland Security Airport Grant funds available, and the Wisconsin Office of Justice Assistance has pre-  
7 approved approximately \$200,000 in such funds for security enhancements at the airport;  
8

9 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
10 County Executive and such other officials as may be required are authorized to execute the Homeland  
11 Security Airport Grant and any other documents necessary to accept such funds as may become available  
12 under this grant; that the 2004 budget is amended by the amount of grant funds received; and that the  
13 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
14 ended December 31, 2004 as may be required.

Dated this 18th day of May 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Amends appropriate Revenue and Expenditure Accounts in the Airport Activity by the amount of grant funds received (approximately \$200,000) with no County contribution required.

APPROVED: Dan Fischer, County Executive

Supervisor Brey moved, seconded by Supervisor Nate, to adopt Resolution 3 (2004/2005-18) Authorizing Strategic Plan Grant Application. Upon vote, the motion carried unanimously.

No. 2004/2005 - 18

**RESOLUTION AUTHORIZING STRATEGIC PLAN GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a Community Development Block Grant Program grant is available for fiscal year 2004

2 from the Wisconsin Department of Commerce to develop a Strategic Plan for a Manitowoc County  
3 Economic Development Corporation; and

4  
5 WHEREAS, the Economic Development Corporation will enhance the ability to attract new  
6 business, retain existing business, and encourage entrepreneurial endeavors in the county; and

7  
8 WHEREAS, required matching funds for the grant will come from Vision 2011, a collaborative  
9 effort of concerned citizens; and

10  
11 WHEREAS, funds received as a result of this grant application will be transferred to the Economic  
12 Development Corporation to develop the Strategic Plan;

13  
14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
15 authorizes the County Executive's Office to apply for and accept such funds as may be awarded; and

16  
17 BE IT FURTHER RESOLVED that the 2004 budget is amended by the amount of any grant funds  
18 received and that the Comptroller/Auditor is directed to record such information in the official books of the  
19 County as may be required.

Dated this 18th day of May 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases appropriate revenue and expenditure accounts by  
the amount of the grant award.

APPROVED: Dan Fischer, County Executive

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2004/2005-19)  
Authorizing Transfer, Designation, Carry-Over, and Reappropriation of Specified Funds for 2003 and  
2004. Upon vote, the motion carried unanimously.

No. 2004/2005 - 19

**RESOLUTION AUTHORIZING TRANSFER, DESIGNATION, CARRY-OVER,  
AND REAPPROPRIATION OF SPECIFIED FUNDS FOR 2003 AND 2004**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the annual budget that affect various program  
2 activities and their appropriations for a given budget year, and the previous County Board adopted  
3 resolutions adjusting the 2003 and 2004 budgets accordingly; and

4  
5 WHEREAS, since the passage of those resolutions, the need for additional changes that require  
6 County Board action has been identified, and the Comptroller/Auditor has reviewed these changes with the  
7 County Executive and the Finance Committee; and

8  
9 WHEREAS, consistent with sound financial practice and the requirements of state law and the  
10 county code, the County Executive and Finance Committee recommend that the County Board make these  
11 changes and take official action to transfer, designate, carry-over, and reappropriate specified funds for 2003  
12 and 2004;

13  
14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that  
15 \$1,378,371 is transferred from the Human Service Special Revenue Fund for the year ended December 31,  
16 2003 to the following funds in the amounts stated:

17  
18  
19 General Fund Reserve for Future Capital Projects \$279,471  
20 General Fund Reserve for Economic Development (EDC-Grant) \$261,900  
21 General Fund Reserve for Sheriffs Computer Replacement \$62,000  
22 General Fund Unreserved/Undesignated Account \$275,000  
23 Health Care Center Enterprise Fund for Working Capital \$500,000;  
24

25 and

26  
27 BE IT FURTHER RESOLVED that the following amounts are reappropriated to the accounts stated  
28 and the budget is amended as required for the year ending December 31, 2004:  
29

30 General Fund Reserve for Economic Development (EDC-Grant) \$261,900  
31 General Fund Reserve for Sheriffs Computer Replacement \$62,000  
32 Human Services Special Revenue Fund Balance \$60,000  
33 Health Care Center Enterprise Fund R/E Balance \$500,000;  
34

35 and

36  
37 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information  
38 in the official books of the County as may be required.

Dated this 18th day of May 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Reduces the amount remaining in the Human Services Special Revenue Fund Balance and increases the fund balances of the stated accounts by the amounts shown for 2003. Increases authorized expenditures from the stated account by an amount not to exceed the amount shown for 2004.

APPROVED: Dan Fischer, County Executive

Supervisor Brey moved, seconded by Supervisor Muench, to enact Ordinance 5 (2004/2005-20) Amending Manitowoc County Code § 4.03 (Investment of County Funds - Collateralization). Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 20

### **ORDINANCE AMENDING MANITOWOC COUNTY CODE § 4.03**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code sec. 4.03(7) requires that those county funds invested with  
2 financial institutions must be fully collateralized; and  
3

4 WHEREAS, Manitowoc County received grant funds under the Wisconsin Community Development  
5 Block Grant for Economic Development (CDBG-ED) Program to create a loan loss reserve fund in support  
6 of a working capital loan to Shipbuilders of Wisconsin, Inc. (Burger Boat); and  
7

8 WHEREAS, these funds are placed in the Revolving Loan Special Revenue Fund, have been invested,  
9 and are subject to the collateralization requirement; and  
10

11 WHEREAS, the collateralization requirement has a negative impact on the interest rate that the county  
12 earns, increases interest costs to program participants, or both; and  
13

14 WHEREAS, the Treasurer and Comptroller recommend that the Finance Committee be given authority  
15 to grant exceptions to the collateralization requirement for specific sums held in the Revolving Loan Special  
16 Revenue Fund in order to improve earnings, decrease participant program costs, or both, and the Finance  
17 Committee concurs in the recommendation;

18  
19 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
20 follows:

21  
22 Manitowoc County Code sec. 4.03(7)(d) is created to read as follows:

23  
24 (d) Exception. The Finance Committee may except specified sums in the Revolving Loan Special  
25 Revenue Fund from the collateralization requirement if:

- 26  
27 1. the exception is recommended by the Treasurer and the Comptroller;  
28  
29 2. the amount of the exception is specified;  
30  
31 3. the purpose of the funds subject to the exception is specified; and  
32  
33 4. the exception increases earnings on deposits or decreases interest costs to program participants,  
34 or both.

Dated this 18th day of May 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Policy change permits the County to increase earnings on CDBG-ED deposits or decrease interest costs for program participants, or both.

APPROVED: Dan Fischer, County Executive

Health Care Center Committee: Supervisor Vogt reported the State visited the Health Care Center and noted one violation costing \$16,000 which the Administrator was able to reduce to \$10,000. Administrator Michael Thomas was elected President of the Wisconsin Association of County Homes. He stated the Health Care Center continues to operate at a loss, the absenteeism problem has shown slight improvement being at its lowest point in ten months, and the Finance Director position is being vacated and has been offered to an employee in Human Resources.

Administrator Michael Thomas explained the violation noted by the State related to not reporting a change of condition on a resident and it was out of compliance for two days.

Highway Committee: Supervisor Sloan reported construction projects have started on the south end of the County so they are completed by August for the PGA tournament. They will oversee 18 bridge projects during the next three years. These projects can be followed on the County's website.

Supervisor Sloan moved, seconded by Supervisor Behnke, to adopt Resolution 6 (2004/2005-21) Establishing Speed Zone on County Trunk Highway "R" in the Town of Cooperstown. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 21

**RESOLUTION ESTABLISHING SPEED ZONE ON COUNTY  
TRUNK HIGHWAY "R" IN THE TOWN OF COOPERSTOWN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 349.11 authorizes Manitowoc County, on the basis of an engineering and  
2 traffic investigation and subject to certain limitations, to determine and declare a reasonable and safe speed  
3 limit on all or part of a highway that is under its jurisdiction; and

WHEREAS, such a speed limit is effective when appropriate signs giving notice of such speed limit have been erected and are in place; and

WHEREAS, Manitowoc County Code § 15.03(1) authorizes the Highway Committee to recommend speed limits to the County Board, and Manitowoc County Code § 15.03(2) authorizes the County Board to adopt speed limits and speed zones by resolution; and

WHEREAS, a traffic investigation had been made by the Department of Transportation and by the County's Traffic & Safety Committee with respect to that portion of County Trunk Highway "R" in the Town of Cooperstown that extends .75 miles north from Zander Road;

NOW, THEREFORE, IS IT RESOLVED by the Board of Supervisors of the County of Manitowoc that a speed zone with a speed limit of 35 miles per hour for all vehicles is created on County Trunk Highway "R" beginning immediately at Zander Road and extending .75 miles to the north; that the County Clerk shall send a copy of this resolution to the Sheriff's Department; and that the Highway Department shall erect such signs as may be required and necessary to implement this resolution.

Dated this 18th day of May 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: \$325 for erecting signs.

APPROVED: Dan Fischer, County Executive

Human Services Committee: Supervisor Bundy announced they will meet on May 27 for their organizational meeting.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the Manitowoc County 4-H Leaders Association will be offering summer camp July 18 through August 10 at Camp Tapawingo. A brochure on the summer camp can be obtained at the UW-Extension office.

Supervisor Wagner moved, seconded by Supervisor Mueller, to adopt Resolution 7 (2004/2005-22) Authorizing FEMA Grant Application. Upon vote, the motion carried unanimously.

No. 2004/2005 - 22

## RESOLUTION AUTHORIZING FEMA GRANT APPLICATION

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the United Way of America allocates Federal Emergency Management Agency (FEMA) funding to counties in this district and has allocated \$750 to Manitowoc County for nutrition services provided for individuals under the age of 60; and

WHEREAS, the Natural Resources and Education Committee recommends that the County Board amend the 2004 budget to allow for the increased revenue and to authorize corresponding increase in expenditures resulting from the allocation as shown below:

Revenue or Expense	Account Number	Description	Amount
Revenue	46250.43566.16	Home-Delivered meals	\$ 750
Expense	46425.52940	Contracted Food	\$750;

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the Aging Resource Center is authorized to apply for these funds, that the 2004 budget is amended by the amount of the funds received, and that the Comptroller/Auditor is directed to record such information in the official books of the County for the year ending December 31, 2004, as may be required.

Dated this 18th day of May 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenue and expenses by equal amounts not to exceed \$750.

APPROVED: Dan Fischer, County Executive

Supervisor Wagner moved, seconded by Supervisor Nate, to adopt Resolution 8 (2004/2005-23) Authorizing Acceptance of Youth Garden Grant. Upon vote, the motion carried unanimously.

No. 2004/2005 - 23

### **RESOLUTION AUTHORIZING ACCEPTANCE OF YOUTH GARDEN GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the UW-Extension Northeast District Resource Management Grant Program has made  
2 funds available to reclaim an abandoned playground site, purchase gardening tools, initiate a youth garden,  
3 and develop a gardening curriculum for Southfield Townhouses; and  
4

5 WHEREAS, the UW-Extension 4-H Youth Development Educator will work with the Southfield  
6 Townhouses Neighborhood Network Learning Center Director to reclaim the abandoned playground site at  
7 Southfield Townhouses and establish a youth garden; and  
8

9 WHEREAS, the UW-Extension 4-H Youth Development Educator will work with the UW-Extension  
10 Family Living Educator to conduct programs related to the harvest, preparation, and health benefits of fresh  
11 vegetables; and  
12

13 WHEREAS, 4-H Ambassadors will serve as mentors and role models to at-risk youth so that the youth  
14 will experience the core values associated with the Circle of Courage model for reclaiming youth at risk,  
15 including developing a sense of social belonging, mastery of learning skills, development of autonomy and  
16 interdependence, and the fostering of a spirit of generosity;  
17

18 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County UW-Extension Office is authorized  
19 to accept \$1,300 from the UW-Extension Northeast District Resource Management Grant Program to support  
20 the development of a youth garden at Southfield Townhouses; that the 2004 Annual Budget is amended by  
21 the amount of the grant funds received; and that the Comptroller/Auditor is directed to record such  
22 information in the official books of the County as may be required.

Dated this 18th day of May 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by \$1,300.

APPROVED: Dan Fischer, County Executive



Supervisor Wagner moved, seconded by Supervisor Bauknecht, to adopt Resolution 9 (2004/2005-24) Proclaiming June Dairy Month. Upon vote, the motion carried unanimously.

No. 2004/2005 - 24

## **RESOLUTION PROCLAIMING JUNE DAIRY MONTH**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, agriculture in Manitowoc County accounts for an estimated 20 percent of the county's  
2 jobs and provided annual cash receipts of approximately 140 million dollars in 2003; and  
3

4 WHEREAS, Manitowoc County ranks 3rd in Wisconsin and 27th in the United States in annual milk  
5 production; and  
6

7 WHEREAS, Manitowoc County's approximately 375 dairy farms and 45,300 cows produced more  
8 than 850,000,000 pounds of milk in 2003; and  
9

10 WHEREAS, the milk produced by Manitowoc County dairy producers provides enough cheese to  
11 cover more than 85 million pizzas with one pound of award-winning Wisconsin cheese, and  
12

13 WHEREAS, this milk has a value of more than 110 million dollars and makes up nearly 80 percent  
14 of Manitowoc County's agricultural income;  
15

16 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of Supervisors hereby  
17 proclaims the entire month of June as June Dairy Month in Manitowoc County.

Dated this 18th day of May 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Legislative Review Committee: Supervisor Markwardt announced their organizational meeting will be the first week in June. He reported they will have a resolution in June supporting the sale of the Kewaunee Nuclear Plant.

Personnel Committee: Supervisor Vogt reported they are looking at an Employee Assistance Program that would give the employees the ability to seek help as it relates to work and family matters. He also reported a Financial Planning Company approached the County with a request to use Manitowoc County as a test market. The Committee decided that would not be a good venue. Mediation dates have been set for May 20 with WPPA; AFSCME units on May 24 and 25; and June 1, 2, and 3 for other union issues.

Supervisor Vogt moved, seconded by Supervisor Barnes, to adopt Resolution 10 Establishing Elected Official Compensation. Upon discussion and vote, the motion failed with 5 ayes, 19 noes and 1 abstention. Supervisors Barnes, Vogt, Rappe, Janowski and Markwardt voted aye; Supervisor Bauknecht abstained; all others voted no.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to adopt Resolution 11(2004/2005-25) Adopting Planning and Park Commission Report Denying Zoning Amendment Petition for Mike and Steve Presto. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Dobbs voted no; all others voted aye.

**RESOLUTION ADOPTING PLANNING AND PARK COMMISSION REPORT  
DENYING ZONING AMENDMENT PETITION  
(Mike and Steve Presto)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Mike and Steve Presto on March 23, 2004, to rezone  
2 approximately 10.67 acres of land located in the SE¼, NE¼, Section 9, T17N-R22E, Town of Meeme, from  
3 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, April 26, 2004, 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 ordinance;  
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 Mike and Steve Presto.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 12 (2004/2005-26) Amending Zoning Map for Hope Community Church, Ordinance 13 (2004/2005-27) Amending Zoning Map for Cheryl Jandrey, Ordinance 14 (2004/2005-28) Amending Zoning Map for Joseph Salm, and Ordinance 15 (2004/2005-29) Amending Zoning Map for Allen Schuh. Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Rappe and Mueller voted no; all other voted aye.

**ORDINANCE AMENDING ZONING MAP  
(Hope Community Church)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, April 26, 2004, 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 NE¼, NE¼, Section 6, T19N-R24E, Town of Manitowoc,  
12 commencing at the NE Corner of said Section 6; thence westerly approximately 300 feet along

13 the south r/w of STH 310 which is the point of real beginning; thence continue westerly  
14 approximately 600 feet along the south r/w of STH 310; thence southerly approximately 650  
15 feet; thence easterly approximately 900 feet to the west r/w of CTH B; thence northerly  
16 approximately 300 feet along the west r/w of CTH B; thence westerly approximately 300 feet;  
17 thence northerly approximately 400 feet to the point of real beginning, said parcel containing  
18 approximately 16.70 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1  
19 Agriculture.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 27

**ORDINANCE AMENDING ZONING MAP  
(Cheryl Jandrey)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, April 26, 2004, 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 SW¼, SE¼, Section 33, T19N-R21E, Town of Rockland,  
12 commencing at the S¼ Corner of said Section 33; thence northerly along the centerline of  
13 Collins Road approximately 375 feet; thence easterly approximately 33 feet to the east r/w of  
14 Collins Road which is the point of real beginning; thence continue easterly approximately 353  
15 feet; thence northerly approximately 50 feet; thence easterly approximately 250 feet; thence  
16 northerly approximately 377 feet; thence westerly approximately 320 feet; thence southerly  
17 approximately 377 feet; thence westerly approximately 350 feet; thence southerly  
18 approximately 50 feet to the point of real beginning, said parcel containing approximately  
19 3.17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 28

**ORDINANCE AMENDING ZONING MAP  
(Joseph Salm)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, April 26, 2004, 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 facts 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 NW¼, SE¼, Section 10, T17N-R22E, Town of Meeme, commencing at the Center of said Section 10 which is the point of real beginning; thence northerly approximately 250 feet; thence westerly approximately 1329 feet; thence southerly approximately 250 feet; thence easterly approximately 1329 feet; to the point of real beginning, said parcel containing approximately 7.63 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 29

**ORDINANCE AMENDING ZONING MAP  
(Allen Schuh)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, a public hearing was held on Monday, April 26, 2004, 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 facts 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 SE¼, SW¼, Section 8, T20N-R21E, Town of Maple Grove, commencing at the S¼ Corner of said Section 8; thence northerly along the centerline of Tamarack Road approximately 950 feet; thence westerly approximately 33 feet to the west r/w of Tamarack Road which is the point of real beginning; thence continue westerly approximately 250 feet; thence northerly approximately 450 feet; thence easterly approximately 250 feet; thence southerly approximately 450 feet to the point of real beginning, said parcel containing approximately 2.58 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive

Public Safety Committee: Supervisor Muench reported department budgets were on target. The District Attorney's office received a Domestic Abuse Grant which may help curb overtime. She reported Emergency Services Coordinator Nancy Crowley will be at their June 1 meeting to report on the County's communication system and everyone is invited to attend.

Supervisor Muench moved, seconded by Supervisor, to enact Ordinance 16 (2004/2005-30) Amending Manitowoc County Code Sec. 4.13(3d) (Jail Expense Reimbursement). Upon vote, the motion carried unanimously.

No. 2004/2005-30

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 4.13(3d)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted code provisions that allow the jail to secure  
2 reimbursement from prisoners for certain expenses related to their incarceration in the Manitowoc County  
3 Jail, but those code provisions do not provide the jail the full authority that is available under state law; and  
4

5 WHEREAS, the Corporation Counsel and Jail Administrator have recommended certain technical  
6 amendments to expand the jail's ability to secure reimbursement and the Public Safety Committee concurs  
7 in their recommendation;  
8

9 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
10 follows:  
11

12 Manitowoc County Code sec. 4.13(3d)(a) is amended to read as follows:  
13

14 (a) This ordinance is adopted pursuant to authority granted by Wis. Stat. §§ 302.372 and 302.38.  
15

16 Manitowoc County Code sec. 4.13(3d)(c) is amended to read as follows:  
17

18 (c) The Sheriff is authorized to seek and secure reimbursement of the following expenses incurred by  
19 prisoners who are incarcerated in the county jail for state criminal law violations or Manitowoc County Code  
20 violations:

This ordinance shall be effective upon publication.

Dated this 18th day of May 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive

Public Works Committee: Supervisor Behnke announced everyone is invited to their meeting at the Recycling Center in the Industrial Park on the first Wednesday of the month. He reported Clean Sweep was the largest ever since 1995 with 744 households being served between the Expo and Kiel sites. The final permit submittal for the wetland bank is expected to be made in early July and the deadline is September 1.

Miscellaneous: Supervisor Skubal moved, seconded by Supervisor Sloan, to adopt Resolution 17 (2004/2005-31) Adopting Bicycle, Pedestrian, and Recreation Trail, Comprehensive Plan. Discussion followed. Highway Commissioner Gary Kennedy explained he gave presentations on the plan to the cities, towns, villages and snowmobile clubs. In response to a question on liability, Corporation Counsel Steve Rollins explained there is a law in Wisconsin that gives recreational immunity for recreational purposes. It's a state law designed to foster this type of growth. Upon vote, the motion carried unanimously.

**RESOLUTION ADOPTING BICYCLE, PEDESTRIAN,  
AND RECREATION TRAIL COMPREHENSIVE PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Department and the Planning and Park Department have worked together  
2 to fund a project to develop a Bicycle, Pedestrian, and Recreational Trail Comprehensive Plan for Manitowoc  
3 County; have retained Bonestroo, Rosen Anderlik & Associates as an engineering and architectural  
4 consultant; and have formed a Manitowoc County Bike/Recreational Trail Committee to work with the  
5 engineering and architectural consultant; and  
6

7 WHEREAS, the consultant and the committee have collected, compiled, processed, and analyzed data  
8 on bicycle and pedestrian transportation in Manitowoc County; have considered objectives, principles, and  
9 standards for regional bicycle and pedestrian systems; have prepared a preliminary comprehensive bicycle,  
10 pedestrian, and recreational trail plan for the county; and have presented the comprehensive plan to the cities,  
11 towns, and villages in Manitowoc County; and  
12

13 WHEREAS, the Bike/Recreational Trail Committee believes that the comprehensive plan will be a  
14 valuable guide to the development of the transportation system in Manitowoc County and recommends that  
15 the county adopt the comprehensive plan, and the Planning and Park Commission and the Highway  
16 Committee concur in the recommendation;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
19 the Bicycle, Pedestrian, and Recreational Trail Comprehensive Plan for Manitowoc County.

Dated this 18th day of May 2004.

Respectfully submitted by the Planning and Park Commission.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Barnes moved, seconded by Supervisor Bundy, to adopt Resolution 18 (2004/2005-32)  
Authorizing Out-of-State Travel for Nancy Randolph. Upon vote, the motion carried with 24 ayes and 1 no.  
Supervisor Graunke voted no; all others voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Nancy Randolph)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Nancy Randolph is a Social Worker Supervisor at the Manitowoc County Human  
2 Services Department and serves as Project Director for the Coordinated Services Team Initiative; and  
3

4 WHEREAS, the Human Services Department has made a significant and successful commitment to  
5 developing and providing community-based services to reduce the number of youth in expensive, alternate  
6 care settings; and  
7

8 WHEREAS, Nancy Randolph has an opportunity to attend the 2004 National Training Institute for  
9 Children's Mental Health conducted by the Georgetown University Center for Child and Human  
10 Development and the Federal Center for Mental Health Services which will be held in San Francisco,  
11 California from June 21 through June 26, 2004; and

12 WHEREAS, tuition, transportation, and lodging will be paid by the Wisconsin Department of Health  
13 and Family Services directly and through the Coordinated Services Team Grant received by the Human  
14 Services Department;

15  
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
17 Nancy Randolph to travel out-of-state to attend the 2004 National Training Institute for Children's Mental  
18 Health to be held in San Francisco from June 21 through June 29, 2004.

Dated this 18th day of November 2004.

Respectfully submitted by James K. Barnes, Supervisor

FISCAL IMPACT: None. All expenses to be paid or reimbursed by Wisconsin Department of Health  
and Family Services.

APPROVED: Dan Fischer, County Executive

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 19 (2004/2005-33)  
Approving Town of Newton Zoning Ordinance for James Patrick. Upon vote, the motion carried with 24  
ayes and 1 no. Supervisor Rappe voted no; all others voted aye.

No. 2004/2005 - 33

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE  
(James Patrick)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has 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 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 Newton zoning ordinance which was adopted by the Town Board of the Town of Newton on  
12 May 12, 2004, for James Patrick.

Dated this 18th day of May 2004.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Other Business: Supervisor Brey moved, seconded by Supervisor Behnke to reconsider Resolution 10  
(2004/2005-34) Establishing Elected Official Compensation. Corporation Counsel noted the subject of the  
motion is not debatable; each supervisor is allowed one comment. Upon vote, the motion carried with 14  
ayes and 11 noes. Supervisors Henrickson, Maresh, Braunel, Skubal, Kozlowski, Sloan, Goeke, Markwardt,  
Graunke, Gauger and Dobbs vote no; all others voted aye.

Supervisor Brey moved, seconded by Supervisor Behnke, to amend Resolution 10 with a 0% increase for  
2005 and a 2% increase for 2006. Upon discussion and vote, the motion carried with 16 ayes, 8 noes and  
1 abstention. Supervisors Henrickson, Maresh, Braunel, Skubal, Goeke, Markwardt, Graunke and Dobbs  
voted no; Supervisor Bauknecht abstained; all others voted aye.

Supervisors voted on the resolution as amended. Upon discussion and vote, the motion carried with 17 ayes, 7 noes and 1 abstention. Supervisors Henrickson, Maresh, Braunel, Goeke, Markwardt, Graunke and Dobbs voted no; Supervisor Bauknecht abstained; all others voted aye.

No. 2004/2005 - 34

**RESOLUTION ESTABLISHING ELECTED OFFICIAL COMPENSATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS: **(Engrossed Copy)**

1 WHEREAS, Wisconsin Statutes § 59.22 requires that the total annual compensation of certain elected  
2 officials, exclusive of reimbursements, must be established before the earliest time for filing nomination  
3 papers for office, and Wisconsin Statutes § 59.22 further provides that this compensation shall not be  
4 increased or decreased during the officer's term; and

5  
6 WHEREAS, the Personnel Committee has reviewed the salary of the Clerk of Court, Coroner,  
7 County Clerk, Register of Deeds, and Treasurer; and

8  
9 WHEREAS, the Personnel Committee recommends that the salary of these elected offices be  
10 increased by 2 percent for 2005 and each subsequent year of the term; and

11  
12 WHEREAS, the Personnel Committee recommends that these elected offices be offered the same  
13 fringe benefit package that is offered to non-represented employees;

14  
15 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
16 salaries of elected officials shall not be increased for 2005 and shall be increased by 2 percent for 2006 as  
17 follows:

	2006
Clerk of Court	\$51,570.25
Coroner	\$38,677.69
County Clerk	\$51,570.25
Register of Deeds	\$51,570.25
Treasurer	\$51,570.25; and

18  
19  
20  
21  
22  
23  
24  
25  
26 BE IT FURTHER RESOLVED that these elected officials will be provided the same fringe benefit  
27 package as is provided to non-represented employees; and

28  
29 BE IT FURTHER RESOLVED that the established salary for each office will continue for ensuing  
30 terms unless changed by the County Board of Supervisors in accordance with Wisconsin law.

Dated this 18th day of May 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Total cost of increased wages and associated fringe benefits:

	2006
Wages	\$ 4,803.11
FICA	\$ 367.44
WRS	\$ 513.95
Health Insurance*	\$ 7,414.53
Dental Insurance*	\$ 135.15
Total Cost	\$13,234.18

\*Based on an estimated 10% annual increase in insurance costs.

APPROVED: Dan Fischer, County Executive.



Supervisor Maresh reported the Economic Development Corporation Board of Directors met for the first time and approved the by-laws, applied for tax free status, and elected officers. The search has begun for a director.

Announcements: Chairperson Hansen thanked Ron Kossik of the Manitowoc Public School Board for the Wisconsin's Open Meetings Law Compliance Guides that were handed out to supervisors.

Chairperson Hansen invited supervisors to participate in the Memorial Day Parade.

Supervisor Brey moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

June 15, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc County, in the City of Manitowoc, being the 15th day of June, 2004, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson Paul Hansen at 7:04 P.M.

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

Roll call: 23 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Gauger, Goeke, Graunke, Hansen, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner.  
Supervisors Dobbs and Henrickson were excused.

The County Clerk announced a correction to the May 18, 2004 minutes. On page two under Appointments By County Executive, paragraph one, sentence one, the change is: appointment of alternate "Brian Helminger" to the Local Emergency Planning Committee in place of "Ron Clish." On motion by Supervisor Brey, seconded by Supervisor Behnke, the May 18, 2004 meeting minutes were approved on a unanimous vote.

The County Clerk announced the additions and changes to the agenda. Supervisor Nate moved, seconded by Supervisor Vogt, to approve the agenda. Upon vote, the motion was adopted unanimously.

Chairperson Hansen declared Public Input open at 7:11 p.m.

Bryan Pfeifer, Manitowoc, spoke on the Health Care Center proposal to outsource the Dietary Department to a private vendor. His family members have been employed in various departments at the Health Care Center for twenty-five years. He stated workers hold dear the mission statement of the Health Care Center. He spoke in support of Local 1288 for their efforts to keep the Dietary Department union and urged the County Board to put an end to privatization.

Karl Klessig, co-owner of Saxon Homestead Farm, introduced Julie Mauer, owner/operator of Soaring Eagle Dairy, and Nancy Skaddon, employed with the Lakeshore Natural Resource Partnership and member of UW Discovery Farms Advisory Board. He stated the Discovery Farms project will measure nonpoint pollution for five to seven years to study how it affects water quality. He spoke on the accomplishments of the Agriculture Task Force organized in 2003 to study farm issues. Nancy Skaddon presented information on the partnership and direction of the Discovery Farms in dealing with environmental issues and commended the people of Manitowoc County for working so well together. They answered supervisors' questions.

Nino Amato, representative of Wisconsin Industrial Energy Group, and Charlie Higley, Executive Director of the Citizens Utility Board, spoke in opposition to the sale of the Kewaunee Nuclear Plant to Dominion Energy Kewaunee, Inc. and its conversion to a deregulated merchant plant. Nino Amato feels the sale would negatively impact the economic development in the State and County. In order for business and the agri-community to survive, they must have affordable and reliable energy. He stated Wisconsin has had the lowest residential rates and if the sale is approved, Dominion could sell the power at market rate when the current operating license expires in 2013. He noted if supervisors are not ready to vote on the issue, they should allow the Public Service Commission to come back with more information. Charlie Higley stated the Citizens Utility Board represents the interests of residential consumers and includes farmers and small business. He said the Kewaunee Nuclear Plant provides low cost power. If it is sold, citizens will not benefit from low rates after 2013 when Dominion will be able to sell power to the highest bidder. This sale would be another step toward deregulation. They answered supervisors' questions.

Bob Varley, Director of State and Local Affairs for Dominion based in Cleveland, Ohio, stated they are seeking approval from the Wisconsin Public Service Commission to purchase the Kewaunee Nuclear Plant.

He said the purchase would benefit the ratepayers and employees and provides Wisconsin with another good corporate citizen. He stated the sale would provide price certainty through 2013. There is no additional risk because liability would be assumed by Dominion. The employees at the plant are excited about the pending sale. He stated Dominion is becoming an Independent Power Producer selling power to Wisconsin Utilities under contract. He believes Dominion is a good fit for the Kewaunee Nuclear Plant and respectfully asked for supervisors' support. Kerry Spees, representing Wisconsin Public Service, spoke on the difficult decision it has been to get out of the nuclear power business but feels it is in their best interest. He stated there will be options for power after 2013. If the sale is approved, there would be nine years of rate certainty and Dominion will carry the risk. They answered supervisors' questions.

Scott Gunderson, Manitowoc County Dairy Agent, introduced Pam Miles, Dairy Ambassador from Kentucky, Karl Klessig, co-owner of Saxon Homestead Farm, and Rachel Herrmann, 2004 Manitowoc County Dairy Princess. He invited everyone for ice cream sundaes after the meeting in celebration of June Dairy Month. He thanked supervisors for their support of the Discovery Farms. He reported dairy business brings \$120 million into Manitowoc County with a one-half billion dollar economic impact.

Chairperson Hansen declared public input closed at 8:19 p.m.

#### REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS.

Chairperson Hansen presented a Certificate of Appreciation for retiring Manitowoc County employee Beatrice Dietrich for twenty-three years of service in the Aging Resource Department. Judy Rank, Aging Resource Director, accepted the certificate on her behalf.

Michael Thomas, Health Care Center Administrator, reported on the financial status of the Health Care Center. He gave a brief history of the Health Care Center noting it was developed in 1885 to address mental health issues in the County. At one time, Manitowoc County owned three health care facilities. Manitowoc County sold two and kept the Health Care Center. He reported the Health Care Center receives money from Medicare, Medicaid and private pay. When the State placed more mandates on the facility, expenses increased and Medicare reimbursements have not kept pace with the rising costs. The facility costs \$11 million per year to operate with Manitowoc County contributing \$2.2 million in taxpayer dollars. He discussed options to deal with the financial crisis including increasing taxes, sell or lease the facility to a private provider, change the census mix, or reduce expenses through outsourcing. He stated there are four proposals for outsourcing the Dietary Department being reviewed and more information will be provided at a later date. He answered supervisors' questions.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen requested unanimous consent to take all of County Executive Dan Fischer's appointments together and there were no objections. Chairperson Hansen presented County Executive Dan Fischer's appointments of Laurel Vondrachek to the Board of Adjustment for a three year term expiring July 2007; Rick Henrikson to the Lester Public Library Board of Trustees for a three year term expiring July 1, 2007; Robert Ziegelbauer to the Local Emergency Planning Committee for a two year term expiring July 2006; David Less and alternate Dan Pawlitzke to the Northeast Wisconsin Regional Economic Partnership for a two year term expiring July 2006; Supervisor Glen Skubal to the Planning & Park Commission for a seven year term expiring July 2011; William Handlos, Paul Herrmann, Robert Hoff, Harvey Jannette, Donna Kieckbusch, Randy Neils, Scott Thorenson, and Richard Wegner to the Solid Waste Management System Advisory Committee for three year terms expiring July 2007. Supervisor Sloan moved, seconded by Supervisor Mueller, to approve the appointments. Upon vote, the motion carried unanimously.

#### COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Board of Health: Supervisor Barnes reported they received signs from the state for posting water conditions at beaches in three different languages including English, Hmong, and Spanish; the Community Health Assessment survey is available to the public; concerns were raised on the dumping of sewage into Lake Michigan by the city of Milwaukee; and twenty six Hmong refugee families from Thailand will be arriving next month.

Supervisor Barnes moved, seconded by Supervisor Maresh, to adopt Resolution A (2004/2005-35) Authorizing Out-of-State Travel for Mark Chatenka and Jessica Wanserski. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all others voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Mark Chatenka and Jessica Wanserski)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Point Beach Nuclear Power Plant and the Kewaunee Nuclear Power Plant Emergency  
2 Protective Zone are located in Manitowoc County; and  
3

4 WHEREAS, the Manitowoc County Health Department is required to protect the health of the citizens  
5 of Manitowoc County; and  
6

7 WHEREAS, Health Department Environmental Staff Mark Chatenka and Jessica Wanserski require  
8 specialized training in Radiological Emergency Response Operations that is only available in Anniston,  
9 Alabama; and  
10

11 WHEREAS, the State of Wisconsin and the Federal Government will reimburse Manitowoc County  
12 for the entire cost of the training;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
15 authorizes Mark Chatenka and Jessica Wanserski to travel out-of-state to attend the Radiological Emergency  
16 Response Operations Course in Anniston, Alabama on June 21-25, 2004.

Dated this 15th day of June 2004.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive

Economic Development Board: Supervisor Maresh reported the Search Committee received ten applications for the position of Director. Two candidates have been interviewed and three more are scheduled for this Friday.

Health Care Center Committee: Supervisor Vogt reported the absenteeism rate continues to decline being at the lowest rate in two years. The budget is \$265,000 behind as of April 30. He reported they have looked at proposals for outsourcing the Dietary Department and will discuss this issue in further detail. A decision will be made when all the information is received and reviewed.

Highway Committee: Supervisor Sloan reported they had their annual conference last week where they discussed TABOR, the Department of Transportation's long range plan, railroad transportation, state highway maintenance funding, and federal funding for state and county trunk highways.

Supervisor Sloan moved, seconded by Supervisor Markwardt, to adopt Resolution B (2004/2005-36) Requesting Funding of State Highway Projects. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION REQUESTING FUNDING OF STATE HIGHWAY PROJECTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County's state highways are a growing and active part of the State's  
2 transportation system and are integral to the County's economic development; and  
3

4 WHEREAS, the Highway Committee has identified three state highway projects that should be given  
5 immediate consideration for funding by the Wisconsin Department of Transportation because traffic exceeds  
6 the capacity of the roads and accidents have already occurred;

7  
8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors requests  
9 that the Wisconsin Legislature, Governor James Doyle, and the Wisconsin Department of Transportation  
10 appropriate funding for and implement the following highway projects:

- 11  
12 (a) Reconfiguration of U.S. Highway 10 as a 4-lane highway from the City of Appleton in  
13 Outagamie County to I-43 in Manitowoc County; and  
14  
15 (b) Reconstruction of the State Highway 310 corridor from I-43 to the Two Rivers city limits  
16 as a 4-lane highway; and  
17  
18 (c) Design and construction of a new bridge at the Two Rivers city limits to span the West  
19 Twin River and connect State Highway 310 to 22nd Street and State Highway 42 in the  
20 City of Two Rivers; 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, and to the Secretary of the Department of Transportation.

Dated this 15th day of June 2004.

Respectfully submitted by the Highway Committee.

APPROVED: Dan Fischer, County Executive

Human Services Committee: Supervisor Bundy reported they met on June 3 and discussed the twenty-six Hmong refugee families that will be arriving in July. She reported Director Tom Stanton announced Connie Hendries, Economic Support Supervisor, will be retiring. The Department was notified the 2004 Family Support Program had been received in the Strategic Finance Regional Office and the plan included a thirty-three percent increase in the number of children expected to receive services in 2004. She reported the Department will work closely with the Health Care Center in the potential placing of thirty developmentally disabled and eight to twenty-eight chronically mentally ill residents into the community. She answered supervisors' questions. Director Tom Stanton explained there is no additional federal money at this time to assist the Hmong refugees coming into the area, but U.S. Senators are working on our behalf. He noted the refugees want to come here because they have family and friends in the area.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported milk sales in 2002 generated approximately \$110 million for 375 dairy farmers in Manitowoc County.

Supervisor Wagner moved to adopt Resolution 1 (2004/2005-37) Authorizing Discovery Farms Grant Application (Wis. Public Service Resources Foundation), and Resolution 2 (2004/2005-38) Authorizing Discovery Farms Grant Application (Lakeshore Natural Resources Partnership). Chairperson Hansen asked for unanimous consent, there was no objection, and the resolutions were adopted.

No. 2004/2005 - 37

**RESOLUTION AUTHORIZING DISCOVERY FARM GRANT APPLICATION  
(Wisconsin Public Service Resources Foundation)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the mission of the Manitowoc County UW-Extension Office is to improve the quality  
2 of life in Manitowoc County by serving as an educational resource dedicated to assisting people in making  
3 informed decisions through the facilitation of research-based knowledge; and  
4

5  
6 WHEREAS, Manitowoc County has been designated as a University of Wisconsin Discovery Farms  
7 Project Area; and

8  
9 WHEREAS, two dairy farms, Soaring Eagle Dairy and Saxon Homestead Farm, have been selected  
10 as UW-Discovery Farms sites in Manitowoc County; and

11  
12 WHEREAS, the Manitowoc County UW-Discovery Farms Project Area is a unique collaboration  
13 among Manitowoc County, local towns, conservation groups, and agricultural businesses and organizations;  
14 and

15  
16 WHEREAS, the Manitowoc County UW-Discovery Farms Project Area will gather on-farm research  
17 to determine the environmental and economic effects of Best Management Practices; and

18  
19 WHEREAS, these research results will be used to educate and improve communication among the  
20 agricultural community, consumers, researchers, and policy-makers to better identify and implement effective  
21 environmental management practices that are compatible with profitable agriculture; and

22  
23 WHEREAS, the cost of needed water collection and sampling equipment will be between \$75,000 to  
24 \$100,000 per farm; local collaborators have pledged to raise a minimum of \$40,000; the County may be able  
25 to obtain up to \$25,000 through the Wisconsin Public Service Resources Foundation Grant Program; and  
26 state and federal sources will provide the remainder of the needed funds;

27  
28 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County UW-Extension Office may  
29 apply for and accept up to \$25,000 from the Wisconsin Public Service Resources Foundation Grant Program  
30 to partially fund collection and sampling equipment for the Manitowoc County UW-Discovery Farms Project  
31 Area; that upon receipt of any such grant funds, appropriate revenue and expenditure line items in the 2004  
32 budget will be amended by the amount of the accepted grant; and that the Comptroller/Auditor is directed  
33 to record such information in the official books of the County for the year ending December 31, 2004 as may  
34 be required.

Dated this 15th day of June 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts not  
to exceed \$25,000.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 38

**RESOLUTION AUTHORIZING DISCOVERY FARMS GRANT APPLICATION  
(Lakeshore Natural Resources Partnership, Inc.)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the mission of the Manitowoc County UW-Extension Office is to improve the quality  
2 of life in Manitowoc County by serving as an educational resource dedicated to assisting people in making  
3 informed decisions through the facilitation of research-based knowledge; and

4  
5 WHEREAS, Manitowoc County has been designated as a University of Wisconsin Discovery Farms  
6 Project Area; and

7  
8 WHEREAS, two dairy farms, Soaring Eagle Dairy and Saxon Homestead Farm, have been selected  
9 as UW-Discovery Farms sites in Manitowoc County; and  
10

11 WHEREAS, the Manitowoc County UW-Discovery Farms Project Area is a unique collaboration  
12 among Manitowoc County, local towns, conservation groups, and agricultural businesses and organizations;  
13 and  
14

15 WHEREAS, the Manitowoc County UW-Discovery Farms Project Area will gather on-farm research  
16 to determine the environmental and economic effects of Best Management Practices; and  
17

18 WHEREAS, these research results will be used to educate and improve communication among the  
19 agricultural community, consumers, researchers, and policy makers to better identify and implement effective  
20 environmental management practices that are compatible with profitable agriculture;  
21

22 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County UW-Extension Office may  
23 apply for and accept up to \$5,000 from the Lakeshore Natural Resources Partnership, Inc. to support  
24 communication and education efforts associated with the Manitowoc County UW-Discovery Farms Project  
25 Area; that upon receipt of any such grant funds, appropriate revenue and expenditure line items in the 2004  
26 budget will be amended by the amount of the grant; and that the Comptroller/Auditor is directed to record  
27 such information in the official books of the County for the year ending December 31, 2004 as may be  
28 required.

Dated this 15th day of June 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts not  
to exceed \$5,000.

APPROVED: Dan Fischer, County Executive

Legislative Review Committee: Supervisor Markwardt reported Supervisor Dobbs was elected vice-chair  
and Supervisor Bundy as secretary at their organizational meeting on June 1.

Supervisor Markwardt moved, seconded by Supervisor Bauknecht, to adopt Resolution 3 (2004/2005-39)  
Supporting Point Beach Nuclear Power Plant License Renewal. Upon vote, the motion carried unanimously.

No. 2004/2005-39

**RESOLUTION SUPPORTING POINT BEACH  
NUCLEAR POWER PLANT LICENSE RENEWAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Point Beach Nuclear Power Plant became operational with the start-up of Unit 1 in  
2 December 1970 and Unit 2 became operational in March 1972; and  
3

4 WHEREAS, Point Beach has operated safely and efficiently for over 30 years, generated a record 8.1  
5 million megawatt hours of electricity in 2003, and its 1036 megawatts of electrical generating capacity  
6 remain vital to Wisconsin's economy; and  
7

8 WHEREAS, Wisconsin Energy Corporation has continually reinvested in the Point Beach facility to  
9 assure the continued safe, efficient, and economical production of electricity for Wisconsin's homes,  
10 businesses, and factories; and  
11

12 WHEREAS, the 700 permanent jobs at Point Beach and the extensive use of contractors for ongoing  
13 maintenance and special projects are recognized as vitally important to the economy of Manitowoc County  
14 and Northeast Wisconsin; and  
15

16 WHEREAS, Wisconsin Energy Corporation announced in December 2003 that it intended to renew  
17 the license of both units at Point Beach for an additional twenty years; and  
18

19 WHEREAS, Nuclear Management Company, which operates the Point Beach Nuclear Plant for  
20 Wisconsin Energy Corporation, submitted a license renewal application for both units at the Point Beach  
21 Nuclear Plant to the United States Nuclear Regulatory Commission on February 25, 2004; and  
22

23 WHEREAS, the Nuclear Regulatory Agency is the Federal agency charged with oversight of our  
24 nation's nuclear facilities and encourages public input and comment on license renewal proceedings; and  
25

26 WHEREAS, the Point Beach Nuclear Power Plant has been a good neighbor to the communities within  
27 Manitowoc County for over three decades;  
28

29 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
30 the renewal of the licenses for the nuclear generation facilities at Point Beach, to assure their continued  
31 operation as a safe, economical, and integrally important component of Wisconsin's electric power supply  
32 system for another 20 years; and  
33

34 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
35 the Nuclear Regulatory Commission, the Wisconsin Public Service Commission, Governor James Doyle,  
36 Senator Alan Lasee, Senator Joe Leibham, Representative Frank Lasee, Representative Bob Ziegelbauer,  
37 Representative Steve Kestell, Wisconsin Energy Corporation Chairman of the Board and CEO Richard A.  
38 Abdoo, and Wisconsin Energy Corporation President Gale E. Klappa.

Dated this 15th day of June 2004.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive

Supervisor Markwardt moved, seconded by Supervisor Skubal, to adopt Resolution 4 Supporting Sale of Kewaunee Nuclear Power Plant to Dominion Energy Kewaunee, Inc. Discussion followed. Supervisor Brey moved, seconded by Supervisor Graunke, to table Resolution 4 until the July meeting. Upon discussion and vote, the motion carried with 20 ayes and 3 noes. Supervisors Skubal, Rasmussen, and Rappe voted no; all others voted aye.

Personnel Committee: Supervisor Vogt reported they approved the restructuring of the WIC Program Director position from full time to .75 FTE and will hire a registered dietician for .25 FTE. Also, educational meetings for employees to learn more about insurance benefits was discussed. He reported Holy Family Memorial Medical Center has given the County a proposal for an Employee Assistance Program. He answered supervisors' questions.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 5 (2004/2005-40) Amending Zoning Map for Ronald Baeten, Ordinance 6 (2004/2005-41) Amending Zoning Map for Larry Ledvina, Ordinance 7 (2004/2005-42) Amending Zoning Map for Randy Loose, Ordinance 8 (2004/2005-43) Amending Zoning Map for Kevin Markvart, Ordinance 9 (2004/2005-44) Amending Zoning Map for Nicholas Pantzlaff, Ordinance 10 (2004/2005-45) Amending Zoning Map for Donald Pfister, and Ordinance 11 (2004/2005-46) Amending Zoning Map for Tim Thor. Upon discussion and vote, the motion carried with 22 ayes and 1 no. Supervisor Rappe voted no; all others voted aye.

No. 2004/2005 - 40

**ORDINANCE AMENDING ZONING MAP  
(Ronald Baeten)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 SW¼, Section 19, T19N-R21E, Town of Rockland,  
12 commencing at the W ¼ Corner of said Section 19; thence southerly approximately 550  
13 feet; thence easterly approximately 33 feet to the east r/w of CTH JJ which is the point of  
14 real beginning; thence southerly along the east r/w of CTH JJ approximately 1320 feet;  
15 thence easterly approximately 660 feet; thence northerly approximately 1000 feet; thence  
16 northwesterly along the south r/w of an existing railroad approximately 800 feet to the  
17 point of real beginning, said parcel containing approximately 20.0 acres of land, shall be  
18 and is hereby rezoned from A3 Agriculture to GA General Agriculture.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 41

**ORDINANCE AMENDING ZONING MAP  
(Larry Ledvina)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 SE¼, NW¼, Section 15, T19N-R23E, Town of Manitowoc  
12 Rapids, commencing at the Center of said Section 15; thence westerly approximately 1320 feet  
13 to the east r/w of Logwood Lane; thence northerly approximately 850 feet along the east r/w  
14 of Logwood Lane which is the point of real beginning; thence easterly approximately 250 feet;  
15 thence southerly approximately 225 feet; thence easterly approximately 700 feet; thence  
16 northerly approximately 250 feet; thence westerly approximately 900 feet; thence southerly  
17 along the east r/w of Logwood Lane approximately 33 feet to the point of real beginning, said  
18 parcel containing approximately 6.0 acres of land, shall be and is hereby rezoned from A3  
19 Agriculture to A1 Agriculture.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

**ORDINANCE AMENDING ZONING MAP  
(Randy Loose)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 NE¼, NW¼, Section 5, T19N-R21E, Town of Rockland,  
12 commencing at the N ¼ Corner of said Section 5; thence westerly approximately 900 feet;  
13 thence southerly approximately 33 feet to the south r/w of Manitowoc Road which is the point  
14 of real beginning; thence continue southerly approximately 300 feet; thence westerly  
15 approximately 400 feet; thence northerly approximately 300 feet; thence easterly along the  
16 south r/w of Manitowoc Road approximately 400 feet to the point of real beginning, said  
17 parcel containing approximately 2.75 acres of land, shall be and is hereby rezoned from A3  
18 Agriculture to SE Small Estate.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

**ORDINANCE AMENDING ZONING MAP  
(Kevin Markvart)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 NE¼, NE¼, Section 25, T21N-R22E, Town of Cooperstown,  
12 commencing at the N ¼ Corner of said Section 25; thence easterly approximately 1290 feet;  
13 thence southerly along the west r/w of CTH R approximately 900 feet; which is the point of  
14 real beginning; thence continue southerly along the west r/w of CTH R approximately 500  
15 feet; thence westerly approximately 350 feet; thence northerly approximately 475 feet; thence  
16 easterly approximately 125 feet to the point of real beginning, said parcel containing  
17 approximately 1.90 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1  
18 Agriculture.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 44

**ORDINANCE AMENDING ZONING MAP  
(Nicholas Pantzlaff)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 SE¼, SW¼, Section 34, T21N-R22E, Town of Cooperstown,  
12 commencing at the S ¼ Corner of said Section 34; thence westerly approximately 800 feet;  
13 thence northerly approximately 33 feet to the north r/w of Fisherville Road which is the point  
14 of real beginning; thence continue northerly approximately 290 feet; thence westerly  
15 approximately 269 feet; thence southerly approximately 290 feet; thence easterly along the  
16 north r/w of Fisherville Road approximately 269 feet to the point of real beginning, said parcel  
17 containing approximately 1.79 acres of land, shall be and is hereby rezoned from A3  
18 Agriculture to A1 Agriculture.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 45

**ORDINANCE AMENDING ZONING MAP  
(Donald Pfister)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 A parcel of land located in the NW¼, SE¼, Section 12, T17N-R21E, Town of Schleswig  
11 commencing at the Center of said Section 12; thence southerly approximately 33 feet to the  
12 south r/w of Wagner Road which is the point of real beginning; thence continue southerly  
13 approximately 675 feet; thence easterly approximately 375 feet; thence northeasterly along an  
14 existing wood line approximately 450 feet; thence northerly approximately 200 feet; thence  
15 westerly approximately 200 feet; thence northerly approximately 200 feet; thence westerly  
16 along the south r/w of Wagner Road approximately 450 feet to the point of real beginning, said  
17 parcel containing approximately 8.0 acres of land, shall be and is hereby rezoned from GA  
18 Agriculture to ES Estate; and  
19

20 A parcel of land located in the NW¼, SE¼, Section 12, T17N-R21E, Town of Schleswig:  
21 Parcel #2 - commencing at the Center of said Section 12; thence southerly approximately 33  
22 feet to the south r/w of Wagner Road; thence easterly along the south r/w of Wagner Road  
23 approximately 700 feet which is the point of real beginning; thence continue easterly along the  
24 south r/w of Wagner Road approximately 600 feet; thence southerly approximately 400 feet;  
25 thence westerly approximately 300 feet; thence northerly approximately 50 feet; thence  
26 southwesterly along an existing wood line approximately 300 feet to the point of real  
27 beginning, said parcel containing approximately 5.0 acres of land, shall be and is hereby  
28 rezoned from GA Agriculture to SE Small Estate.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 46

**ORDINANCE AMENDING ZONING MAP  
(Tim Thor)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 17, 2004, 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 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 SE¼, SE¼, Section 4, T19N-R21E, Town of Rockland,  
12 commencing at the SE Corner of said Section 4; thence northerly approximately 33 feet to the  
13 north r/w of West Goodwin Road which is the point of real beginning; thence continue  
14 northerly approximately 700 feet; thence northeasterly approximately 419 feet; thence  
15 northwesterly approximately 264 feet; thence westerly approximately 256 feet; thence  
16 southerly approximately 330 feet; thence easterly approximately 190 feet; thence southerly  
17 approximately 990 feet; thence easterly along the north r/w of West Goodwin Road  
18 approximately 33 feet to the point of beginning, said parcel containing approximately 3.25  
19 acres of land, shall be and is hereby rezoned from A3 Agriculture to I1 Industrial.

Dated this 15th day of June 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Public Safety Committee: Supervisor Muench reported Nancy Crowley informed them the communication towers have exceeded their life expectancy and hopefully grant money will be available to replace the infrastructures. The Dispatch Center is dealing with staff shortages and they are looking at different options to resolve this issue.

Supervisor Muench moved, seconded by Supervisor Rasmussen, to adopt Resolution 12 (2004/2005-47) Accepting Grant Funds for Bulletproof Vests. Upon vote, the motion carried unanimously.

No. 2004/2005 - 47

### **RESOLUTION ACCEPTING GRANT FUNDS FOR BULLETPROOF VESTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Sheriff's Department officers face threats to their physical safety on  
2 a daily basis; and  
3

4 WHEREAS, protective body armor provides necessary protection against injury and death; and  
5

6 WHEREAS, the Sheriff's Department has applied for and been awarded a grant under the Bureau of  
7 Justice Assistance Bulletproof Vest Partnership Grant Program in an amount not to exceed \$3,390 to pay up  
8 to 50% of the cost of purchasing approved bulletproof vests;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
11 the Sheriff's Department to accept such grant funds for the purchase of bulletproof vests as may be awarded;  
12 that upon receipt of those grant funds, appropriate revenue and expenditure line items in the 2004 budget will  
13 be amended by the amount of the grant; and that the Comptroller/Auditor is directed to record such  
14 information in the official books of the County for the year ending December 31, 2004 as may be required.

Dated this 15th day of June 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No. tax levy impact. Increases revenues (21200.43215) and expenditures (21200.58100) by equal amounts not to exceed \$3,390.

APPROVED: Dan Fischer, County Executive

Public Works Committee: Supervisor Behnke reported they met this evening to discuss the financial situation at the Expo with increased insurance costs becoming a burden. He reported the Household Clean Sweep collected 45,800 lbs. of material from 744 households.

Supervisor Behnke moved to adopt Resolution 13 (2004/2005-48) Commending Clean Sweep Program Volunteers and Staff. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 48

### **RESOLUTION COMMENDING CLEAN SWEEP PROGRAM VOLUNTEERS AND STAFF**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County held a household hazardous waste collection "Clean Sweep" at the

2 Manitowoc County Expo grounds on May 15, 2004 and at the Kiel City Garage on May 14, 2004; and  
3

4 WHEREAS, this year's Clean Sweep program serviced a total of 744 households from Manitowoc  
5 County; and  
6

7 WHEREAS, the success of Manitowoc County's Clean Sweep program is due in large part to the  
8 efforts of the volunteers and county staff, who work on the collection days; and  
9

10 WHEREAS, the efforts of the volunteers and county staff saved Manitowoc County more than \$7,000  
11 compared to what the same work would cost if it had been performed by a contractor, as is done in most other  
12 Wisconsin Clean Sweep programs;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
15 commends the volunteers and county staff on their effort and fine work in making this year's Manitowoc  
16 County Clean Sweep programs a success.

Dated this 15th day of June 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Miscellaneous: Supervisor Markwardt announced the 2003 Bay-Lake Regional Planning Commission Annual Report was distributed to supervisors. He suggested Jim VanLannen of Bay-Lakes be invited to the next meeting to explain the grant money available for recreational trails. He spoke on four available fund sources for incubators and suggested passing this information on to the Economic Development Corporation.

Supervisor Brey moved to adjourn. Supervisor Behnke seconded, and the motion was adopted by acclamation. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

July 20, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin – Manitowoc County, in the City of Manitowoc, being the 20<sup>th</sup> day of July 2004, for the purpose of transaction business as a Board of Supervisors.

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

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

Roll call: 24 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisor Rappe was excused.

On a motion by Supervisor Brey and seconded by Supervisor Markwardt, the June 15, 2004 meeting minutes were approved on a unanimous vote.

Chairperson Hansen explained the Attorney General opinion relating to topics being discussed at meetings must be noticed on the agenda prior to said meeting. Supervisors are reminded to notify the County Clerk or himself of a report or an announcement to be noticed on the agenda..

The County Clerk announced the additions and changes to the agenda. Supervisor Sloan moved, seconded by Supervisor Behnke, to approve the agenda, as amended. Upon vote, the motion was adopted unanimously.

Chairperson Hansen declared public input open at 7:07 P.M.

Jim Theyerl, Manitowoc, spoke on the CAFR (Comprehensive Annual Financial Report) indicating this book shows the county has money. He reported the State has an estimated \$7.44 billion in surplus taxpayer money and he wanted the public to be sure they knew about the CAFR.

John Hilmer, Two Rivers, spoke on the existence of the CAFR for all levels of government and passed out information relating to the surplus at the state level.

Chairperson Hansen declared public input closed at 7:10 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Tom Stanton, Human Services Director, presented Connie Hendries with a certificate of appreciation for approximately 34 years of service with the County. Connie retired from the Human Services Department where she held the position of Economic Support Manager. Connie spoke of her appreciation and the fact that she has greatly enjoyed her career at the Human Services Department.

Mike Demske, Planning and Parks Director, reported on the Well Code that will help protect ground water. There are currently 485 abandoned wells that the County knows about. He explained the cost sharing that is available to help residents pay for well abandonment. He responded to questions from Supervisor Janowski regarding the requirement that is outlined in the ordinance that residents notify the administrator when the abandonment is complete. He stated this part of the ordinance would go into effect in 2007. Supervisor Janowski went on record that he would like this portion eliminated.

Todd Reckelberg, Comptroller, introduced Michael Konecny, Auditor at Schenck, who reported on the 2003 Audit. He pointed out a number of changes in the reporting requirements because of GASB34 and referred to the Comprehensive Annual Financial Report (CAFR) as well as the Memorandum of Advisory Comments. The county is in a very solid financial condition. He answered supervisors' questions.

In response to constituents' concerns, Comptroller Todd Reckelberg explained the monthly financial

statements given by specific departments and activities and how they appear in the CAFR. He stated the county has only one set of books. He reported the CAFR will be available on the County's website as well as in the reference section of the County's public libraries.

Chairman Hansen stated the Committee of the Whole met last week and asked Supervisor Brey to report his motion he made at that meeting. Supervisor Brey stated his motion was asking the Health Care Center Committee to bring forth some recommendations to the full County Board in August regarding the future of the Health Care Center. He did not intend the Board to make a final decision on this subject at the August Board meeting but only wanted to get the process started.

#### COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Board of Health: Supervisor Barnes reported that the first family of Hmong refugees arrived last week; Point Beach is the only beach on the caution list, all other beaches are safe; Supervisor Nate, Kozlowski and Barnes attended the ground breaking for River Wood Estates, which will be a 60 unit assisted living facility attached to the Rivers Bend facility; and he will be attending the WCA Health and Human Services Steering Committee meeting.

Economic Development Board: Supervisor Maresh reported that the Economic Development Corporation is narrowing the field of applicants for the Director position and the Incubator Committee visited Green Bay to obtain more ideas.

Executive Committee: Chairman Hansen reported there will be a meeting on Thursday, July 29 @ 4:00 P.M. at the Administration Building to discuss fiscal projections for the Health Care Center.

Finance Committee: Supervisor Brey reported the Committee unanimously approved taking \$20,000 from the Contingency Fund for Expo to hold their fair. This will cover their insurance and the Public Works Department will begin taking a look at how things are done at Expo. If Expo has a surplus of \$15,000 or more at the end of their fiscal year on November 30, the County will be receiving it.

Health Care Center Committee: Supervisor Vogt reported their next meeting will be Tuesday, July 27 @ 5:00 P.M. with a possibility of 2 more meetings before the August County Board meeting. They may not have a recommendation for the Board until September.

Highway Committee: Supervisor Sloan reported they are working on a mailbox ordinance and have also been working with the Bay Lakes Regional Planning Commission on an update to the Transportation and Recreation Trails.

Human Services Board: Supervisor Bundy reported they received word that additional W-2 funding for refugee families will be available in the amount of \$1,400 per family. Their next meeting is Thursday @ 5:15 P.M.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2004/2005-49) Amending 2004 Budget for the Aging Resource Center. Upon vote, the motion carried unanimously.

No. 2004/2005 - 49

### **RESOLUTION AMENDING 2004 BUDGET (AGING RESOURCE CENTER)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Bay Area Agency on Aging has changed the formula allocating Federal and State  
2 funds between the Agency and the Manitowoc County Aging Resource Center; and  
3

4 WHEREAS, the Natural Resources and Education Committee has reviewed the impact of the changes  
5 and recommends approval of the following modifications to the 2004 Budget:  
6



Revenue or Expense	Account Number	Description	Amount
Revenue	46100.43566.01	Congregate Meal Program	751
Expense	46100.52940	Contracted Food	751
Revenue	46250.43566.02	Home-delivered meals	(874)
Expense	46250.52940	Contracted Food	(874)
Revenue	46325.43566.12	Health Prevention Services	(107)
Expense	46325.52108	Public Health Services	(107)
Revenue	46325.43566.05	Title IIIB Grant	(2,548)
Expense	46325.43566.05	Personnel Services	(2,548)
Revenue	46430.43566.14	Family Caregiver Support Grant	3,149
Expense	46430.52999	Contracted Services	3,149

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the 2004 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record such information as may be required in the official books of the County for the year ending December 31, 2004.

Dated this 20th day of July 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenue and expenses by \$371.

APPROVED: Dan Fischer, County Executive

Supervisor Wagner reported congratulations should go to Ruth Aebischer for 35 years of service for Manitowoc County and wish her continued success. Also, congratulations should go to Faye Malek for her promotion to a tenured faculty member as an Associate Professor with the UW System. She stated the Soil & Water Department will assist the Town of Kossuth with a water testing program. The Silver Lake Citizens Park Committee will begin fund raising to restore the park with the West Foundation donating \$65,000, which requires a match.

Personnel Committee: Supervisor Vogt reported that as a cost saving measure they will no longer send a quarterly overtime report but will continue sending the annual report. The preliminary health insurance renewal for 2005 has been received and it projects a 10.25% increase. The Personnel Committee has approved job reclassifications with one outstanding. The committee needs more information before making a determination on the final one. The remaining unsettled contracts will be going to arbitrations unless there is a voluntary settlement.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to approve Resolution 2 (2004/2005-50) Authorizing Application for Recreational Trail Grants. Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Maresh voted no; all other supervisors voted aye.

No. 2004/2005 - 50

**RESOLUTION AUTHORIZING APPLICATION FOR  
RECREATIONAL TRAIL GRANTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Legislature has enacted legislation providing matching grants for  
2 development projects for governmental park and recreation facilities; and  
3

4 WHEREAS, an opportunity has presented itself to develop a public recreational trail on an abandoned  
5 railroad right-of-way in Manitowoc County; and  
6

7 WHEREAS, the Department of Natural Resources, the Department of Transportation, and the  
8 Manitowoc County Planning and Park Commission have determined that development of this trail has a high  
9 priority; and  
10

11 WHEREAS, the total cost of the trail development will be approximately \$400,000 and \$200,000 in  
12 grant funds may be available from the Department of Transportation and additional matching funds of  
13 approximately \$200,000 may be available from the State of Wisconsin; and  
14

15 WHEREAS, the Manitowoc County Planning and Park Commission recommends approval of the  
16 proposed recreational trail development project and the proposed funding mechanisms;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts  
19 the Planning and Park Commission's recommendation to apply to the Department of Natural Resources and  
20 the Department of Transportation for financial assistance for the development of a recreation trail; and  
21

22 BE IT FURTHER RESOLVED that the County Executive, the County Clerk, and the Planning and  
23 Park Department Director are authorized to execute such papers and to take such other action as may be  
24 necessary to apply for and accept a grant for the project and to undertake, direct, and complete the project  
25 upon receipt of the grant; and  
26

27 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal rules for  
28 the program; may perform force account work; will maintain the completed project in an attractive, inviting,  
29 and safe manner; will keep the facilities open to the general public during reasonable hours consistent with  
30 the type of facility; and will obtain approval in writing from the Wisconsin Department of Natural Resources  
31 or the Department of Transportation, or both, before any change is made in the use of the project site; and  
32

33 BE IT FURTHER RESOLVED that the 2004 Budget is amended by the amounts of any grant funds  
34 received, contingent upon the receipt of approximately \$400,000 in grant funds, and that the  
35 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
36 ending December 31, 2004, as may be required.

Dated this 20th day of July 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by the amount of the grants received, contingent upon receipt of approximately \$400,000 in grants to cover the total project cost.

APPROVED: Dan Fischer, County Executive

Supervisor Skubal moved, seconded by Supervisor Rasmussen, to approve Resolution 3 (2004/2005-51) Adopting Report/Denying Zoning Amendment Petition for Nancy Weber. Upon vote, the motion carried unanimously.

No. 2004/2005 - 51

**RESOLUTION ADOPTING REPORT  
DENYING ZONING AMENDMENT PETITION  
(Nancy V. Weber)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Nancy V. Weber on November 5, 2002, to rezone an  
2 approximately 4.3 acre parcel of land located in the SE ¼, NW ¼, Section 25, T21N-R22E, Town of  
3 Cooperstown, from A3 Agriculture to A1 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 Friday, December 6, 2002 at 10:00 a.m. at the Manitowoc  
9 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin after public notice, at which time the  
10 request was tabled; 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 Nancy V. Weber.

Dated this 20th day of July 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Skubal moved, seconded by Supervisor Nate, to enact Ordinance 4 (2004/2005-52) Amending Zoning Map for Mark Berge, and Ordinance 5 (2004/2005-53) Amending Zoning Map for Tim Desotelle. Upon vote, the motion carried unanimously.

No. 2004/2005 - 52

**ORDINANCE AMENDING ZONING MAP  
(Mark Berge)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 28, 2004 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 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 SE¼, SE¼, Section 25, T19N-R21E, Town of Rockland, commencing  
12 at the S ¼ Corner of said Section 25; thence easterly approximately 1320 feet; thence northerly along  
13 the east r/w of Quarry Road approximately 1070 feet which is the point of real beginning; thence  
14 easterly approximately 660 feet; thence northerly approximately 250 feet; thence westerly  
15 approximately 660 feet; thence southerly along the east r/w of Quarry Road approximately 250 feet  
16 to the point of real beginning, said parcel containing approximately 3.80 acres of land, shall be and  
17 is hereby rezoned from A3 Agriculture to SE Small Estate.

Dated this 20th day of July 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 53

**ORDINANCE AMENDING ZONING MAP  
(Tim Desotelle)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 28, 2004 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 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 SE¼, NE¼, Section 20, T21N-R23E, Town of Gibson, commencing  
12 at the E ¼ Corner of said Section 20; thence westerly approximately 850 feet which is the point of real  
13 beginning; thence continue westerly approximately 470 feet to the east r/w of Harpt Lake Road; thence  
14 northerly approximately 470 feet; thence easterly approximately 470 feet; thence southerly  
15 approximately 470 feet to the point of real beginning, said parcel containing approximately 5.0 acres  
16 of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 20th day of July 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Skubal moved, seconded by Supervisor Gauger, to approve Ordinance 6 (2004/2005-54) Creating  
Manitowoc County Code Chapter 23 (Private Water Systems Ordinance). Upon vote, the motion carried  
unanimously.

No. 2004/2005 - 54

**ORDINANCE CREATING MANITOWOC COUNTY CODE CHAPTER 23  
(PRIVATE WATER SYSTEMS ORDINANCE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Agriculture and Environmental Task Force has requested that Manitowoc County develop a well code to protect groundwater and promote public safety; and

WHEREAS, it is necessary to regulate private wells to protect the health and safety of citizens and the value of property within the County; and

WHEREAS, such regulation benefits the county by providing uniform standards for the placement and maintenance of wells and for the proper abandonment of existing wells that are deemed non-compliant and a hazard to public welfare;

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

Manitowoc County Code Chapter 23, Private Water Systems Ordinance, a copy of which is attached hereto and is incorporated herein by reference, is hereby adopted.

Dated this 20th day of July 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive

## CHAPTER 23

### PRIVATE WATER SYSTEMS ORDINANCE

23.01 Introduction.	23.08 Administration.
23.02 Well Location Permit.	23.09 Appeals.
23.03 Well and Drillhole Abandonment.	23.10 Enforcement.
23.04 Prohibitions.	23.11 Definitions.
23.05 Orders.	23.12 Fee Schedule.
23.06 Citations.	23.13 Severability.
23.07 Penalties.	23.14 Effective Date.

**23.01 Introduction.** (1) This ordinance is adopted pursuant Wis. Stat. secs. 59.70(6) and 280.21 and any rules promulgated thereunder. It may be referred to as the Private Water Systems Ordinance or as the Well Code.

(2) The purpose of this ordinance is to protect the county's drinking water and groundwater resources by regulating private well location and by regulating well and drillhole abandonment.

(3) This ordinance applies throughout the entire county, including all of its cities, towns, villages, and sanitary districts.

**23.02 Well Location Permit.** (1) No person may construct a private well or reconstruct or rehabilitate an existing private well unless the owner of the property where the well is or will be located holds a valid well location permit issued by the county, has provided notice of an emergency installation as required in sub. (6), or is part of a private water system that

requires written plan approval from the DNR. Any private well that is constructed, reconstructed, or rehabilitated must comply with all applicable state and local laws, ordinances, and regulations.

(2) Well location permit applications must be:

(a) on forms provided by the Administrator;

(b) signed by the owner or the owner's agent;

and

(c) submitted to the Administrator at least two working days prior to construction in order for the owner or well constructor to receive information about potential contamination sources such as landfills; underground storage tanks; primary and replacement on-site sewage disposal system areas on or adjacent to the site; and special casing areas. If an application is submitted less than 2 working days prior to construction, the well constructor is responsible for maintaining full compliance with all provisions of Wis.

Admin. Code ch. NR 812.

(3) The Administrator will review well location permit applications and approve or disapprove complete applications, return incomplete applications, or notify an applicant of the need to seek a variance or special approval from the DNR. The Administrator may defer approval or disapproval of any application until the DNR variance or approval process is complete. The Administrator will issue written notice to each applicant whose application is disapproved stating the specific reasons for disapproval and describing the amendments, if any, that would render it subject to approval.

(4) A well location permit is valid for a period of one year or until construction is complete, whichever occurs first. If the permit expires, a new application must be submitted and the new application will be evaluated under the provisions of Wis. Admin. Code ch. NR 812 that is in effect at the time of the new application.

(5) The well location permit or notice of DNR approval must be conspicuously displayed at the well site from the time it is received until at least seven days following completion of construction or until the well has been inspected by the county, whichever occurs first.

(6) Well construction may proceed without the required permit only if an emergency installation is required and notice is given to the Administrator prior to construction. Notice must include the owner's name, address, the location where well construction will take place, the nature of the emergency, and the identity of the well constructor. The owner or the owner's agent must apply for the required permit on the first business day following the start of construction. The well constructor is responsible for maintaining full compliance with all provisions of Wis. Admin. Code ch. NR 812.

(7) The owner must notify the Administrator that construction has been completed on the first business day following completion.

(8) A permit transfer application must be submitted if the owner or well constructor changes after the application is submitted and before construction is complete. Failure to submit a transfer application invalidates any previously issued permit. The application must be on a form provided by the Administrator.

(9) No permit may be issued to any owner or well constructor who is in violation of this ordinance until the violation has been corrected, except for a permit to correct a violation.

(10) Any permit issued under this section is void if the permit application contains any false or inaccurate information.

**23.03 Well and Drillhole Abandonment Permit.** (1) No person may abandon a well or drillhole

unless the owner of the property where the well or drillhole is located holds a valid abandonment permit issued by the county. Wells and drillholes must be abandoned in accordance with all applicable state and local laws, ordinances, and regulations, including the standards established in Wis. Admin. Code § NR 812.26.

(2) Abandonment permit applications must be:  
(a) on forms provided by the Administrator;

(b) signed by the owner or the owner's agent; and

(c) submitted to the Administrator at least two working days prior to abandonment.

(3) The Administrator will review applications and approve or disapprove complete applications or return incomplete applications. The Administrator will issue written notice to each applicant whose application is disapproved stating the specific reasons for disapproval and describing the amendments, if any, that would render it subject to approval.

(4) An abandonment permit is valid for a period of 60 days or until abandonment is complete, whichever occurs first. If the permit expires, a new application must be submitted.

(5) The abandonment permit must be conspicuously displayed at the well or drillhole site from the time it is received until at least seven days following completion of abandonment or until the site has been inspected by the county, whichever occurs first.

(6) A permit transfer application must be submitted if the owner or well constructor changes after the application is submitted and before abandonment is complete. Failure to submit a transfer application invalidates any previously issued permit. The application must be on a form provided by the Administrator.

(7) The owner must notify the Administrator that abandonment has been completed on the first business day following completion.

(8) Any permit issued under this section is void if the permit application contains any false or inaccurate information.

**23.04 Prohibitions.** (1) It is unlawful for any person to interfere with the Administrator in the performance of his or her official duties.

(2) It is unlawful for any person to remove a posted permit or a stop work order without proper authorization.

(3) It is unlawful for any person to perform work in violation of a stop work order.

**23.05 Orders.** (1) The Administrator may issue correction, stop work, and abandonment orders. Each order must be in writing, served in person or by

certified mail, and include:

- (a) the date of the order;
- (b) the identity of the person to whom it is issued;
- (c) the location of the well or drillhole site which is the subject of the order;
- (d) the statute, ordinance, regulation order under which the order is issued;
- (e) a statement that the owner is responsible for obtaining any required permits, paying any fees, and complying with all requirements of this chapter;
- (f) a statement of the procedure by which the order may be appealed to the Board of Adjustment;
- (g) a statement that the Administrator may issue a citation or refer the matter to the Corporation Counsel for enforcement if the order is not complied with in a timely manner; and
- (h) the signature of the Administrator.

**(2) Correction Orders.** A correction order shall state the corrective action which must be taken and date by which the action must be completed. It shall also contain a statement that the owner is responsible for contacting the Administrator to schedule the inspection site within 2 business days following the date by which the action must be completed.

**(3) Stop Work Orders.** The Administrator may issue stop work orders if the Administrator determines that the location, construction, or abandonment of a well does not comply with this ordinance. The Administrator shall post a copy of the stop work order in a conspicuous place at the site.

**(4) Abandonment Orders.** (a) The Administrator may order the abandonment of any well or drillhole that is not in service.

(b) The Administrator may order the abandonment of any well that is bacteriologically unsafe or a health hazard.

(c) The Administrator may order the abandonment of any well that will be taken out as the result of the construction, reconstruction, or rehabilitation of a private well for which a well location permit is issued under this chapter.

(d) The Administrator may order the abandonment of any well that does not comply with the requirements of any state or local statute, ordinance, or regulation.

(e) The Administrator may order the upgrade or replacement of any private well that does not comply with the casing height, well cap, or minimum private well separation distances specified in Wis. Admin. Code ch. NR 812 .

(f) The Administrator may, after consultation with and approval by DNR, order the abandonment of any well for which the water exceeds a primary drinking water standard listed in Wis. Admin. Code ch. NR 809 or any state health advisory limit.

**23.06 Citations.** The Administrator may issue citations for a violation of any provision of this chapter.

**23.07 Penalties. (1)** A person who violates any provision of this chapter shall forfeit not less than \$50 nor more than \$500 for each offense, together with the costs of prosecution. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues.

**(2)** A person who defaults in the payment of a forfeiture or the costs of prosecution may be imprisoned in the county jail until the forfeiture and costs are paid, but such imprisonment shall not exceed 30 days. This paragraph does not preclude the county from taking any appropriate action to prevent, abate, or remedy a violation of any provision of this chapter.

**23.08 Administration. (1)** This chapter shall be administered by an Administrator, who shall have the powers necessary to issue permits, conduct inspections, issue orders, and take such other administrative action as may be necessary to enforce the provisions of this chapter and any state laws or regulations relating to the location and abandonment of wells and drillholes.

**(2) Inspection Authority.** The Administrator may require the production of any permit required under this chapter, may enter buildings or property during normal business hours for the purpose of inspecting a well or drillhole upon presentation of proper credentials, and may obtain a special inspection warrant under Wis. Stat. § 66.0119 if consent for entry for inspection purposes is refused.

**(3) Investigation Authority.** The Administrator may investigate complaints regarding noncompliance with any provision of this chapter and any state law or regulation relating to the location and abandonment of wells and drillholes within the county.

**(4) Referral Authority.** The Administrator may refer matters to the DNR that are beyond the scope of this chapter or that require DNR approval. The Administrator may refer matters to the Corporation Counsel for enforcement.

**23.09 Appeals. (1)** A person aggrieved by an order of the Administrator may, within 30 days of the date of the order, seek a review of the order by the board of adjustment. The appeal must be in writing and on a form provided by the Administrator.

**(2)** An appeal that requires the granting of a variance to Wis. Admin. Code ch. NR 812 shall be referred to the DNR pursuant to Wis. Admin. Code § NR 845.09(11)(b). Otherwise, the board shall fix a time for a hearing on the appeal, given notice to the

parties and the public, conduct a hearing, and issue a written decision within a reasonable time. The Board may affirm, modify, or reverse, in whole or in part, the appealed order.

**23.10 Enforcement.** This chapter shall be enforced by the Corporation Counsel who may bring an action against any person or seek injunctive relief for a violation of any provision of this chapter.

**23.11 Definitions.** (1) The definitions contained in Wis. Stat. ch. 280 are incorporated by reference.

(2) Administrator means the Code Administrator appointed pursuant to sec. 8.18(2) and includes any person authorized by the Administrator to perform duties required of the Administrator under this chapter.

(3) DNR means the Wisconsin Department of Natural Resources.

**23.12 Fee Schedule.** (1) The fee for a well

siting permit is \$100.

(2) The fee for the transfer of a well siting permit is \$25.

(3) The fee for an inspection is \$50.

(4) There is no fee for a well abandonment permit.

**23.13 Severability.** The provisions of this ordinance are severable, and the invalidity of any part of this ordinance does not affect the validity or effectiveness of the remainder of the ordinance.

**23.14 Effective Date.** (1) All provisions of this ordinance except sec. 23.02 shall become effective on August 1, 2004.

(2) The provisions of sec. 23.02 shall become effective on July 1, 2007.

Public Safety Committee: Supervisor Muench expressed gratitude to the Town of Cato, Red Cross, Salvation Army and all the friends and neighbors who helped after the tornado last Tuesday.

Public Works Committee: Supervisor Behnke reported they will be working on a lease agreement with Expo, Inc. after the fair. The escalating insurance costs and reduction in state aide has hurt them. He also stated the County will not be running the fair and a report on the Wetland Bank and Courthouse Historical Structure will be given in the future. A tire collection will be held on September 23 & 24 with the same fees as last year.

Supervisor Behnke moved, seconded by Vogt, to adopt Resolution 7 (2004/2005-55) Approving the town of Newton Zoning Ordinance for James J. Barbeau. Upon vote, the motion approved unanimously.

No. 2004/2005 - 55

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE  
James J. Barbeau)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has 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 are subject to the approval of the County Board; and  
6

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 that the Manitowoc County Board of Supervisors approves  
11 the zoning ordinance that was adopted by the Town Board of the Town of Newton for James J. Barbeau on  
12 June 16, 2004.

Dated this 20th day of July 2004.



Respectfully submitted by Kevin L. Behnke, Supervisor

FISCAL IMPACT:       None.

APPROVED:             Dan Fischer, County Executive

Chairman Hansen asked Supervisor Mueller to explain the Glacierland Resource Conservation & Development Council. Supervisor Mueller explained their mission is to assist in better resource management.

Supervisor Mueller moved to adopt Resolution 8 (2004/2005-56) Recognizing the Glacierland Resource Conservation and Development Council. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005-56

**RESOLUTION CONGRATULATING  
GLACIERLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1       WHEREAS, Resource Conservation and Development Councils have contributed countless hours of  
2 community service since 1964 to help people care for and protect their natural resources in ways that improve  
3 the area's economy, environment, and living standards; and  
4

5       WHEREAS, the Glacierland Resource Conservation and Development Council has provided a way  
6 for people to work together to plan and carry out activities that have made Manitowoc County a better place  
7 to live; and  
8

9       Whereas, the Governor of the State of Wisconsin has proclaimed the week of July 11, 2004 to be  
10 RC&D WEEK in Wisconsin recognition of the 40th anniversary of the resource conservation and  
11 development program and the many community service projects that have been performed by Resource  
12 Conservation and Development Councils across the state to improve their communities;  
13

14       NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board hereby congratulates  
15 the Glacierland Resource Conservation and Development Council for its continued success in brightening  
16 the future of our community by bringing together diverse groups of local volunteers to strengthen the spirit  
17 of community service in our county and the region.

Dated this 20th day of July 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair

APPROVED:       Dan Fischer, County Executive

Supervisor Markwardt explained the purpose of Relay for Life, which is a fundraiser sponsored by the American Cancer society. This is the 10<sup>th</sup> annual Relay being held in Two Rivers. Supervisor Markwardt moved to adopt Resolution 9 (2004/2005-57) Recognizing the American Cancer Society Relay for Life. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

**RESOLUTION SUPPORTING THE  
AMERICAN CANCER SOCIETY RELAY FOR LIFE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1        WHEREAS, the American Cancer Society is the nationwide community-based voluntary health  
2 organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives,  
3 and diminishing suffering from cancer through research, education, advocacy, and service; and  
4

5        WHEREAS, the age-adjusted cancer mortality rate is declining for the first time in human history and  
6 will continue to do so as a result of these efforts; and  
7

8        WHEREAS, people are alive today because the knowledge that has been gained through cancer  
9 research has translated directly into prevention, early detection, and improved treatment; and  
10

11        WHEREAS, Relay For Life is the national signature event of the American Cancer Society, has  
12 surpassed one billion dollars in funds raised since the first Relay For Life held in 1985, and is unique in this  
13 community because it blends fund raising, cancer awareness and prevention activities, and fellowship and  
14 support for cancer survivors; and  
15

16        WHEREAS, the American Cancer Society will hold its 10th Annual Relay For Life in Two Rivers on  
17 July 30 and 31, 2004, with the goal of raising \$250,000 and honoring more than 180 cancer survivors; and  
18

19        WHEREAS, Relay For Life is about being a community that takes up the fight against cancer and there  
20 is no finish line until we find a cure;  
21

22        NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors proclaims  
23 Manitowoc County an official RELAY FOR LIFE COUNTY and designates the month of July as RELAY  
24 FOR LIFE MONTH in Manitowoc County as we join the American Cancer Society in the fight against  
25 cancer.

Dated this 20th day of July 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED:        Dan Fischer, County Executive

Supervisor Behnke moved to adjourn. Supervisor Brey seconded and the motion was adopted by  
acclamation. The meeting was adjourned at 8:19 P.M.

Respectfully submitted,

Char Petersen, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

August 17, 2004

Tuesday, 7:13 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 17<sup>th</sup> day of August 2004, for the purpose of transaction business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:13 P.M.

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

Roll call: 25 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner.

On a motion by Supervisor Brey and seconded by Supervisor Behnke, the July 20, 2004 meeting minutes were approved on a unanimous vote.

The County Clerk announced a change to the agenda and Chairperson Hansen requested that Resolution 8 be considered prior to public input. Supervisor Rappe moved, seconded by Supervisor Rasmussen, to approve the agenda, as amended. Upon vote, the motion carried unanimously.

Supervisor Sloan moved to adopt Resolution 8 (2004/2005-58) On the Passing of Sgt. Charles Anthony Kiser. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 58

**RESOLUTION ON THE PASSING OF  
SGT. CHARLES ANTHONY KISER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Sergeant Charles A. Kiser, a member of the U.S. Army Reserve, 330th Military Police  
2 Detachment from the Fale U.S. Army Reserve Center, Sheboygan, WI, lost his life to enemy action in Mosul,  
3 Iraq at the age of 37 on June 24, 2004; and  
4

5 WHEREAS, Sgt. Charles A. Kiser was born in Cincinnati, Ohio on October 24, 1966; graduated from  
6 McNicholas High School in Cincinnati, class of 1985; attended the University of Cincinnati before enlisting  
7 in the U.S. Navy; was employed at GKN Sinter Metals of Manitowoc, Wisconsin; was an active member of  
8 Zion United Church of Christ in Sheboygan; and;  
9

10 WHEREAS, Sgt. Charles A. Kiser led by example in the service of his Country; serving for three years  
11 as a SEABEE in Sigonella, Sicily; as an M.P. at the Fleet Combat Training Facility in Dam Neck, VA; in  
12 the Naval Reserve Service at NMCB-25 in Green Bay, Wisconsin for seven years; and in a U.S. Army  
13 Military Police Unit in Sheboygan, Wisconsin; and;  
14

15 WHEREAS, Sgt. Charles A. Kiser was very active in local and county organizations, and was a  
16 member of the V.F.W. Post 8974 in Cleveland; a Charter Organization Representative of Boy Scout Troop  
17 948; a member of the Cleveland Athletic Club; a Little League coach for Manitowoc County Youth Sports;  
18 and an active participant of the summer and winter trap leagues with the Cleveland Fish & Game Club; and  
19

20 WHEREAS, the Manitowoc County Board of Supervisors shares in the loss with Sgt. Charles A.  
21 Kiser's family and friends;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
24 commemorates the life of Sgt. Charles A. Kiser and expresses its condolences to his wife and family. A copy  
25 of this resolution shall be provided to Sgt. Charles A. Kiser's wife.

Dated this 17th day of August 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED: Dan Fischer, County Executive

Chairperson Hansen presented a proclamation to Mrs. Debra Kiser expressing gratitude for the sacrifice given by her husband. Mrs. Kiser spoke to the Board regarding the importance of remembering the many families who are affected by the War.

Chairperson Hansen declared Public Input open at 7:23 P.M.

Greg Heinz, Coordinator for Glacierland Resource Conservation and Development Council, reported on the duties of the council. Mr. Heinz stated they coordinate and enhance resource conservation, development, and utilization of area resources. Mr. Heinz also thanked Supervisor Mueller, who serves on the Council. Some of the projects the council has been working on include the Farm Fresh Atlas, which was assembled to get people to buy fresh fruits and vegetables from farms; the Woodland Ecology Field Day to be held on 09/25 which focuses on how to manage forest lands and alternative energy (wind and solar energy) through which the Council stresses the need to become less dependent on fossil fuels and overseas oil.

Cathy Owens, Manager of the Farmers Market, thanked supervisors for the resolution recognizing the farmers market in Manitowoc County. Manitowoc County has one of the largest markets in the State. Ms. Owens also reported, on behalf of the Hmong community, that the public is invited to celebrate the Hmong New Year on August 28<sup>th</sup> and 29<sup>th</sup> at Silver Creek Park. The festival opens at 9:30 a.m. and will go on until dusk. Tours will start each day at 10:00 a.m.

Chairperson Hansen declared public input closed at 7:42 P.M.

#### REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Nate reported the Retired and Senior Volunteer Program (RSVP) celebrated their 31<sup>st</sup> Annual Volunteer Recognition on July 22<sup>nd</sup>. Currently the program has 900 members and is the leading resource for senior volunteers in the County. In 2003, volunteers filled a total of 1,264 positions and delivered 133,000 hours of support services for our county.

Supervisor Barnes reported on the WCA Health and Human Services Steering Committee meeting he attended on July 27<sup>th</sup>. He stated two resolutions will be forwarded to the WCA Convention including Support for Federal Legislation to Change the Medicare Formula to Stop Inequities in Payment Among States along with a resolution Supporting the State of Wisconsin to Protect the Health of the Public. They also discussed the Kids First program, which is the Governor's plan to invest in Wisconsin's future to ensure our kids are healthy and safe as well as the W2 program and the distribution of funds for the refugees in Manitowoc and Sheboygan Counties.

Mike Demske, Director of Planning and Parks Department, reported there is a Public Access Site available on the county's website that provides citizens and businesses with land records information and distributed a brochure that explains the rezoning procedure for Manitowoc County. He reported on the proposed Wind Energy System Ordinance stating its purpose is to protect the public health and safety without increasing cost or decreasing the efficiency of the wind energy system. The proposed ordinance addresses, in part, set back requirements, fees, financial assurance, restoration requirements, and definitions of small and large wind systems. He explained that a community cannot ban these wind farms from coming in. Discussion followed.

#### APPOINTMENTS BY CHAIRPERSON

Chairperson Hansen recommended the appointment of Supervisor Joe Janowski to the Public Safety Committee to complete Supervisor Jan Graunke's term expiring April 2006. Supervisor Bauknecht moved, seconded by Supervisor Mueller, to approve the appointment. Upon vote, the motion carried unanimously.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Charles Indestad and Phil Maples to the Loan Review Board for three-year terms expiring September 2007. Supervisor Brey moved, seconded by Supervisor Markwardt, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Bob Carroll to represent EMS on the Joint Dispatch Board for a two-year term expiring August 2006. Supervisor Nate moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Barnes reported the Department will be offering a Food Handler Training course for restaurant employees to be held in September; the Health Department has conducted school screening for hearing, vision and scoliosis; elderly blood pressure screenings are being done at various nutrition sites and senior centers periodically; and the refugees from Thailand have started to arrive.

Economic Development Corporation: Supervisor Maresh reported they have awarded the Director position to Ken Stubbe and his first day will be September 1<sup>st</sup>. Mr. Stubbe comes from the Fond du Lac County Economic Development Corporation, which the Manitowoc Corporation was modeled after. He will be invited to the next County Board meeting. Also, the Nominating Committee will be presenting a new board member from Kiel.

Finance Committee: Supervisor Brey reported on the Lotus Notes/Domino Project stating it would allow for an in-house email and secure messaging system that will comply with HIPPA laws and state regulations. Supervisor Brey moved, seconded by Supervisor Graunke, to approve Resolution 1 (2004/2005-59) Authorizing Lotus Notes/Domino Project. Upon vote, the motion carried unanimously. Supervisor Brey reminded the Board that we are entering the 2005 budget season and the committee is looking forward to reviewing department budgets.

No. 2004/2005 - 59

#### **RESOLUTION AUTHORIZING LOTUS NOTES/DOMINO PROJECT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has made a substantial investment in an information technology and  
2 electronic messaging system that has improved the quality, effectiveness, and efficiency of its operations;  
3 and  
4

5 WHEREAS, the current messaging system lacks adequate transmission, retention, and retrieval  
6 functions to permit efficient and meaningful compliance with Wisconsin's Open Records Law; lacks security  
7 features necessary to maintain compliance with the Health Information Protection and Portability Act; and  
8 exposes confidential communications and information to unauthorized access or disclosure; and  
9

10 WHEREAS, the current messaging system provides a mission critical function that is dependent on  
11 resources that are outside the county's control, is inefficient and difficult to maintain, and does not  
12 adequately meet the county's present and future messaging needs; and  
13

14 WHEREAS, the current messaging system is unable to provide needed and valuable additional  
15 services, such as instant messaging, collaborative calendaring, group scheduling, and resource reservations,  
16 that are a necessary part of an appropriate solution to the county's business needs; and  
17

18 WHEREAS, the Information Systems Department has outlined an efficient and workable solution to  
19 the county's messaging needs and the Finance Committee recommends that this solution be implemented;  
20 and  
21

22 WHEREAS, the county has sufficient funds in its information systems reserve to adequately fund

23 implementation of the recommended project;

24  
25 NOW, THEREFORE, BE IT RESOLVED that the county board authorizes and directs the Information  
26 Systems Department to take such action as may be necessary to implement an in-house Lotus Notes/Domino  
27 messaging solution that uses existing hardware to the greatest extent practicable as a platform for the project  
28 to replace the current messaging system; and  
29

30 BE IT FURTHER RESOLVED that the county board authorizes the transfer of such funds as may be  
31 necessary, but not to exceed \$77,500, from the Information Systems Reserve Account to implement the  
32 project and directs the Comptroller/Auditor to make such entries as may be necessary in the county's books  
33 for the years ending December 31, 2004 and December 31, 2005.

Dated this 17th day of August 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Reduces Information Systems Reserve Account by approximately \$65,000 for project development and approximately \$12,500 for recurring costs and increases authorized expenditures by an equal amount. Depreciated development costs and recurring costs will be charged back to departments and included in future budgets beginning in 2006.

APPROVED: Dan Fischer, County Executive

Health Care Center Committee: Supervisor Vogt reported they did not make a decision on outsourcing the dietary department. The union is working to cut costs and have until 08/24 to bring back concessions that would save the County the same amount of money to keep dietary in house. Figures being used for the 2005 budget for the dietary department are based on the sub-contracting quote.

Highway Committee: Supervisor Sloan reported the department completed the Homeland Security Grant Project at the Airport and it was 100% federally funded.

Supervisor Sloan moved, seconded by Supervisor Markwardt, to enact Ordinance 2 (2004/2005-60) Creating Manitowoc County Code Sec. 15.11 Pertaining to Mailbox Installation. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2004/2005 - 60

**ORDINANCE CREATING MANITOWOC COUNTY CODE  
SEC. 15.11 PERTAINING TO MAILBOX INSTALLATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Committee is concerned by the increasing number of injuries and deaths  
2 nationwide from improperly installed and placed mailboxes that encroach upon highways; and  
3

4 WHEREAS, Wis. Stat. § 86.04 gives the Highway Committee authority to remove any encroachments  
5 on county trunk highways; and  
6

7 WHEREAS, the Highway Committee recommends that Manitowoc County adopt an ordinance  
8 covering mailbox installations along highway right of way to prevent such encroachments and to protect the  
9 public; and  
10

11 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc, Wisconsin does  
12 ordain as follows:  
13

Manitowoc County Code sec. 15.11 is created as follows:

**15.11 Mailbox Installation. (1) Purpose.** This Ordinance is intended to establish standards for the safe installation of mailboxes within the right-of-way adjacent to highways in Manitowoc County. The term "mailbox" means any device used to receive mail, newspapers, packages, or similar items and the term includes any structure used to support the mailbox.

**(2) Authorization.** A person may install and maintain a mailbox within the right-of-way adjacent to or near the person's residence provided that the mailbox complies with all requirements established by the United States Postal Service and all requirements established by this Ordinance.

**(3) Requirements. (a) Location.** A mailbox must be placed on the right side of the highway, except in the case of one-way traffic; at the far side of the driveway; and a minimum of 60 feet from any intersecting road in the direction of the delivery route.

**(b) Setback.** The mailbox must be set back a sufficient distance so that no portion of the mailbox extends over the traveled portion of the highway or the outside edge of the shoulder.

**(c) Height.** The bottom of the mailbox receptacle must be a minimum of 42 inches to a maximum of 48 inches from the street surface.

**(d) Material.** A mailbox must be constructed of light sheet metal, plastic, or a similar material. The mailbox must be firmly attached to any support structure in order to minimize the possibility of its separating from the structure if struck by a vehicle.

**(e) Number and Separation.** No more than two mailboxes may be mounted on a single support post. A light weight newspaper box mounted below a mailbox will not be counted toward this limit. Support posts must be separated by a distance that is equal to three-quarters of the height of the support posts.

**(f) Support Structure.** A mailbox support structure must be designed to break off or move out of the way if struck by a vehicle. No support may extend more than 24 inches into the ground; be placed in concrete; or fitted with an anchor plate. A metal support may have an anti-twist device if the device does not extend more than 10 inches below the ground surface. The maximum material specifications for a support post are:

1. A square wood post must not be larger than 4 inches by 4 inches nominal.
2. A round wood post must not be larger than 4 inches in diameter.
3. A metal pipe must have an inside diameter of 1½ inches or less.
4. A metal channel must weigh less than 2 pounds per foot.

**(5) Variance.** The Highway Commissioner is authorized to grant a variance on a case by case basis to any requirement specified in sub. (3) provided that the variance is authorized in writing and does not compromise public safety.

**(6) Enforcement.** This Ordinance may be enforced under the provisions of Wis. Stat. § 86.04 pertaining to highway encroachments.

**EFFECTIVE DATE:** This ordinance is effective upon publication.

Dated this 17th day of August 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive

Human Services Board: Supervisor Bundy reported there was no public input regarding their 2005 budget at their meeting on August 9<sup>th</sup>.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported next week is the County Fair and the UWEX Association for Home and Education members will test water at the fair again this year; and the clean up is continuing after the tornado in Clarks Mill on July 13<sup>th</sup>.

Legislative Review Committee: Supervisor Markwardt stated the WCA Resolutions Committee met yesterday and they will be forwarding 33 resolutions to the Convention. The resolution for the Point Beach Nuclear Plant was included. Discussion followed.

Personnel Committee: Supervisor Vogt reported that Blue Cross and Blue Shield agreed to reduce their administration fee from 14% to 11.5% saving the County \$195,000 in 2005 and they discussed the possibility of contracting for services to manage the use of sick leave, FMLA, and identify patterns of absenteeism.

Supervisor Vogt moved, seconded by Supervisor Janowski, to approve Resolution 3 (2004/2005-61) Ratifying 2004-2005 Settlement of Health Insurance, Subcontracting, Longevity, and Wages for AFSCME Locals 986-A, 986-B, and 1288. Upon vote, the motion carried unanimously.

No. 2004/2005 - 61

**RESOLUTION RATIFYING 2004-2005 SETTLEMENT OF HEALTH INSURANCE,  
SUBCONTRACTING, LONGEVITY, AND WAGES FOR  
AFSCME LOCALS 986-A, 986-B, AND 1288**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative agreement with employees represented  
2 by AFSCME Locals 986-A, 986-B, and 1288 on the issues of health insurance, subcontracting, longevity,  
3 and wages for the 2004-2005 collective bargaining agreements; and  
4

5 WHEREAS, health insurance plan design changes will reduce health insurance premiums by 3.40%  
6 and employees have agreed to increase their share of health insurance premium contribution to 7.0%  
7 effective July 1, 2004 and 8.0% effective January 1, 2005; and  
8

9 WHEREAS, in exchange for the 3.40% reduction in premium costs the Employer has agreed to  
10 increase the existing longevity schedule by 20¢ effective with the payroll that includes September 1, 2004;  
11 and  
12

13 WHEREAS, a tentative agreement has been reached to modify the existing subcontracting language  
14 in the collective bargaining agreements to allow subcontracting except when the subcontracting has the effect  
15 of laying a current employee off to the street or reducing a current employee's guaranteed hours below the  
16 authorized minimum hours; and  
17

18 WHEREAS, a tentative agreement has been reached to increase the wage schedule by 3.0% effective  
19 January 1, 2004 and by 3.0% effective January 1, 2005; and  
20

21 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to  
22 accept, thus avoiding the uncertainty and expense of proceeding through interest arbitration on these major  
23 issues; and  
24

25 WHEREAS, having reached a voluntary settlement on these major issues, the peripheral issues specific  
26 to each AFSCME Local should also be voluntarily resolved; and  
27

28 WHEREAS, a summary of the changes in hours, wages, and working conditions for the employees  
29 represented by AFSCME Locals 986-A, 986-B, and 1288 is attached to this resolution;



NOW, THEREFORE, BE IT RESOLVED that the settlement of health insurance, longevity, subcontracting, and wages for 2004-2005 negotiated between the Personnel Committee and the employees represented by AFSCME Locals 986-A, 986-B, and 1288 is ratified, confirmed, and approved with the pay schedules, benefits, and terms set forth; and

BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel Director are authorized to execute this settlement.

Dated this 17th day of August 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	2004	2005
Wages	\$346,755.78	\$357,158.45
FICA	\$ 26,526.82	\$ 27,322.62
WRS	\$ 33,982.07	\$ 36,430.16
Health Insurance Changes	(\$ 78,925.54)	(\$247,670.65)
Longevity Increase	\$ 38,083.07	\$114,249.20
<u>TOTAL</u>	<u>\$366,422.20</u>	<u>\$287,489.78</u>

Please see attached spreadsheet for breakdown by bargaining unit.

APPROVED: Dan Fischer, County Executive

Terms of Tentative Settlement Reached  
Regarding Health Insurance, Longevity, Subcontracting, and Wages

It is understood that this settlement would become effective immediately upon ratification of both AFSCME and the Manitowoc County Board of Supervisors. Issues specific to each Local are not addressed in this settlement and will be addressed in separate settlement discussions.

1. Implement drug card change effective September 1, 2004 that would require the substitution of generic medications for brand-name medications when available. Brand-name drugs that have a generic equivalent may be dispensed only if the prescribing physician is able to justify medical necessity for use of the brand-name drug in place of the generic equivalent. If a generic equivalent drug does not exist, the brand-name drug will be dispensed at the brand-name co-payment. If a brand name drug is dispensed without medical necessity, the employee would be responsible for paying the brand name co-pay and the difference in cost between the generic drug and the brand-name drug. Increase drug card co-payments to \$10 generic/\$20 brand. Maintain current co-payment caps of \$100 single/\$200 family.
2. Increase longevity schedule by 20¢ effective with the payroll that includes September 1, 2004.
3. Increase premium contribution to 7% effective July 1, 2004. Increase premium contribution to 8.0% effective January 1, 2005.
4. Increase wage schedule by 3.0% effective 1/1/04  
Increase wage schedule by 3.0% effective 1/1/05
5. *(Specific contractual language of this change in language to be determined)* Modify subcontracting language so that subcontracting is allowed except where the decision to subcontract would result in the layoff of an employee to the street or would cause a reduction in the hours guaranteed by job posting. This change to the subcontracting language does not apply to the dietary department of the Manitowoc County Health Care Center.

6. In the event that the Dietary department of the Manitowoc County Health Care Center is subcontracted, create a side letter that would guarantee that:

1. Displaced dietary employees would have access to CNA training at no cost to the employee. If training occurs after the layoff to the street, the laid-off employee would not be paid to attend the training. The training shall begin as soon as LTC is available to conduct the course of training. Displaced dietary employees who elect to not participate in this training session waive their right to CNA training at a later date.
2. For 36 months following elimination of the dietary positions, displaced dietary employees who apply for job openings which occur in other County departments shall be given preference over outside applicants where the qualifications of the displaced dietary employee are relatively equal to the qualifications of the outside applicants, and the displaced dietary employee possesses the skills necessary to perform the requirements of the job. In the event that two displaced dietary employees apply for a position with Manitowoc County and the qualifications of the displaced dietary employees are relatively equal, the senior displaced dietary employee shall have preference.

Manitowoc County will post all available positions on the bulletin board outside the Personnel Department, and shall list all job openings on the County's web site and on JobNet. Displaced dietary employees would be subject to the same review process as any external applicant, and as such, may be required to participate in tests and interviews.

3. Displaced dietary employees shall be compensated as follows:
  1. Eligibility for payment of accrued sick leave is dependent upon the employee's eligibility to receive a retirement benefit under the Wisconsin Retirement System.
  2. Employee's accrued and unused vacation benefits will be paid to the employee upon separation of employment.
4. Dietary employees who are laid off to the street shall have their hospital and surgical insurance benefits paid on the same basis as if they remained working for a maximum of three months following layoff. Displaced employees who elect to separate from employment with Manitowoc County shall also be eligible for this benefit. After the three month continuation is exhausted, displaced employees shall have the right to continue on Manitowoc County's group health plan to the extent afforded by state and federal law.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 4 (2004/2005-62) Amending Zoning Map for Robert Parker, and Ordinance 5 (2004/2005-63) Amending Zoning Map for Lee Stefaniak. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted aye.

No. 2004/2005 - 62

**ORDINANCE AMENDING ZONING MAP  
(Robert Parker)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, a public hearing was held on Monday, July 26, 2004 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 facts 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:

11 A parcel of land located in the NE¼, NW¼, Section 4, T21N-R24E, Town of Mishicot, commencing  
12 at the N ¼ Corner of said Section 4; thence westerly approximately 650 feet along the south r/w of  
13 CTH BB which is the point of real beginning; thence continue easterly approximately 250 feet; thence  
14 southerly approximately 325 feet; thence easterly approximately 250 feet; thence northerly  
15 approximately 325 feet to the point of beginning, said parcel containing approximately 1.93 acres of  
16 land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 17th day of August 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

No. 2004/2005 - 63

**ORDINANCE AMENDING ZONING MAP  
(Lee Stefaniak)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, July 26, 2004 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 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 NE¼, NE¼, Section 10, T20N-R24E, Town of Mishicot, commencing  
12 at the NE Corner of said Section 10; thence westerly approximately 33 feet to the west r/w of Division  
13 Drive which is the point of real beginning; thence continue westerly approximately 417 feet; thence  
14 southerly approximately 417 feet; thence easterly approximately 417 feet; thence northerly along the  
15 west r/w of Division Drive approximately 417 feet to the point of beginning, said parcel containing  
16 approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
17 Agriculture.

Dated this 17th day of August 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Public Safety Committee: Supervisor Muench reported that Nancy Crowley used unused nuclear money for Joint Dispatch Center equipment and employee training. They continue to discuss the communications infrastructure. The also toured the jail and dispatch center.

Supervisor Muench moved, seconded by Supervisor Henrickson, to approve Resolution 6 (2004/2005-64) Authorizing Out-of-State Travel for Kay Beilke. Upon vote, motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Kay Beilke)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Joint Dispatch Center Administrator Kay Beilke has an opportunity  
2 to attend a two-session Communications Center Manager course offered by The National Academies of  
3 Emergency Dispatch that will provide a comprehensive foundation of management and leadership theory,  
4 practice, and case studies; and  
5

6 WHEREAS, the Joint Dispatch Center Administrator and Emergency Services Coordinator are  
7 aggressively working toward improving the efficiency and effectiveness in the delivery of emergency  
8 services communications in order to achieve and maintain accreditation as a dispatch center of excellence,  
9 and the Communications Center Manager course will contribute to achieving these goals; and  
10

11 WHEREAS, all expenses, including airfare, hotel, meals, and surface transportation, will be borne by  
12 the Nuclear Management Company;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 Kay Beilke to travel out of state to attend both sessions of the National Academies of Emergency Dispatch  
16 Communications Center Manager Course in Kansas City, October 24-29, 2004 and January 16-21, 2005.

Dated this 17th day of August 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. The Nuclear Management Company will fully reimburse  
the county for all conference expenses.

APPROVED: Dan Fischer, County Executive

Public Works Committee: Supervisor Behnke reported they met earlier that day to discuss several  
resolutions before the Board and briefly reviewed the Courthouse Historic Structures Report that was  
completed that day.

Supervisor Behnke moved, seconded by Supervisor Kozlowski, to approve Resolution 7 (2004/2005-65)  
Amending Budget for Telephone Service Review. Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING BUDGET  
(TELEPHONE SERVICE REVIEW)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County's present telephone phone service agreement ends on July 31, 2005;  
2 and  
3

4 WHEREAS, there have been many changes in the types of service and equipment since the county  
5 entered into the present agreement; and  
6

7 WHEREAS, the Public Works Committee believes that it is in the county's best interest to have an  
8 independent agent review the county's existing telephone service and to identify the options available to  
9 improve the efficiency and quality of the county's telephone services so that appropriate changes can be  
10 incorporated into the phone service agreement that will begin on August 1, 2005; and  
11

12 WHEREAS, the Public Works and Finance Committees have carefully reviewed the cost and methods

13 for financing a review of the county's telephone system and recommend that the cost of this review be paid  
14 using funds remaining from the Unreserved/Undesignated Future Capital Projects account; and  
15

16 WHEREAS, a recent change in the county's telephone service contract with Ameritech has resulted  
17 in savings that should be sufficient to offset the cost of this review and that will allow the departments to  
18 reimburse the Unreserved/Undesignated Future Capital Projects without any increase in their budgets;  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
21 the transfer of an amount not to exceed \$13,000 from the Unreserved/Undesignated Future Capital Projects  
22 account to an appropriate expenditure account to pay for the telephone service review; that the 2004 budget  
23 is amended by the amount and in the manner stated; and that the Comptroller/Auditor is directed to record  
24 such information in the official books of the County for the year ended December 31, 2004 as may be  
25 required; and  
26

27 BE IT FURTHER RESOLVED that the Public Works Director is authorized to execute such  
28 documents as may be necessary to conduct this review, once the documents have been reviewed and  
29 approved by the County Executive, the Corporation Counsel, and the Comptroller.

Dated this 17th day of August 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No tax levy impact. Reduces Unreserved/Undesignated Future Capital Projects  
fund balance by an amount not to exceed \$13,000 and increases expenditures by  
an equal amount, with transferred funds to be replenished by future charges to  
departments.

APPROVED: Dan Fischer, County Executive

Supervisor Brey moved to adopt Resolution 9 (2004/2005-66) Proclaiming Farmers Market Month.  
Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 66

### **RESOLUTION PROCLAIMING FARMERS MARKET MONTH**

TO THE CHAIRMAN AND BOARD OF SUPERVISORS:

1 WHEREAS, farmers' markets carry on a long-standing Wisconsin tradition of farmers selling directly  
2 to families; serve as an integral link between urban, suburban, and rural communities; and provide important  
3 outlets for agricultural producers to increase marketing opportunities; and  
4

5 WHEREAS, Manitowoc County farmers' markets offer consumers farm-fresh, affordable, convenient,  
6 and healthy products such as fruit, vegetables, cheese, herbs, flowers, baked goods, meat, and much more;  
7 and  
8

9 WHEREAS, the popularity of farmers' markets continues to increase as more and more consumers  
10 discover the enjoyment of shopping for both unique and familiar ingredients sold directly from the farm in  
11 their freshest possible state; and  
12

13 WHEREAS, Manitowoc County farmers' markets support local antihunger initiatives because farmers  
14 donate unsold food and food products to programs that feed the needy; and  
15

16 WHEREAS, farmers' markets have become community gathering places and a valuable outlet for  
17 distributing health, gardening, food, and other information; and  
18

19 WHEREAS, the United States Department of Agriculture proclaimed August 1-7, 2004 as National  
20 Farmers' Market Week;

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
23 proclaims August 2004 as Manitowoc County Farmers' Market Month in order to further the expansion and  
24 awareness of farmers' markets and the contributions that farmers make to daily life in America, and  
25 encourages all Manitowoc County residents to celebrate the benefits of farmers' markets and the bountiful  
26 production of our county's farmers who, while providing for our needs, are among the best stewards of our  
27 land.

Dated this 17th day of August 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED: Dan Fischer, County Executive

Public Safety Committee and Public Works Committee: Supervisor Muench moved, seconded by Supervisor  
Gauger, to approve Resolution 10 (2004/2005-67) Authorizing Video-Teleconferencing Grant Application.  
Upon vote, the motion carried unanimously.

No. 2004/2005 - 67

**RESOLUTION AUTHORIZING  
VIDEO-TELECONFERENCING GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors previously adopted Resolution No.  
2 2002/2003-19 authorizing the implementation of an IP-based video-teleconferencing system using \$75,000  
3 in grant funds from the Immigration and Naturalization Service; and  
4

5 WHEREAS, use of the IP-based video-teleconferencing system has reduced the cost of transporting  
6 jail inmates for court appearances and provided other benefits; and  
7

8 WHEREAS, the county's video-teleconferencing system is unable to connect to most other Wisconsin  
9 facilities because those facilities use an ISDN-based video-teleconferencing system;  
10

11 WHEREAS, the Office of Justice Administration has grant funds available in the amount of \$5,790  
12 that could be applied to the \$10,459 equipment cost necessary to upgrade the county's video-teleconferencing  
13 system to work with both ISDN- and IP-based video-teleconferencing systems; and  
14

15 WHEREAS, an upgraded video-teleconferencing system can be used by the Sheriff's Department and  
16 other departments to reduce the cost of transporting inmates and clients to and from hearings and court  
17 appearances, to avoid the risks that are inherent when inmates are moved from one location to another, and  
18 to reduce the amount of staff time needed to transport inmates and clients or to attend conferences that are  
19 available using the video-teleconferencing system; and  
20

21 WHEREAS, Public Safety and Public Works Committees have both reviewed the proposed project,  
22 the cost to up grade the video-teleconferencing system, and recommend that it be implemented;  
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
25 the Sheriff's Department to apply and accept up to \$5,790 in grant funding to purchase equipment and  
26 upgrade the county's video-teleconferencing system; authorizes the County Executive to accept the grant;  
27 and authorizes the Public Works Director to act as the Project Manager; and  
28

29 BE IT FURTHER RESOLVED that upon receipt of the grant funds, the appropriate revenue line items  
30 in the 2004 budget are amended by the amount of the grant funds received; \$4,669 is transferred from the  
31 Contingent Fund; the appropriate expenditure line items are amended by \$10, 459; and the  
32 Comptroller/Auditor is directed to record such information as may be necessary in the official books of the

33 County for the year ending December 31, 2004.

Dated this 17th day of August 2004.

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

FISCAL IMPACT: Increase expenses by \$10,459; increases revenues by up to \$5,790; and transfers \$4,669 from the Contingent Fund.

APPROVED: Dan Fischer, County Executive

Supervisor Behnke moved, seconded by Supervisor Muench, to approve Resolution 11 (2004/2005-68) Approving Town of Centerville Zoning Ordinance for Kenneth Bruckschen. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted aye.

No. 2004/2005 - 68

**RESOLUTION APPROVING  
TOWN OF CENTERVILLE ZONING ORDINANCE  
(Kenneth Bruckschen)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Centerville has adopted a new zoning ordinance in accordance with Wis.  
2 Stat. § 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 are subject to the approval of the County Board; and  
6

7 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
8 County Board of Supervisors for approval;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
11 the zoning ordinance that was adopted by the Town Board of the Town of Centerville for Kenneth  
12 Bruckschen on August 10, 2004.

Dated this 17th day of August 2004.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive

Supervisor Bauknecht moved to adjourn. Supervisor Nate seconded and the motion was adopted by acclamation. The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Char Petersen, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

September 21, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 21st day of September 2004, for the purpose of transaction business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:02 P.M.

Chairperson Hansen thanked the Rockland Sunshine 4-H Club for the reception and display of current projects they provided prior to the meeting.

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

Roll call: 25 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner.

On a motion by Supervisor Brey and seconded by Supervisor Behnke, the August 17, 2004 meeting minutes were approved on a unanimous vote.

The County Clerk announced revisions to the agenda. Supervisor Vogt moved, seconded by Supervisor Nate, to approve the agenda, as amended. Upon vote, the motion carried unanimously.

Chairperson Hansen declared Public Input open at 7:06 P.M.

Jerrid Anderson, Navitas Energy Company, spoke in support of the wind turbine ordinance before the board. He stated they have over 5,000 acres of land to support the project with agreements from property owners. The towns and county will receive shared revenue and he feels the project will be good for everyone.

Chairperson Hansen declared public input closed at 7:09 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Hansen recognized retiring Manitowoc County Health Care Center employees Karen Lehman for 20 years of service and Kathleen Wilhelm for 34 years of service.

Kevin Palmer, UWEX 4-H Youth Development Agent, reported 4-H membership has grown to 644 and this is the highest enrollment since 1998. He shared a fundraiser story where the Horse and Pony Committee raised \$20,000 for youth in Manitowoc County. Members of the Rockland Sunshine 4-H Club spoke on the benefits of being involved with 4-H. Shannon Genrich, a Senior in college and former member of the Rockland Sunshine Club, expressed credit to 4-H for the development of her speaking skills and dedication to work in college. Brandon Timm, a 4th grader, shared his 1st place fair project. He stated 4-H is fun and it taught him many things. Jenna Duchow, a 5th grader, explained 4-H has been a family tradition for 25 years that helped her family spend time together and has given her the opportunity to learn many skills. Emily Fischer, a 6th grader, spoke on what the 4-H pledge means and her involvement in the community. Rosie Palmer, an 8th grader, spoke on her participation in several camps and the skills she learned there. Kevin Palmer thanked the students for speaking and invited everyone to the 4-H Family Fun Night on October 14 at the Expo. He answered supervisors' questions.

Public Works Department Director Jeff Beyer presented the Manitowoc County Courthouse Historic Structure Report (HSR) that identifies historically significant features of the Courthouse and provides technical information for restoration. He explained the report is necessary because most potential funding agencies require a HSR when considering a request for funding. Bob Jagemann, Bamco Architects, explained the research was completed with architectural drawings, photos, and interviews. He stated there was a positive response from individuals at the prospect of preserving and restoring the Courthouse. Jeff



reported the deadline for renovation is November 12, 2007, which is the centennial anniversary. He will provide the board with progress reports on the fund-raising efforts for the restoration. He answered supervisors' questions.

Chairperson Hansen reminded supervisors when they wish to give a report, they should notify the County Clerk so it is placed on the agenda.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Mary Coenen to the Local Emergency Planning Committee to complete Dale Wallerich's term expiring September 2005, and Anna Wood to the Long Term Support Planning Committee to complete a vacancy expiring April 30, 2005. Supervisor Muench moved, seconded by Supervisor Henrickson, to approve the appointments. Chairperson Hansen asked for unanimous consent, there was no objection, and the appointments were approved.

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

Board of Health: Supervisor Barnes reported the Department will be participating in a BIO-EX '04 exercise; October 6 is "Walk A Child to School Day;" a mass vaccination exercise will take place October 12; flu clinics will begin in October; and there have been five confirmed cases of Whooping Cough in Manitowoc County. He answered supervisors' questions.

Economic Development Corporation: Supervisor Maresh reported they met on September 1 and introduced the new Executive Director Ken Stubbe. He will focus on Manitowoc County as a whole for economic development.

Executive Committee: Chairperson Hansen reported they will be meeting within the next two weeks and invited supervisors to notify him if there was an issue they would like addressed.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Rasmussen, to approve Resolution 1 (2004/2005-69) Creating New Activity and Accounts and Transferring Funds for Public Safety Software Programs. Supervisor Brey explained the need to have additional funds available for staff training on the AEGIS System. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Behnke vote no; all other supervisors voted aye. Supervisor Brey announced they are looking forward to reviewing the 2005 budget and welcome input.

No. 2004/2005 - 69

### **RESOLUTION CREATING NEW ACTIVITY AND ACCOUNTS AND TRANSFERRING FUNDS FOR PUBLIC SAFETY SOFTWARE PROGRAMS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has entered into a contract with New World Systems as the county's  
2 new provider of public safety software programs, and the final payment for the initial purchase, installation,  
3 setup, and maintenance costs of the AEGIS system will be \$25,200; and  
4

5 WHEREAS, the Sheriff's Department and Joint Dispatch Center will need to have additional funds  
6 available for training staff on the AEGIS system, and staff and the oversight committees have recommended  
7 amounts not to exceed \$97,000 for the Sheriff's Department and \$40,000 for the Joint Dispatch Center to  
8 fund this training; and  
9

10 WHEREAS, Manitowoc County is presently negotiating a reduction in the final payment under the  
11 original Tiburon contract that will not exceed \$44,329, and Manitowoc County will need to continue its  
12 relationship with Tiburon to provide for a maintenance agreement on the existing software through March  
13 2005 at a cost not to exceed \$15,000; and  
14

15 WHEREAS, the Finance Committee recommends that a new activity be created in the 2004 budget  
16 for public safety software programs, that appropriate accounts be established, and that \$221,529 be

17 transferred from the Contingent Fund to these accounts to cover these expenses that will be incurred between  
18 October 2004 and December 2005;

19  
20 NOW, THEREFORE, BE IT RESOLVED that the Comptroller/Auditor is directed to create a new  
21 activity and establish appropriate accounts in the 2004 budget to provide for public safety software programs;  
22 that \$221,529 is transferred from the 2004 Contingent Fund to the appropriate accounts; that any funds not  
23 expended in 2004 will be carried over into 2005 and reappropriated; that the Comptroller/Auditor is hereby  
24 directed to make such entries in the official books of the County as may be necessary to carry out the  
25 intended purposes of this resolution; and that the Comptroller/Auditor and Information Systems Director  
26 are instructed to monitor and manage the funds appropriated to this new activity.

Dated this 21st day of September 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Reduces the amount in the 2004 Contingent Fund by \$221,529. Authorizes the establishment of a new activity area in the 2004 budget and the carry over and reappropriation of any remaining funds in this activity to the 2005 budget.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported that Health Care Center Administrator Michael Thomas was honored as Administrator of the Year for nursing homes in Wisconsin; review of the 2005 budget looks good; absenteeism continues to improve; the state recently cited several minor violations that will be challenged by the administrator; five exercise machines were gifted by Aegis Therapies to the Health Care Center; and they approved keeping the Dietary Department in-house working together with AFSCME Union 1288 employees by reducing their salary scale and staff reduction by changing work schedules. He answered supervisors' questions.

Highway Committee: Supervisor Sloan reported they interviewed Western Shores Aviation and Lakeshore Aviation for the fixed Based Operator Lease and will discuss the proposals at their October 19 meeting.

Supervisor Sloan moved, seconded by Supervisor Behnke, to adopt Resolution 2 (2004/2005-70) Authorizing Joint Construction Agreement for Work on North 18th Street in the City of Manitowoc. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Goeke voted no; all other supervisors voted aye.

No. 2004/2005-70

**RESOLUTION AUTHORIZING JOINT CONSTRUCTION AGREEMENT  
FOR WORK ON NORTH 18TH STREET IN THE CITY OF MANITOWOC**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County of Manitowoc ("County") presently has jurisdictional control over that  
2 portion of North 18th Street in the City of Manitowoc ("City") that is located between Menasha Avenue and  
3 Magnolia Avenue; and  
4

5 WHEREAS, the County and City believe that it would be to their mutual benefit to cooperate on a  
6 joint construction project to make repairs and improvements to that portion of North 18th Street and to  
7 ultimately transfer jurisdictional control over that portion of North 18th Street to the City; and  
8

9 WHEREAS, the proposed Joint Construction Agreement has been reviewed by the Corporation  
10 Counsel and a copy of the proposed Joint Construction Agreement has been provided to the County Board;  
11 and  
12

13 WHEREAS, the funds necessary for the County's share of this project will be included in the 2005  
14 budget;

15  
16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
17 County Executive and the County Clerk are authorized to enter into the Joint Construction Agreement with  
18 the City of Manitowoc.

Dated this 21st day of September 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Sufficient funds are included in the 2005 budget request from the department to the County Executive.

APPROVED: Dan Fischer, County Executive.

Supervisor Sloan moved, seconded by Supervisor Markwardt, to adopt Resolution 3 (2004/2005-71) Authorizing Out-Of-State Travel for Gary Kennedy. Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Goeke and Graunke voted no; all other supervisors voted aye.

No. 2004/2005 - 71

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Gary Kennedy)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the University of Wisconsin-Madison, College of Engineering, is sponsoring a County  
2 Road System Traffic Safety Assessment Program in Ukiah, California on September 27 and 28, 2004, that  
3 will provide information that will save lives and protect property; and  
4

5 WHEREAS, the Wisconsin Counties Highway Association (WCHA) encourages its Board of Directors  
6 and Executive Committee Members to attend this program on behalf of the counties represented by the  
7 organization, and Highway Commissioner Gary Kennedy is WCHA's Past State President and a member of  
8 the WCHA Board of Directors and Executive Committee; and  
9

10 WHEREAS, the University of Wisconsin and the WCHA Board of Directors have authorized the  
11 reimbursement of all necessary expenses for WCHA Executive Committee members who attend this  
12 program; and  
13

14 WHEREAS, the Manitowoc County Highway Committee has determined that it would be  
15 advantageous to Manitowoc County, the Highway Department, and WCHA for Highway Commissioner  
16 Kennedy to attend this program;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 Gary Kennedy to attend the County Road System Traffic Safety Assessment in Ukiah, California on  
20 September 27 and 28, 2004, provided that all expenses are reimbursed by the University of Wisconsin-  
21 Madison and the Wisconsin Counties Highway Association.

Dated this 21st day of September 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported they reviewed changes to the 2005 department budget and it looks positive.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved to adopt Resolution 4 (2004/2005-72) Proclaiming National 4-H Week. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 72

**RESOLUTION PROCLAIMING NATIONAL 4-H WEEK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the youth and volunteers of any community are its greatest natural resource; and

2  
3 WHEREAS, 4-H is one of the largest youth organizations in the United States, with nearly seven  
4 million youth involved in 4-H nationwide; and

5  
6 WHEREAS, 4-H in Wisconsin claims 150,000 youth members and 15,000 adult volunteers, and  
7 Manitowoc County's 4-H program numbers 620 members and 236 volunteers; and

8  
9 WHEREAS, 4-H, as part of the Manitowoc County University of Wisconsin Extension, is a program  
10 where youth learn together in all kinds of activities, events, and projects; and

11  
12 WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for over one  
13 hundred years; and

14  
15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors declares  
16 October 3-9, 2004 as National 4-H Week in Manitowoc County and the people of this community are urged  
17 to take advantage of the opportunity to become more aware of this special program which gives youth the  
18 chance to learn together and on their own as part of Manitowoc County 4-H and to join us in recognizing the  
19 unique partnership between our county and our University System.

Dated this 21st day of September 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt asked supervisors to let him know if they want any specific legislative issues discussed.

Personnel Committee: Supervisor Vogt reported the Blue Cross-Blue Shield health insurance premium will increase 6.6175% for 2005. This reduced increase can be credited to the drug card, increased co-payments, and the wellness program. He reported there has been a change in the Fair Labor Standard Act and the Personnel Department has made appropriate changes in the policy manual; the Employee Assistance Program will be handled by Holy Family Memorial Hospital next year; a new revision of a computer security system will be implemented; and they approved restructuring a position in Information Systems taking a position from the AS400 area and transitioning it into a Network Engineer Position.

Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 5 (2004/2005-73) Ratifying Settlement of 2004-2005 Contract for Sheriff's Department Employees Represented by WPPA. Upon vote, the motion carried unanimously.

No. 2004/2005 - 73

**RESOLUTION RATIFYING SETTLEMENT OF 2004-2005 CONTRACT FOR  
SHERIFF'S DEPARTMENT EMPLOYEES REPRESENTED BY WPPA**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative agreement with Sheriff's Department  
2 employees represented by WPPA on a 2004-2005 collective bargaining agreement ; and  
3

4 WHEREAS, the employees have agreed to increase their share of health insurance premium  
5 contributions to 7.0% effective October 1, 2004 and 8.0% effective January 1, 2005, and  
6

7 WHEREAS, health insurance plan design changes will reduce health insurance premiums by 3.40%  
8 and the Employer has agreed to increase the existing longevity schedule by 20¢ effective with the payroll  
9 that includes October 1, 2004 in exchange for these design changes and reduced premiums; and  
10

11 WHEREAS, a tentative agreement has been reached to increase the wage schedule by 3.0% effective  
12 January 1, 2004 and by 3.0% effective January 1, 2005; and  
13

14 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to  
15 accept, thus avoiding the uncertainty and expense of proceeding through interest arbitration on these major  
16 issues; and  
17

18 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Sheriff's  
19 Department employees represented by WPPA has been provided to the County Board;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the settlement of the 2004-2005 collective bargaining  
22 agreement negotiated between the Personnel Committee and the employees represented by WPPA is ratified,  
23 confirmed, and approved with the pay schedules, benefits, and terms set forth; and  
24

25 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel  
26 Director are authorized to execute this settlement.

Dated this 21st day of September 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2004	2005
Uniform Allowance Increase		\$ 1,240.00
Wages	\$40,534.07	\$41,750.09
FICA	\$ 3,100.86	\$ 3,193.88
WRS	\$ 5,877.44	\$ 6,387.76
Health Insurance Changes	(\$ 4,461.63)	(\$21,244.84)
Longevity Increase	\$ 2,437.50	\$ 9,750.09
<u>TOTAL</u>	<u>\$47,488.24</u>	<u>\$41,076.98</u>

APPROVED: Dan Fischer, County Executive.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 6 (2004/2005-74) Amending Zoning Map for Brian Burt, Ordinance 7 (2004/2005-75) Amending Zoning Map for Myron Lukasik, and Ordinance 8 (2004/2005-76) Amending Zoning Map for TRKL Hoerth Partnership. Upon discussion and vote, the motion unanimously.

No. 2004/2005 - 74

**ORDINANCE AMENDING ZONING MAP  
(Brian Burt)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, August 23, 2004, 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 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, Section 5, T21N-R22E, Town of Cooperstown,  
12 commencing at the E1/4 Corner of said Section 5; thence southerly approximately 750 feet;  
13 thence westerly approximately 33 feet to the west r/w of Kvitek Road which is the point of real  
14 beginning; thence continue westerly approximately 250 feet; thence southerly approximately  
15 250 feet; thence easterly approximately 250 feet; thence northerly approximately 250 feet along  
16 the west r/w of Kvitek Road to the point of beginning, said parcel containing approximately  
17 1.45 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 21st day of September 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 75

**ORDINANCE AMENDING ZONING MAP  
(Myron Lukasik)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on August 23, 2004 at the Manitowoc County Office Complex,  
2 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, recommends that the  
6 petition be approved for the reasons stated in the attached report;  
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, Section 30, T21N-R23E, Town of Gibson, commencing at the  
12 E1/4 of said Section 30; thence westerly approximately 471 feet; thence southerly approximately 33  
13 feet to the south r/w of Pautz Road which is the point of real beginning; thence westerly approximately  
14 859 feet along the south r/w of Pautz Road; thence southerly approximately 406 feet; thence easterly  
15 approximately 761 feet; thence northerly approximately 171 feet; thence easterly approximately 110  
16 feet; thence northerly approximately 265 feet to the point of beginning, said parcel contains  
17 approximately 8.0 acres of land shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 21st day of September 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(TRKL Hoerth Partnership)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held August 23, 2004 at the Manitowoc County Office Complex,  
2 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, recommends that the  
6 petition be approved for the reasons stated in the attached report;  
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 NE¼, Section 20, T17N-R21E, Town of Schleswig, tax parcel no. 016-  
12 020-001-001.00, said parcel consisting of 20 acres, shall be and is hereby rezoned from GA General  
13 Agriculture to NA Natural Area; and  
14

15 A parcel of land located in the NW¼, Section 21, T17N-R21E, Town of Schleswig, tax parcel no. 016-  
16 021-005-000.00, said parcel consisting of 39.98 acres, shall be and is hereby rezoned from GA General  
17 Agriculture to NA Natural Area; and  
18

19 A portion of a parcel of land located in the NW¼, Section 21, T17N-R21E, Town of Schleswig, that  
20 is part of tax parcel no. 016-021-006-000.00, commencing at the NW Corner of said Section 21;  
21 thence easterly approximately 900 feet; thence southerly approximately 33 feet to the south r/w of Fish  
22 & Game Road which is the point of real beginning; thence easterly approximately 1000 feet along the  
23 south r/w of Fish & Game Road; thence southerly approximately 550 feet; thence westerly  
24 approximately 625 feet; thence northwesterly approximately 700 feet along the east r/w of Steinthal  
25 Road to the point of beginning, said portion consisting of 11.40 acres, shall be and is hereby rezoned  
26 from GA General Agriculture to SE Small Estate District; and  
27

28 The remaining portion of tax parcel no. 016-021-000.00, consisting of 37.02 acres, shall be and is  
29 hereby rezoned from GA General Agriculture to NA Natural Area.

Dated this 21st day of September 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 9 (2004/2005-77) Creating  
Manitowoc County Code Chapter 24 (Wind Energy System Ordinance). Upon discussion and vote, the  
motion carried unanimously.

**ORDINANCE CREATING MANITOWOC COUNTY CODE CHAPTER 24  
(Wind Energy System Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, wind power is a clean energy source and is the fastest-growing renewable source of  
2 power worldwide; and  
3

WHEREAS, Manitowoc County has been identified as having some of the most favorable topographical and meteorological conditions in the State of Wisconsin for the generation of electrical power using wind energy systems;

WHEREAS, several companies have expressed interest in locating wind energy systems and in developing wind farms in Manitowoc County; and

WHEREAS, reasonable regulations on the placement of wind energy systems are necessary to balance the interests of the county's residents and the individuals and companies that want to develop wind energy systems within the county; and

WHEREAS, the Planning and Park Commission has held hearings on a proposed wind energy system ordinance, has revised the proposed ordinance to address the concerns that have been presented to it, and recommends that the county adopt the final draft of the wind energy system ordinance;

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

Chapter 24 of the Manitowoc County Code be and is hereby created as follows:

## CHAPTER 24

### WIND ENERGY SYSTEM ORDINANCE

- 24.01 Title
- 24.02 Authority
- 24.03 Purpose
- 24.04 Applicability
- 24.05 Definitions
- 24.06 Standards
- 24.07 Permit Requirements
- 24.08 Restoration Requirement
- 24.09 Conditional Use Permit Procedure
- 24.10 Zoning Permit Procedure
- 24.11 Signal Interference
- 24.12 Violations
- 24.13 Administration and Enforcement
- 24.14 Penalties
- 24.15 Severability

24.01 Title. This ordinance may be referred to as the Wind Energy System Ordinance.

24.02 Authority. This ordinance is adopted pursuant to authority granted by Wis. Stat. secs. 59.69, 59.694, and 66.0401

24.03 Purpose. The purpose of this ordinance is to preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a wind energy system and to allow for the orderly development of land, protect property values, and esthetic conditions within the county. This ordinance does not repeal, abrogate, annul, impair, or interfere with any existing ordinance.

24.04 Applicability. This ordinance applies to all lands within the boundaries of Manitowoc County lying outside the limits of incorporated cities and villages, but will not take effect in a town until approved by the Town Board in accordance with Wis. Stat. sec. 59.69.

24.05 Definitions. In this ordinance:

(1) "Board" means the Manitowoc County Board of Adjustment.

(2) "Commission" means the Manitowoc County Planning and Park Commission.



(3) "Code Administrator" means the Manitowoc County Code Administrator appointed pursuant to sec. 8.18(2), or his or her designee.

(4) "Department" means the Manitowoc County Planning and Park Department.

(5) "Large Wind System" means a wind energy system that has a nameplate capacity of more than 50 kilowatts, a total height of more than 100 feet, a blade diameter of more than 30 feet, and one wind tower and turbine.

(6) "Small Wind System" means a wind energy system that has a nameplate capacity of 50 kilowatts or less, a total height of 100 feet or less, a blade diameter of 30 feet or less, and one wind tower and turbine.

(7) "Total Height" means the vertical distance from ground level to the tip of a wind turbine blade when the tip is at its highest point.

(8) "Wind Energy System" means equipment that converts and then stores or transfers energy from the wind into usable forms of energy and includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, turbine, vane, wire, or other component used in the system.

(9) "Wind Farm System" means a wind energy system that includes more than one wind tower.

(10) "Wind Tower" means the monopole, freestanding, or guyed structure than supports a wind turbine generator.

24.06 Standards. (1) Location. (a) A wind energy system that is not a small wind system may only be located in areas that are zoned A3-Agriculture or PA-Prime Agricultural. A small wind system may be located in any area except an area that is zoned C1-Conservancy or NA-Natural Area.

(b) A wind tower may not be located within one-quarter mile of any area that is zoned C1-Conservancy or NA-Natural Area or within one-quarter mile of any state or county forest, hunting area, lake access, natural area, or park.

(2) Set Backs. (a) The wind tower in a small wind system must be set back from the property line of the parcel on which it is located and from any right-of-way by a distance that is equal to its total height.

(b) The wind tower in a large wind system and each wind tower in a wind farm system must be set back:

1. from the property line of the parcel on which the wind tower is located by a distance equal to 1.1 times the height of the wind tower, but the Board of Adjustment may grant a variance if the property line is shared with an adjacent parcel within the same wind farm system.

2. from any residence or business that is on an adjacent parcel by a distance of 1,000 feet, but the Board of Adjustment may grant a variance if the adjacent parcel is located within the same wind farm system.

3. from any public building that is on an adjacent parcel by a distance of 1,000 feet.

4. from the right-of-way of any public road by a distance of 500 feet or 1.1 times its total height, whichever is greater.

(3) Spacing and Density. A wind tower must be separated from any other wind tower in any small wind system, large wind system, or adjacent wind farm system by a sufficient distance so that the wind tower does not interfere with the other wind tower.

(4) Structure. A wind tower must be of monopole construction to the extent practicable. If monopole construction is not practicable, a wind tower must be of freestanding construction to the extent practicable. If monopole or freestanding construction is not practicable, a wind tower may be guyed.

- (5) Height. The total height of a wind energy system must be 500 feet or less.
- (6) Clearance. The vertical distance from ground level to the tip of a wind turbine blade when the blade is at its lowest point must be at least 25 feet.
- (7) Access. A wind tower, including any climbing aids, must be secured against unauthorized access by means of a locked barrier or security fence.
- (8) Electrical Wires. All electrical wires associated with a wind energy system, other than wires necessary to connect the wind turbine to its base and to overhead collection lines, must be located underground.
- (9) Lighting. A wind tower and turbine may not be artificially lighted unless such lighting is required by the Federal Aviation Administration. If lighting is required, the lighting must comply with FAA minimum requirements and, whenever possible, be at the lowest intensity allowed, avoid the use of strobe or other intermittent white lights, and use steady red lights. If more than one lighting alternative is available, the alternative that causes the least visual disturbance must be used.
- (10) Equipment. Any electrical equipment associated with a wind energy system must be located under the sweep area of a blade assembly.
- (11) Appearance, Color, and Finish. The exterior surface of any visible components of a wind energy system must be a nonreflective, neutral color. Wind towers and turbines in a wind farm system that are located within one mile of each other must be of uniform design, including tower type, color, number of blades, and direction of blade rotation.
- (12) Signs. No wind turbine, tower, building, or other structure associated with a wind energy system may be used to advertise or promote any product or service. No word or graphic representation, other than appropriate warning signs and owner identification, may be placed on a wind turbine, tower, building, or other structure associated with a wind energy system so as to be visible from any public road.
- 24.07 Permit Requirements. (1) Conditional Use Permit. A conditional use permit is required for a wind farm system and for any wind energy system that is not a small wind system.
- (2) Zoning Permit. A zoning permit is required for the installation of a wind tower that is part of any wind energy system.
- (3) Expiration. A permit issued pursuant to this ordinance expires if:
- (a) the wind energy system is not installed and functioning within 2 years from the date the permit is issued; or
  - (b) the wind energy system is out of service or otherwise unused for a continuous 12-month period.
- (4) Fees. (a) The application for a conditional use permit for a wind energy system must be accompanied by the fee required for a conditional use permit, plus a \$100 processing fee for each tower included in a wind farm system.
- (b) The application for a zoning permit for a large wind system and for each tower in a wind farm system must be accompanied by the fee required for a zoning permit for a principal use.
- (c) The application for a zoning permit for a small wind system must be accompanied by the fee required for a zoning permit for an accessory use.
- (5) Financial Assurance. (a) Proof of financial assurance is a condition precedent to the issuance of any conditional use or zoning permit under this ordinance.
- (b) The owner of a wind energy system, other than a small wind system, must provide a performance bond, completion bond, or other financial assurance that guarantees the performance of the restoration requirement set forth in sec. 24.08.

24.08 Restoration Requirement. (1) A wind energy system that is out of service for a continuous 12-month period will be deemed to have been abandoned. The Code Administrator may issue a Notice of Abandonment to the owner of a wind energy system that is deemed to have been abandoned. The Code Administrator will withdraw the Notice of Abandonment if the owner provides information within 30 days from the date of the Notice that causes the Code Administrator to determine that the wind energy system has not been abandoned.

(2) The owner of a wind energy system may provide the Code Administrator with a written Notice of Termination of Operations if the operation of a wind energy system is terminated.

(3) Within 3 months of receipt of Notice of Abandonment or within 6 months of providing Notice of Termination of Operations, the owner of a wind energy system must:

- (a) remove all wind turbines, aboveground improvements, and outdoor storage;
- (b) remove all foundations, pads, and underground electrical wires to a depth of 4 feet below the surface of the ground; and
- (c) remove all hazardous material from the property and dispose of the hazardous material in accordance with federal and state law.

#### 24.09 Conditional Use Permit Procedure.

(1) A person may submit an application to the Code Administrator for a conditional use permit for a large wind system or a wind farm system. The application must be on a form approved by the Code Administrator and must be accompanied by 10 copies of a scaled drawing, other descriptive information sufficient to enable the Board to determine whether the requirements of this ordinance will be satisfied, and such other information as may be specified on the application form. The Code Administrator will review the application materials for completeness and may request that the applicant provide additional information. When the Code Administrator determines that the application is complete, the Code Administrator will forward it to the Board.

(2) The Board will conduct a hearing on the application after a class 2 hearing notice is published in the official newspaper of Manitowoc County. The hearing will be held within 60 days after the Board receives the application.

(3) The Board will grant a conditional use permit if it determines that the requirements of this ordinance are met and that granting the permit will not unreasonably interfere with the orderly land use and development plans of the county. The Board may include conditions in the permit if those conditions preserve or protect the public health and safety; do not significantly increase the cost of the system or significantly decrease its efficiency; or allow for an alternative system of comparable cost and efficiency. The Board may consider the following factors when setting conditions:

- (a) Proposed ingress and egress.
- (b) Proximity to transmission lines to link the system to the electric power grid.
- (c) Number of wind turbines and their location.
- (d) Nature of land use on adjacent and nearby properties.
- (e) Location of other wind energy systems in the surrounding area.
- (f) Surrounding topography.
- (g) Proximity to residential structures, residential zoning districts, or areas identified for future residential use.
- (h) Design characteristics that may reduce or eliminate visual obtrusiveness.

- (i) Possible adverse effects on migratory birds, raptors, and other animals and wildlife.
- (j) Possible adverse effects of stray voltage, interference with broadcast signals, shadow effect, and noise.
- (k) Impact on the orderly development, property values, and esthetic conditions within the county.
- (l) Recommendation of the Town Board of the Town in which the wind energy system will be located.
- (m) Any other factors that are relevant to the proposed system.

(4) The Board may waive or reduce the burden on the applicant of one or more of the factors in sub. (3) if it concludes that the purpose of this ordinance is met. The installation and continued operation of the large wind system or wind farm system are contingent upon compliance with any conditions that are set by the Board.

(5) The Board's decision, the reason for its decision, and any conditions will be recorded in the Board's minutes. The Code Administrator will issue a conditional use permit or inform the applicant the conditional use permit has been denied.

(6) The Board's decision may be appealed to the Circuit Court.

24.10 Zoning Permit Procedure. (1) A person may submit an application to the Code Administrator for a zoning permit for a wind tower. The application must be on a form approved by the Code Administrator and must be accompanied by two copies of a drawing that shows the proposed location and distance of the tower with reference to the property lines of the parcel on which it is located; any residence, business, or public building on an adjacent parcel; the right-of-way of any public road that is within 600 feet; and such other information as may be specified on the application form.

(2) The Code Administrator should issue a permit or deny the application within one month of the date on which the application is received.

(3) The Code Administrator will issue a zoning permit for a tower in a small wind system if the application materials show that the proposed tower location meets the requirements of this ordinance. The Code Administrator will issue a zoning permit for a tower in a large wind system or a wind farm system if the application materials show that the proposed tower location meets the requirements of this ordinance and of the conditional use permit issued by the Board.

(4) If the application is approved, the Code Administrator will return one copy of the drawing with the zoning permit and retain the other copy with the application.

(5) If the application is rejected, the Code Administrator will notify the applicant in writing and provide a written statement of the reason why the application was rejected.

(6) The zoning permit must be conspicuously posted on the premises so as to be visible to the public at all times until construction or installation of the tower is complete.

24.11 Signal Interference. The owner of a wind energy system must take such reasonable steps as are necessary to prevent, eliminate, or mitigate any interference with radio or television signals caused by the wind energy system.

24.12 Violations. It is unlawful for any person to construct, install, maintain, modify, or operate a wind energy system that is not in compliance with this ordinance or with any condition contained in a conditional use or zoning permit issued pursuant to this ordinance.

#### 24.13 Administration and Enforcement.

(1) This ordinance shall be administered by the Code Administrator.

(2) The Code Administrator may enter any property for which a conditional use or zoning permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met.

(3) The Code Administrator may issue orders to abate any violation of this ordinance.

(4) The Code Administrator may issue a citation for any violation of this ordinance.

(5) The Code Administrator may refer any violation of this ordinance to the Corporation Counsel for enforcement.

24.14 Penalties. (1) Any person who fails to comply with any provision of this ordinance or of a conditional use permit or a zoning permit issued pursuant to this ordinance shall, upon conviction thereof, forfeit at least \$500 but not more than \$1,000 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues. Any person who is in default of payment of a forfeiture or costs may be imprisoned in the county jail until the forfeiture or costs are paid, except that the period of imprisonment may not exceed 30 days.

(2) Nothing in this section shall be construed to prevent the county from using any other lawful means to enforce this ordinance.

24.15 Severability. The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Dated this 21st day of September 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Maresh, to adopt Resolution 10 (2004/2005-78) Authorizing State Homeland Security Grant Application. Upon vote, motion carried unanimously.

No. 2004/2005 - 78

### **RESOLUTION AUTHORIZING STATE HOMELAND SECURITY GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Wisconsin Emergency Management and the Office of Justice Assistance are making \$17,114 available to Manitowoc County through an FY 2004 state homeland security grant for local hospital decontamination equipment;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes the Emergency Management Department to apply for and accept such grant funds as may be available from Wisconsin Emergency Management and the Office of Justice Assistance; that the 2004 budget is amended by the amount of any grant funds received; that any unexpended funds may be carried forward to the 2005 budget; and that the Comptroller/Auditor is directed to record such information in the official books of the County for the year ending December 31, 2004 as may be required.

Dated this 21st day of September 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses in the Emergency Management budget by up to \$17,114.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 11 (2004/2005-79) Accepting Training Award. Upon vote, the motion carried unanimously.

No. 2004/2005 - 79

### RESOLUTION ACCEPTING TRAINING AWARD

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making \$15,403.90 available to Manitowoc  
2 County as an FY 2004 training award for terrorism-related training and Incident Command  
3 System/Emergency Operations Center Interface and Debris Management courses; and  
4

5 WHEREAS, this training award enhances the county's preparation for potential acts of terrorism  
6 involving weapons of mass destruction; provides an opportunity to develop the skills necessary to effectively  
7 communicate critical information between the field and the Emergency Operations Center; and enhances the  
8 ability to plan for, respond to, and recover from debris-generating events;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
11 the Manitowoc County Emergency Management Department to apply for and to accept such training funds  
12 from Wisconsin Emergency Management; that the 2004 budget is amended by the amount of any grant funds  
13 received; and that the Comptroller/Auditor is directed to record such information in the official books of the  
14 County for the year ending December 31, 2004 as may be required.

Dated this 21st day of September 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by up to \$15,403.90 in the 2004 Manitowoc County Emergency Management budget.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke reported they had an interesting tour of the Waste Management Landfill; next month they will have a resolution on the sale of a lot in the Industrial Park; and they are working with Expo on a lease agreement.

Transportation Coordinating Committee: Supervisor Mueller reported they met on August 18 and Manitowoc County will participate in the "United We Ride" program. This is a federal program that is taking a look at coordinating transportation across county lines throughout the state.

Ken Stubbe, Executive Director of the Economic Development Corporation, introduced himself and stated he is excited to be in Manitowoc County. He sees the potential for growth in outlying regions with increased development in existing businesses. He invited anyone to contact him with questions. Chairperson Hansen invited him back in November.

Supervisor Maresh moved to adjourn. Supervisor Goeke seconded and the motion was adopted by acclamation. The meeting adjourned at 8:58 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

October 12, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 12th day of October 2004, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:05 P.M.

Supervisor Don Goeke gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 21 members present; Bauknecht, Braunel, Brey, Bundy, Gauger, Goeke, Graunke, Hansen, Henrickson, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisors Barnes, Behnke and Janowski were excused. Supervisor Dobbs was absent.

On a motion by Supervisor Sloan and seconded by Supervisor Brey, the September 21, 2004 meeting minutes were approved on a unanimous vote.

There were no revisions to the agenda. Supervisor Brey moved, seconded by Supervisor Nate, to approve the agenda. Upon vote, the motion carried unanimously.

Chairperson Hansen declared Public Input open at 7:09 P.M. There was no one present who wished to speak and Public Input was closed.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Markwardt reported on the Wisconsin Counties Association Conference that he and several other supervisors attended on September 26 - September 28. He spoke on the activities held including a report by an NBC Chief Pentagon Expert relating to events since 9/11 to the war in Iraq; several workshops; and he also noted all recommended resolutions were passed.

Dan Fischer, County Executive, presented the 2005 Executive's Proposed Annual Budget. He indicated the budget determines revenues and expenditures for 2005. Manitowoc County's 2.98% increase in equalized valuation is the lowest since the 1980's and the second lowest in the state. All departments did their best to help meet the goal of a tax rate equal to last year's. The Information Systems budget was restructured to reflect a share in cost from each department that the Comptroller's budget covered in the past. The Health Care Center met their target and the property tax levy will not increase in 2005. He stated the Sheriff's Department budget was the biggest challenge with a combination of additional expenditures for upgrading computers, reduction in housing state prisoners, and loss in revenue from huber inmates. The Treasurer's Department estimates an increase in interest revenue and health insurance premiums will increase 6.6% with the implementation of a new drug card and increased premium payment by employees. The Human Services Board and Human Services Department are looking at several staff changes including replacing the contracted psychiatrist with a county employee. The Joint Dispatch Center will add two part-time positions which will help reduce overtime and the Highway Department did not fill a vacant position to meet their target.

County Executive Dan Fischer then proceeded with his "State of the County Address." He gave thanks to the many people involved in the formation of the countywide Economic Development Corporation which will be a benefit. He stated the PGA brought over one hundred volunteers and the skills learned will help promote future events in the county. He spoke on the ordinance recently passed to regulate wind turbines with the future establishment of forty-nine turbines in the county. The Discovery Farms Project and other water quality projects will make us a leader in best management practices to protect our water sheds. He announced there will be a winter project that will look at reinventing county government by looking at the provided services. He stated TABOR is still being discussed and believes we will see limitations on county government in the future. He stated over ninety percent of the tax levy is spent on state mandates and a referendum from 1990 showed seventy percent of the voters felt property taxes should not be used for state mandated programs. County executives and administrators will be urging the Wisconsin Counties

Association to put together a referendum for the April 2005 ballot on this issue. He answered supervisors' questions.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Supervisor Rick Henrickson to the Human Services Board to complete Supervisor Susie Maresh's term expiring April, 2005. Supervisor Rasmussen moved, seconded by Supervisor Rappe, to approve the appointment. Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Rasmussen reported there is a shortage of flu vaccine; the department participated in two bioterrorism exercises; and on October 16 they will be distributing emergency preparedness information on Crime Prevention Day at the Expo.

Economic Development Corporation: Supervisor Maresh reported they met last week and Executive Director Ken Stubbe is getting out into the community. She also reported an Economic Development Agreement will be forwarded to the Finance Committee and County Board for approval.

Executive Committee: Chairperson Hansen reported they will meet October 21 at 4:00 p.m. at the Administration Building.

Finance Committee: Supervisor Brey reported they will meet October 25 to discuss a resolution to approve a communications system engineering study. They will also meet on Oct. 27 and Nov. 8 to review the proposed department budgets and make a recommendation to the Board.

Health Care Center Committee: Supervisor Vogt reported absenteeism continues to decline and Administrator Michael Thomas was asked to speak at the AFSCME Council 40 State Conference regarding the Intermediate Care Facilities for the mentally retarded (ICF-MR) initiative.

Supervisor Vogt moved, seconded by Supervisor Henrickson, to adopt Resolution 1 (2004/2005-80) Increasing Health Care Center Rates. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005-80

### **RESOLUTION INCREASING HEALTH CARE CENTER RATES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc Health Care Center is charged with the responsibility of providing a  
2 quality nursing home service to the people of Manitowoc County; and  
3

4 WHEREAS, the rates charged for the services provided by the Manitowoc Health Care Center must  
5 be reviewed and approved by the Manitowoc County Board of Supervisors, but these rates have not been  
6 reviewed or revised by the County Board since September 17, 2003; 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 Manitowoc County Board of Supervisors authorizes  
13 the following changes in the rates at the Manitowoc Health Care Center effective December 1, 2004:  
14

15 Super Skilled (ISN)	From \$175 per day to \$185 per day
16 Skilled Nursing Care	From \$165 per day to \$175 per day
17 Intermediate Care Levels 1&2	From \$148 per day to \$158 per day
18 Developmentally Disabled	From \$170.00 per day to \$180.00 per day
19 Special Care Dementia Sur Charge	\$9 per day

Dated this 12th day of October 2004.



Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: Increases revenue by an estimated \$65,700 for 2005. This amount will be incorporated into the proposed 2005 budget.

APPROVED: Dan Fischer, County Executive.

Highway Committee: Supervisor Sloan reported they are completing construction projects with the last one on County Trunk F from Center Road to LS and will be preparing the trucks for snow removal. Their next meeting will be on October 19.

Human Services Board: Supervisor Bundy reported their next meeting will be October 28. She welcomed Supervisor Henrickson to the Board.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the Aging Resource Center held their annual Volunteer Recognition Dinner and two members attended the NREC convention September 20 in Madison. She also reported the LCC approved the use of funds from the Wild Life Damage Program to process venison donated to the "Hunt For The Hungry Program." Hunters in Manitowoc County can drop off their donated deer at Tuschel's Meat Market in Valders or Kadow Meats in Two Rivers.

Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 2 (2004/2005-81) Approving Out-Of-State Travel for Tony Smith. Upon vote, the motion carried with 20 ayes and 1 no. Supervisor Graunke vote no; all others voted aye.

No. 2004/2005 - 81

**RESOLUTION APPROVING OUT OF STATE TRAVEL  
(TONY SMITH)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Discovery Farm Advisory Committee is concerned about the movement of liquid  
2 manure to surface waters from artificially drained crop land and has asked the Soil and Water Conservation  
3 Department to send an employee to a conference on liquid animal manure application on tile drained crop  
4 land that will be held in Columbus, Ohio on November 9 and 10, 2004; and  
5

6 WHEREAS, the conference will provide information on the current understanding of and potential  
7 solutions relating to the movement of liquid manure to surface waters from artificially drained crop land that  
8 will be extremely valuable in implementing the findings from the Discovery Farm Project because  
9 Manitowoc County's crop land makes extensive use of drain tiles; and  
10

11 WHEREAS, the Discovery Farm Advisory Committee has agreed to reimburse Manitowoc County  
12 for lodging costs and the registration fee, which includes meals and travel from Madison, Wisconsin;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 Tony Smith, a Soil Conservationist with the Soil and Water Conservation Department, to attend the  
16 conference to be held in Columbus, Ohio on November 9 and 10, 2004, provided that the only cost to  
17 Manitowoc County is for round-trip mileage between Manitowoc County and Madison, Wisconsin.

Dated this 12th day of October 2004.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Mileage expense is included in the Soil and Water Conservation Department budget and all other costs will be reimbursed by the Discovery Farm Advisory Committee.

APPROVED: Dan Fischer, County Executive.

Personnel Committee: Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 3 (2004/2005-82) Approving Amendments to Non-Represented and Represented Employee Policy and Procedure Manuals (Performance Standards). Upon vote, the motion carried unanimously.

No. 2004/2005 - 82

**RESOLUTION APPROVING AMENDMENTS TO NON-REPRESENTED AND REPRESENTED  
EMPLOYEE POLICY AND PROCEDURE MANUALS (PERFORMANCE STANDARDS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted Non-represented and Represented Employee Policy and  
2 Procedure Manuals that include sections covering Performance Standards; and  
3

4 WHEREAS, no policy currently exists that regulates the manner in which a Department may contract  
5 with current and former employees and elected officials; and  
6

7 WHEREAS, uniform standards for contracting with current and former employees and elected officials  
8 are needed to ensure the fair and equal treatment of all persons; and  
9

10 WHEREAS, a copy of the proposed section on Contracts with Current and Former Employees and  
11 Elected Officials has been provided to all Department Directors for review and comment;  
12

13 WHEREAS, a copy of the proposed section on Contracts with Current and Former Employees and  
14 Elected Officials has been provided to the County Board;  
15

16 NOW, THEREFORE, BE IT RESOLVED that sec. 8.10 of the Non-Represented Employee Policy and  
17 Procedure Manual and sec. 2.11 of the Represented Employee Policy and Procedure Manual are created to  
18 include the policy regarding Contracts With Current and Former Employees and Elected Officials.

Dated this 12th day of October 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 4 (2004/2005-83) Amending Non-Represented Employee Policy and Procedure Manual (Salary Basis Policy). Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 83

**RESOLUTION AMENDING NON-REPRESENTED  
EMPLOYEE POLICY AND PROCEDURE MANUAL  
(SALARY BASIS POLICY)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted a Non-Represented Personnel and Policy Manual to  
2 ensure fair and equal treatment of County employees and compliance with Federal and State employment  
3 laws; and  
4

5 WHEREAS, portions of the Federal Fair Labor Standards Act were amended effective August 23,  
6 2004 that effect the classification of employees who may be regarded as exempt from the overtime provisions  
7 contained in the Fair Labor Standards Act; and  
8

9 WHEREAS, incorporating a Salary Basis Policy into the Non-Represented Personnel and Policy  
10 manual will provide additional information and guidance necessary to ensure compliance with the recent  
11 amendments to the Fair Labor Standards Act;

12  
13 WHEREAS, a copy of the proposed Salary Basis Policy has been provided to the County Board;

14  
15 NOW, THEREFORE, BE IT RESOLVED that section 4 of the Non-Represented Employee Policy  
16 and Procedure Manual is amended to include the Salary Basis policy.

Dated this 12th day of October 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved to adopt Resolution 5 (2004/2005-84) Authorizing Participation in United Way Campaign. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 84

#### **RESOLUTION AUTHORIZING PARTICIPATION IN UNITED WAY CAMPAIGN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4  
5 WHEREAS, United Way Manitowoc County, Inc. conducts an annual campaign that gives employees  
6 an opportunity to support charitable causes through a payroll giver's plan and to support more than two dozen  
7 different organizations in Manitowoc County that insure basic needs are met, increase self-sufficiency,  
8 nurture children and youth, promote health and healing, and strengthen families; and

9  
10 WHEREAS, Manitowoc County has determined that a single, combined campaign such as the United  
11 Way is the most efficient way and effective way to provide its employees with an opportunity to contribute  
12 to charitable organizations;

13  
14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
15 designates United Way Manitowoc County, Inc. as the organization authorized to offer an opportunity to  
16 enroll in a payroll giver's plan to Manitowoc County employees, officers, and officials from now through  
17 December 31, 2004, with payroll deductions to be made during the 2005 calendar year; and

18  
19 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes and  
20 encourages the voluntary participation of its employees, officers, and officials in the United Way campaign.

Dated this 12th day of October 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Planning & Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt Resolution 6 (2004/2005-85) Concurring in 2004 Bay-Lake Regional Planning Commission Annual Report. Upon vote, the motion carried unanimously.

**RESOLUTION CONCURRING IN 2004  
BAY-LAKE REGIONAL PLANNING COMMISSION ANNUAL REPORT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County participates in the Bay-Lake Regional Planning Commission's  
2 Overall Economic Development Program for the district serving Brown, Door, Florence, Kewaunee,  
3 Manitowoc, Marinette, Oconto, and Sheboygan Counties; and  
4

5 WHEREAS, the Bay-Lake Regional Planning Commission prepares an annual report in order to  
6 provide a current perspective for the economic development issues facing the district and the counties and  
7 to emphasize the importance of local issues to federal and state agencies; and  
8

9 WHEREAS, an annual report is necessary to maintain eligibility for district funding from the  
10 Economic Development Administration; and  
11

12 WHEREAS, Bay-Lake Regional Planning Commission and Manitowoc County personnel have  
13 prepared an annual report and the Planning and Park Commission recommends that the County Board concur  
14 with the Comprehensive Economic Development Strategy Annual Report for 2004;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors concurs  
17 with the Bay-Lake Regional Planning Commission Comprehensive Economic Development Strategy Annual  
18 Report for 2004, actively supports and participates in the Commission's economic development activities,  
19 and supports the Commission's application to the Economic Development Administration for planning funds;  
20 and  
21

22 BE IT FURTHER RESOLVED that two signed originals of this resolution are to be forwarded to the  
23 Bay-Lake Regional Planning Commission; and  
24

25 BE IT FURTHER RESOLVED that copies of this resolution are to be transmitted to the  
26 Comprehensive Economic Development Strategy Executive Committee and to the County Clerks of Brown,  
27 Door, Florence, Kewaunee, Marinette, Oconto, and Sheboygan Counties as an expression of Manitowoc  
28 County's desire to cooperate with them in the Bay-Lake Regional Planning Commission's Economic  
29 Development District.

Dated this 12th day of October 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 7 (2004/2005-86) Amending Zoning Map for Bob Kortens and Ordinance 8 (2004/2005-87) Amending Zoning Map for Debra Lueloff. Upon vote, the motion carried with 20 ayes and 1 no. Supervisor Rappe vote no; all others voted aye.

**ORDINANCE AMENDING ZONING MAP  
(Bob Kortens)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, September 27, 2004, at 10:00 a.m. at the  
2 Manitowoc 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 SW¼, NE¼, Section 35, T20N-R23E, Town of Kossuth,  
12 commencing at the center of said Section 35; thence easterly approximately 900 feet to the  
13 east r/w of CTH R which is the point of real beginning; thence continue easterly  
14 approximately 450 feet; thence northerly approximately 300 feet; thence westerly  
15 approximately 350 feet; thence southerly approximately 350 feet along the east r/w of CTH  
16 R to the point of real beginning, said parcel containing approximately 3.35 acres of land, shall  
17 be and is hereby rezoned from PA Principle Agriculture to SE Small Estate; and

18  
19 A parcel of land located in the SW¼, NE¼, Section 35, T20N-R23E, Town of Kossuth,  
20 commencing at the center of said Section 35; thence easterly approximately 900 feet to the  
21 east r/w of CTH R; thence northerly approximately 350 feet along the east r/w of CTH R  
22 which is the point of real beginning; thence continue northerly along the east r/w of CTH R  
23 approximately 650 feet; thence easterly approximately 250 feet; thence southerly  
24 approximately 600 feet; thence westerly approximately 375 feet to the point of real beginning,  
25 said parcel containing approximately 4.0 acres of land, shall be and is hereby rezoned from  
26 PA Principle Agriculture to R2 Residential.

Dated this 12th day of October 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 87

**ORDINANCE AMENDING ZONING MAP  
(Debra Lueloff)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, September 27, 2004, at 10:00 a.m. at the  
2 Manitowoc 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 NE¼, NE¼, Section 2, T18N-R21E, Town of Eaton,  
12 commencing at the NE¼ Corner of said Section 2; thence westerly approximately 650 feet;  
13 thence southerly approximately 33 feet to the south r/w of Quarry Road which is the point of  
14 real beginning; thence continue southerly approximately 900 feet; thence easterly  
15 approximately 585 feet; thence southerly approximately 388 feet; thence westerly  
16 approximately 610 feet; thence northerly approximately 1288 feet; thence easterly  
17 approximately 25 feet along the south r/w of Quarry Road to the point of real beginning, said  
18 parcel containing approximately 5.25 acres of land, shall be and is hereby rezoned from A3  
19 Agriculture to A2 Agriculture.

Dated this 12th day of October 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Maresh, to enact Ordinance 9 (2004/2005-88) Amending Manitowoc County Code with Respect to Joint Dispatch Center. Upon vote, motion carried unanimously.

No. 2004/2005 - 88

**ORDINANCE AMENDING MANITOWOC COUNTY CODE  
WITH RESPECT TO JOINT DISPATCH CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County recently created a Division of Emergency Services that includes a Joint Dispatch Center and recently entered into agreements with the Cities of Kiel, Two Rivers, and Manitowoc regarding the operation of the Joint Dispatch Center; and

WHEREAS, the Manitowoc County Code needs to be revised to reflect the use of the name Joint Dispatch Center to describe the old Public Safety Joint Services Department and to make certain technical amendments reflecting changes in the E911 system;

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

Manitowoc County Code sec. 2.015 is amended as follows:

2.015 County Divisions. (1) There is hereby created a Division of Emergency Services which shall include the Office of Emergency Management and the ~~Public Safety Joint Services Department~~ Joint Dispatch Center.

Manitowoc County Code sec. 2.02(16t) is hereby created to read as follows:

(16t) Joint Dispatch Center. The Joint Dispatch Center is responsible for providing a reliable and responsive, cost effective county-wide communications link for the public to police, fire, rescue, emergency medical, and emergency management services. The Joint Dispatch Center will receive 911 and non-emergency requests for dispatch services, identify the source of the request, determine the type of request, and route the request to the appropriate police, fire, rescue, emergency medical, emergency management, or other government agency for immediate response. The Joint Dispatch Center will provide dispatch services for the county and any municipality that enters into a Joint Dispatch Agreement with Manitowoc County.

Manitowoc County Code sec. 18.04 is amended as follows:

18.04 Administration. This ordinance shall be administered by the ~~Public Safety Joint Services (hereinafter PSJS) Department of the County, the PSJS Administrator and the PSJS Board pursuant to the terms of the Public Safety Joint Services Agreement between Manitowoc County and the cities of Manitowoc, Two Rivers, and Kiel, dated May 4, 1994, a copy of which appears as an appendix to this chapter for reference purposes.~~ Administrator of the Joint Dispatch Center acting under the direction of the Coordinator of the Division of Emergency Services.

Manitowoc County Code sec. 18.17 is amended as follows:

18.17 Exchange Areas Covered by E911 Operational Plan. The E911 system established hereby shall be provided to all Manitowoc County residents and all residents of that portion of the City of Kiel lying in Calumet County, in the following telephone exchanges or parts thereof, in the following "S/R" stands for selective routing as hereinbefore defined:

44		Prefixes		
45	Exchange	(920)	Circuits	Company
46				
47	Manitowoc	682,683,684,686	3	<del>Wisconsin Bell, Inc.</del> <u>SBC</u>
48	Two Rivers	793,794	2	<del>GTE-North</del> <u>Verizon</u>
49	Mishicot	755	2	<del>GTE-North</del> <u>Verizon</u>
50	Whitelaw	732	2	<del>GTE-North</del> <u>Verizon</u>
51	Reedsville	754	2	<del>GTE-North</del> <u>Verizon</u>
52	Kiel	894	2	<del>GTE-North</del> <u>Verizon</u>
53	Valders	775	2	<del>East Coast Telecom.</del> <u>TDS Telecom</u>
54	Collins	772	2	<del>East Coast Telecom.</del> <u>TDS Telecom</u>
55	St. Nazianz	773	2	<del>East Coast Telecom.</del> <u>TDS Telecom</u>
56	Newton	726	2	Lakefield Tel. Co.
57	Newtonburg	758	2	Lakefield Tel. Co.
58	Cleveland	693	2	<del>East Coast Telecom.</del> <u>TDS Telecom</u>
59	Tisch Mills	776	2	Stockbridge Tel. Co.

#### Selective Routings

63	Denmark	863 S/R from Brown	<del>GTE-North</del> <u>Verizon</u>
64	Wayside	863 S/R from Brown	Wayside Tel. Co.
65	New Holstein	898 S/R from Calumet	<del>GTE-North</del> <u>Verizon</u>
66	Hilbert	853 S/R from Calumet	<del>GTE-North</del> <u>Verizon</u>
67	Brillion	756 S/R from Calumet	<del>GTE-North</del> <u>Verizon</u>

68 This ordinance is effective upon publication.

Dated this 12th day of October 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench reported Nancy Crowley, Director of Emergency Management, is preparing a resolution for a study on the communications infrastructure.

Public Works Committee: Supervisor Sloan reported they toured the courthouse dome last week during their meeting.

Supervisor Sloan moved, seconded by Supervisor Brey, to adopt Resolution 10 (2004/2005-89) Authorizing Application for Household and Agricultural Clean Sweep Grant. Upon vote, the motion carried unanimously.

No. 2004/2005 - 89

### **RESOLUTION AUTHORIZING APPLICATION FOR HOUSEHOLD AND AGRICULTURAL CLEAN SWEEP GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board recognizes the benefits of a program to control the disposal  
2 and storage of potentially hazardous household and agricultural waste; and  
3

4 WHEREAS, Manitowoc County's Clean Sweep Programs are intended to offer education and  
5 assistance to citizens in the identification, proper handling, and disposal of household and agricultural  
6 hazardous waste through the distribution of public information materials, presentations to citizen groups, and  
7 a designated day for the collection and disposal of household and agricultural 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  
11 the appropriation of funding, is planning a collection for May 2005, and can apply for a state grant for the  
12 Household and Agricultural Clean Sweep Program; and  
13

14 WHEREAS, Calumet County has also successfully organized and conducted Clean Sweep Programs  
15 in the past, has declared its intent to conduct annual Clean Sweep Programs subject to public response and  
16 the appropriation of funding, is planning a collection for May 2005, and can apply for a state grant for the  
17 Household and Agricultural Clean Sweep Program; and  
18

19 WHEREAS, Manitowoc County and Calumet County have successfully organized and conducted joint  
20 Clean Sweep Programs in the past, realize the benefits in economies and efficiencies that can result from  
21 conducting joint programs, and want to conduct a joint program again in 2005, with the Manitowoc County  
22 Public Works Director serving as the Grant and Program Coordinator and the Calumet County Community  
23 Resource Development Agent serving as the Grant Writer and Public Information and Education Coordinator  
24 for both Counties; and  
25

26 WHEREAS, Manitowoc County and Calumet County will, if awarded a state grant for a joint  
27 Household and Agricultural Clean Sweep Program, carry out all activities described in the state grant  
28 application; will allow employees from the Wisconsin Department of Natural Resources and the Wisconsin  
29 Department of Agriculture, Trade and Consumer Protection access to inspect any Clean Sweep Program site;  
30 will maintain records documenting all expenditures made during and for the Clean Sweep Program; and will  
31 submit a final report to the Wisconsin Department of Agriculture, Trade and Consumer Protection describing  
32 all Clean Sweep Program activities, achievements, and problems; comparing the actual program with the  
33 activities and objectives proposed in the application; and including samples of information/education  
34 brochures, data on participation rates, waste quantities collected, documentation of the project costs, and a  
35 section on recommendations.  
36

37 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
38 the Public Works Director to apply for and accept a state grant for the purpose of conducting a joint  
39 Manitowoc County and Calumet County Household and Agricultural Hazardous Waste Clean Sweep  
40 Program during 2005.

Dated this 12th day of October 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No fiscal impact in 2004. No tax levy impact in 2005 because appropriate  
revenue and expenditure line items in the 2005 budget will be amended by equal  
amounts that will not exceed the amount of any grant awarded.

APPROVED: Dan Fischer, County Executive.

Supervisor Sloan moved, seconded by Supervisor Muench, to adopt Resolution 11 (2004/2005-90)  
Authorizing Land Sale to Chris P. Kerchefske. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 90

**RESOLUTION AUTHORIZING LAND SALE  
TO CHRIS P. KERCHEFSKE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee received an offer from Chris P. Kerchefske to purchase  
2 approximately 1.13 acres of county-owned land in the Manitowoc County Industrial Park; and  
3

4 WHEREAS, Chris P. Kerchefske has reviewed all the deed restrictions established by Manitowoc  
5 County Board Resolution No. 90/91-75, the Planning and Park Commission staff have reviewed the offer  
6 to purchase, and the Public Works Committee has reviewed the offer to purchase; and  
7



8 WHEREAS, the Public Works Committee recommends the sale of approximately 1.13 acres of land  
9 to Chris P. Kerchefske for \$7,500 per acre;

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 the sale of approximately 1.13 acres of land, the amount of acreage to be determined by certified survey, in  
13 the County Industrial Park to Chris P. Kerchefske for \$7,500 per acre; and authorizes the County Clerk to  
14 execute such papers as may be required to effect this land sale; and

15  
16 BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a separate account  
17 established for the sale of county owned land for future capital development.

Dated this 12th day of October 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Proceeds of \$7,500 per acre to be placed in Fund 405 for future capital  
development and maintenance of other county property.

APPROVED: Dan Fischer, County Executive.

Supervisor Sloan moved, seconded by Supervisor Mueller, to adopt Resolution 12 (2004/2005-91)  
Authorizing Cooperative Agreements for Home Composting Program. Upon discussion and vote, the motion  
carried unanimously.

No. 2004/2005 - 91

**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENTS  
FOR HOME COMPOSTING PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1989 Wisconsin Act 335, effective May 11, 1990, establishes the goal of reducing the  
2 amount of solid waste being sent to landfills through the development of programs that reduce, reuse, and  
3 recycle waste; and

4  
5 WHEREAS, 1989 Wisconsin Act 335 requires that each municipality operate under an effective  
6 recycling program as outlined by the Act; and

7  
8 WHEREAS, Wis. Stat. § 66.0301 authorizes governmental bodies to enter into mutual agreements;  
9 and

10  
11 WHEREAS, a cooperative agreement between Manitowoc County and any interested municipality  
12 would benefit both the county and the municipality commercially and would benefit the health, safety, and  
13 welfare of their respective citizens; and

14  
15 WHEREAS, the Public Works Committee has reviewed and recommends this agreement to the  
16 Manitowoc County Board of Supervisors;

17  
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 the Public Works Director to enter into Home Composting Agreements with interested municipalities.

Dated this 12th day of October 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Finance Committee and Personnel Committee: Supervisor Brey moved, seconded by Supervisor Kozlowski, to adopt Resolution 13 (2004/2005-92) Approving Amendment to Computer Resources Policy. Upon vote, the motion carried unanimously.

No. 2004/2005 - 92

## RESOLUTION APPROVING AMENDMENT TO COMPUTER RESOURCES POLICY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County has adopted a computer resources policy in order to provide direction and guidance on the proper use of the county's computer resources; and

WHEREAS, the Information Systems Department recommends that the computer resources policy be amended to clarify the role of the Information Systems Department in setting standards for the security of computer resources; and

WHEREAS, the Information Systems Department recommends that the computer resources policy be amended to provide stronger guidance regarding use of passwords to protect the county's computer resources and the information stored on those computer resources; and

WHEREAS, the proposed changes have been reviewed by the Information Systems Director, the Personnel Director, and the Corporation Counsel;

NOW, THEREFORE, BE IT RESOLVED that Manitowoc County's policy with respect to the security of computer resources, as set forth in sec. 23.05 of the Non-Represented Employee Policy and Procedure Manual and in sec. 9.05 of the Represented Employee Policy and Procedure Manual, is amended as follows:

### Security of Computer Resources

- 1) Each Department is responsible for the security of the Computer resources, ~~and each~~ that it uses and is responsible for ensuring that its Computer Users comply with all security controls and procedures established by the Information Systems Department. Each Department is authorized to establish such additional controls and procedures as it deems necessary to protect the security of the Computer Resources that it uses.
- 2) Each Department is responsible for ensuring that Computer Resources are protected from computer viruses, ~~and each~~ and is responsible for ensuring that its Computer Users comply with all anti-virus controls and procedures established by the Information Systems Department. Each Department is authorized to establish such additional controls and procedures as it deems necessary to protect the Computer Resources that it uses from computer viruses.
- 3) Computer Users are responsible for using Computer Hardware and Computer Resources in a responsible manner, ~~adhering to all Information Systems Department controls and procedures, adhering to all Departmental~~ any additional Department controls and procedures, avoiding any intentional action that would damage Computer Hardware and Computer Resources, and reporting any computer malfunctions to the Data Processing Information Systems Department.
- 4) The Information Systems Department may assign a Computer User a password or may require a Computer User to select or change a password. A password is confidential information. A Computer User is required to take reasonable precautions to prevent the disclosure of his or her password and is prohibited from disclosing his or her password to any person who has not been authorized by the Information Systems Director to receive passwords. A Computer User will immediately inform the Information Systems Department if his or her password is compromised, disclosed, lost, or stolen.
- 5) A Computer User must secure his or her workstation by using a password protected screen saver or the lock screen security feature whenever the workstation is unattended if the Computer User cannot guarantee against unauthorized access by any other person.

51           6) A Computer User, other than an authorized Information Systems Department employee, is  
52           prohibited from using any other person's password.

Dated this 12th day of October 2004.

Respectfully submitted by the Finance Committee.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:           None.

APPROVED:                Dan Fischer, County Executive.

Chairperson Paul Hansen: Supervisor Gauger moved to adopt Resolution 14 (2004/2005-93) Recognizing Mike Demske as Wisconsin VVA Commendation Medal Recipient. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Chairperson Hansen presented a proclamation to Mike Demske, Director of Planning and Park.

No. 2004/2005 - 93

**RESOLUTION RECOGNIZING MIKE DEMSKE  
AS WISCONSIN VVA COMMENDATION MEDAL RECIPIENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, Mike Demske has been employed by Manitowoc County since 1976 and has served as  
2           the Director of the Planning & Park Department since 1996; and  
3

4           WHEREAS, Mike Demske honorably served in the United States Navy and served as a Swift Boat  
5           crew member in Vietnam; and  
6

7           WHEREAS, Mike Demske has served the Vietnam Veterans of America (VVA) with distinction at  
8           all levels, including four years as State Secretary and two terms as Region Three Director; and  
9

10          WHEREAS, Mike Demske was a founding member of the Manitowoc VVA chapter and has served  
11          as a Board member, was Treasurer for five years, and is currently serving as Chapter President; and  
12

13          WHEREAS, Mike Demske is the Secretary of the Manitowoc Veterans Council and a member of the  
14          Disabled American Veterans, the American Legion, AMVETS, and the Military Order for the Purple Heart;  
15          and  
16

17          WHEREAS, the Wisconsin State Council of the Vietnam Veterans of America has awarded Mike  
18          Demske the VVA Commendation Medal, the highest honor that it can bestow, in recognition of his  
19          distinguished service to his County and to the veterans of the State of Wisconsin;  
20

21          NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
22          recognizes Mike Demske for his service to the veterans of the State of Wisconsin and congratulates him on  
23          being selected for this distinguished award.

Dated this 12th day of October 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED:                Dan Fischer, County Executive.

Supervisor Vogt moved to adopt Resolution 15 (2004/2005-94) Recognizing Michael Thomas as 2004 Administrator of the Year. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Chairperson Hansen presented a proclamation to Michael Thomas, Health Care Center Administrator.

**RESOLUTION RECOGNIZING MICHAEL THOMAS  
AS 2004 ADMINISTRATOR OF THE YEAR**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Michael Thomas has served as the Administrator of the Manitowoc County Health Care  
2 Center since March 1998 and has demonstrated a deep concern for the residents of the Health Care Center  
3 through the many innovative, resident-focused care initiatives implemented during his tenure as Health Care  
4 Center Administrator; and  
5

6 WHEREAS, Michael Thomas concern for the residents of the Health Care Center is epitomized by  
7 the thoughtful planning and design of the new Health Care Center that has made the Health Care Center a  
8 recognized leader in providing long term care to the residents of Manitowoc County; and  
9

10 WHEREAS, the staff and residents of the Health Care Center, in recognition of his dedication and  
11 concern, nominated Michael Thomas for the Wisconsin Association of Area Agencies on Aging's  
12 Administrator of the Year Award; and  
13

14 WHEREAS, Michael Thomas was awarded the 2004 Administrator of the Year Award by the  
15 Wisconsin Association of Area Agencies on Aging;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors expresses  
18 its appreciation to Michael Thomas for the service he has provided to the residents of the Manitowoc County  
19 Health Care Center and to the citizens of Manitowoc County; and  
20

21 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors congratulates  
22 Michael Thomas on being selected for this distinguished award.

Dated this 12th day of October 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Markwardt noted that the County Industrial Park is filled and suggested Public Works look at airport land for future economic development.

Chairperson Hansen announced October 25 will be the public hearing on the 2005 Executive's Proposed Annual Budget and Laurie Gehrke, UWEX Director, will be presenting information on reinventing county government.

Supervisor Brey moved to adjourn. Supervisor Bauknecht seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:07 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

October 25, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 25th day of October 2004, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:05 P.M.

Supervisor Ricky Sloan gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresch, Markwardt, Mueller, Muench, Nate, Rappe, Skubal, Sloan, Vogt and Wagner. Supervisor Rasmussen was excused. Supervisor Dobbs was absent.

The County Clerk announced a correction to the October 12, 2004 minutes. On page one, under Reports and Announcements By County Supervisors, Officers and Department Directors, paragraph two, line three was changed from, "All departments met the goal for a zero percent increase in the budget" to "All departments did their best to help meet the goal of a tax rate equal to last year's." On motion by Supervisor Brey and seconded by Supervisor Behnke, the October 12, 2004 meeting minutes, as amended, were approved on a unanimous vote.

The County Clerk announced a change to the agenda. Supervisor Behnke moved, seconded by Supervisor Bauknecht, to approve the agenda. Upon vote, the motion carried unanimously.

Chairperson Hansen declared Public Input open at 7:08 P.M.

Craig Thompson, Wisconsin Counties Association Legislative Director, announced he had visited the Health Care Center and noted Manitowoc County should be proud of its "world class" facility. He stated Manitowoc County will be a leader in the states endeavor to downsize ICF/MR with its initiative to move developmentally disabled clients into the community. He spoke on a State of Wisconsin one billion dollar structural deficit and of that amount 700 million is the medicaid deficit for the upcoming biennium. He talked about the property tax freeze and Taxpayers Bill of Rights that will be discussed when legislators return in January. He stated we cannot continue to do business as usual and must look at reinventing county government. They will be looking at the possibility of bringing forth a statewide referendum relating to state mandates and funding them.

Chairperson Paul Hansen declared public input on the 2005 Executive's Proposed Annual Budget open at 7:23 p.m.

Arlene Knauer, Manitowoc, asked supervisors to remove funding for one of the programs in the Health Care Center budget. She referred to an article in an AARP magazine that discussed durable power of attorney for the elderly.

Chairperson Hansen declared public input on the 2005 Executive's Proposed Annual Budget closed at 7:29 p.m.

Chairperson Hansen declared public input open on non-budget issues at 7:29 p.m.

Dennis Damm, Town of Two Creeks, spoke on the denial of his claim for damages caused to his garage and automobiles by the Fire Department when they responded to a fire call. He asked supervisors to table the resolution to obtain more information or not deny the claim.

No one else present wished to speak and public input was closed at 7:34 p.m.

## REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Laurie Gehrke, UWEX Director, spoke on the project to reinvent county government. This project will look at ways to be more effective in doing business. She reported on strategic planning and the goals that were accomplished in this first cycle. She stated the next cycle of strategic planning will begin in spring and the focus will be on collaboration and cooperation. She discussed a tourism assessment that will help determine how to showcase the community and use our assets.

Supervisor Jim Barnes spoke on activities at the WCA Health and Human Services Steering Committee meeting on October 22. He stated Michael Thomas, Health Care Center Administrator, spoke at the meeting on the costs of the new Health Care facility and ways in which they reduced their budget. They discussed costs of funding nursing homes and juvenile detention centers. He stated Lincoln Hills will be increasing their daily rate eleven percent in 2005 and twenty-two percent in 2006. He reported the state is looking at forming a privately funded Wisconsin Public Health Institute.

Chairperson Paul Hansen reminded supervisors to use a county car for out of town meetings when it is available. He stressed the necessity to turn in receipts for reimbursement and to notify the County Board Chairperson's office when they plan on attending meetings out of the county.

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

Board of Health: Supervisor Barnes reported their next meeting will be November 3.

Executive Committee: Chairperson Hansen invited everyone to the rededication of Manitowoc County Veteran's Memorial on November 11. The committee discussed the procedure for submitting and voting on resolutions at WCA and making sure supervisors are informed on the issues before attending the conference; changing County Board Rules relating to public hearings being held after 4:00 p.m.; and they discussed the procedure for asking the County Executive to speak if there were no objections.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Muench, to adopt Resolution 1 (2004/2005-95) Setting Certain Mileage and per Diem Rates. Upon vote, the motion carried unanimously.

No. 2004/2005 - 95

### **RESOLUTION SETTING CERTAIN MILEAGE AND PER DIEM RATES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has established a number of boards, committees, commissions, and  
2 other working groups that rely upon the participation of citizen members; and  
3

4 WHEREAS, Manitowoc County has authorized mileage and per diem payments to participating  
5 citizen members for many, but not all, of these boards, committees, commissions, and other working groups;  
6 and  
7

8 WHEREAS, prior mileage and per diem authorizations have referenced the rates paid to County  
9 Board Supervisors, but Manitowoc County no longer authorizes per diem payments to County Board  
10 Supervisors;  
11

12 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that  
13 whenever a citizen member of a board, committee, commission, or other work group is authorized to be paid  
14 a per diem, the per diem rate will be \$25 for attendance at official meetings of less than 4 hours during a  
15 given day and \$37.50 for attendance at official meetings of 4 or more hours during a given day; and  
16

17 BE IT FURTHER RESOLVED that whenever a citizen member of a board, committee, commission,  
18 or other work group is authorized to be paid mileage for attendance at official meetings, mileage will be paid  
19 in accordance with the Travel Policy set forth in section 26 of the Manitowoc County Non-Represented  
20 Employee Policy and Procedure Manual.

Dated this 25th day of October 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 2 (2004/2005-96) Authorizing Services Agreement with Economic Development Corporation. Upon vote, the motion carried unanimously.

No. 2004/2005 - 96

**RESOLUTION AUTHORIZING SERVICES AGREEMENT  
WITH ECONOMIC DEVELOPMENT CORPORATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has endorsed and supported the creation of an Economic  
2 Development Corporation that will lead diversified economic and community development efforts in order  
3 to improve the long term prosperity of the business community and residents of Manitowoc County; and  
4

5 WHEREAS, Manitowoc County, the Economic Development Corporation, and the cities of  
6 Manitowoc and Two Rivers have reached an agreement on a Services Agreement that outlines the respective  
7 obligations of the parties, and a copy of which has been provided to the County Board;  
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
10 the County Executive to enter into the Services Agreement.

Dated this 25th day of October 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Nate, to adopt Resolution 3 Denying Dennis Damm Claim of American Family Insurance. Upon discussion, Supervisor Brey moved, seconded by Supervisor Henrickson, to table this resolution until December. Upon vote, the motion carried unanimously.

Supervisor Brey reported they will meet on Wednesday, October 27, to begin reviewing departmental budgets.

Health Care Center Committee: Supervisor Vogt reported they will have a joint meeting with the Personnel Committee on November 9 and will meet with the union.

Highway Committee: Supervisor Sloan moved, seconded by Supervisor Bauknecht, to enact Ordinance 4 (2004/2005-97) Amending Manitowoc County Code Sec. 15.06 Pertaining to Driveways in Rights-Of-Ways. Upon vote, the motion carried unanimously.

No. 2004/2005 - 97

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 15.06  
PERTAINING TO DRIVEWAYS IN RIGHTS-OF-WAYS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has enacted an ordinance that regulates the construction of driveways

2 within any right-of-way adjacent to a county trunk highway; and

3  
4 WHEREAS, experience has shown that the ordinance needs to be amended to clarify the materials that  
5 may be used and the materials that are prohibited from being used with the right-of-way; and

6  
7 WHEREAS, experience has shown that the ordinance needs to be amended to allow for the granting  
8 of variances from the strict terms of the ordinance when such variances are appropriate and necessary;

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

12  
13 Manitowoc County Code sec. 15.06(3)(d) is hereby amended to read as follows:

14  
15 (d) Driving Surface. The driving surface within the right-of-way, if paved, must be paved with asphalt.  
16 The use of concrete as a surfacing material within the right-of-way is prohibited.

17  
18 Manitowoc County Code sec. 15.06(4) is hereby created to read as follows:

19  
20 (4) The Highway Committee may, in response to a written request, grant a variance from the specific  
21 terms of this section provided that the public safety and welfare are secured, the spirit of the ordinance is  
22 observed, and substantial justice is done, but no variance may be granted because of a self-created hardship.  
23 The decision to grant a variance will be made on a case-by-case basis and will not serve as precedent for any  
24 other variance request. The Highway Committee will record any variance that is granted in its minutes, along  
25 with a statement of the reasons for the variance and any conditions that attach to the variance.

26  
27 These amendments are effective upon publication.

Dated this 25th day of October 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported they will meet this Thursday, October 28.

Legislative Review Committee: Supervisor Markwardt reported there have been numerous studies conducted throughout Wisconsin regarding changes in government structure. He suggested looking at the Kettl Commission report which has information that could be utilized for collaboration of county governments.

Planning & Park Commission: Supervisor Skubal reported due to the upcoming holidays they will be meeting on November 8 and the first week in December. They will resume their normal meeting schedule in January.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 6 (2004/2005-98) Authorizing Contract with Leonard J. Koehnen and Associates, Inc. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 98

**RESOLUTION AUTHORIZING CONTRACT WITH  
LEONARD J. KOEHNEN AND ASSOCIATES, INC.**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Manitowoc County's radio communications infrastructure needs to be upgraded to  
2 incorporate new technology and to meet the needs of the 21st century; and  
3



4 WHEREAS, an evaluation of the existing radio communications system, including the Joint Dispatch  
5 Center, licenses, microwave system, telephone and radio systems, and towers and sites, is vital to effectively  
6 and efficiently manage a system upgrade and to assure compatibility with standards outlined in the Wisconsin  
7 Office of Justice Assistance Interoperability Study; and  
8

9 WHEREAS, the most cost effective way to complete such an evaluation is to hire an independent,  
10 licensed engineering firm to evaluate and make recommendations on upgrading the county's radio  
11 communications infrastructure; and  
12

13 WHEREAS, such an evaluation will result in a report that will identify alternative communication  
14 system modifications and upgrades; provide as-built drawings of each radio site, radio coverage plots for  
15 existing and planned sites; provide reverse engineering and calculated replacement paths for the existing  
16 microwave system; create system modification and expansion plans; and generate cost estimates for system  
17 modifications and upgrades; and  
18

19 WHEREAS, Leonard Koehnen and Associates, Inc. has proposed completing such an evaluation at  
20 a cost of \$27,500; and  
21

22 WHEREAS, Manitowoc County has been awarded a \$6,492 Homeland Security Grant for such an  
23 evaluation and will fund the remaining \$21,008 through a 2004 Interoperability Engineering Study (IES)  
24 Grant or by transferring moneys from the designated fund for capital projects if the IES Grant is not awarded;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
27 authorizes the County Executive, Sheriff, Coordinator of Emergency Services, and such other County  
28 officials as may be necessary to enter into a contract with Leonard Koehnen and Associates, Inc. to complete  
29 an evaluation of the county's radio communications infrastructure at a cost of \$27,500; and  
30

31 BE IT FURTHER RESOLVED that the County Executive, Sheriff, Coordinator of Emergency  
32 Services, and such other County officials as may be necessary are authorized to apply for an Interoperability  
33 Engineering Study Grant; and  
34

35 BE IT FURTHER RESOLVED that the budget is amended to increase authorized expenditures by  
36 \$27,500 and to increase revenues by the amount of any Interoperability Engineering Study Grant received  
37 or, if no grant is received, to transfer an amount not to exceed \$21,008 from the Designated for Future  
38 Capital Projects Reserve Account to appropriate accounts; and  
39

40 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information  
41 in the official books of the County as may be required.

Dated this 25th day of October 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact if a grant is awarded because revenues and expenditures will  
be increased by equal amounts. If a grant is not awarded, the amount in the  
Designated for Future Capital Projects reserve account will be reduced by  
\$21,008.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Mueller, to enact Resolution  
7 (2004/2005-99) Amending Manitowoc County Code Sec. 2.04(i) Pertaining to Expo Board. Upon  
discussion and vote, the motion carried with 22 ayes and 1 abstention. Supervisor Gauger abstained; all other  
supervisors voted aye.

No. 2004/2005 - 99

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04(i)  
PERTAINING TO EXPO BOARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County Expo, Inc. (EXPO) has leased the Manitowoc County Expo Grounds and conducted the Manitowoc County Fair since the mid-1970's; and

WHEREAS, loss of State financial support, increased insurance costs, increased activity at the Expo Grounds, an overwhelming workload for EXPO volunteers, and other uncontrollable factors prevent EXPO from continuing to manage the Expo Grounds and operate the County Fair and have prompted EXPO to consider dissolving Manitowoc County Expo, Inc.; and

WHEREAS, the Public Works Committee has reviewed the matter and concluded that the best means to assure the continued operation of the Expo Grounds and the County Fair is to place responsibility for the management and daily operation of the Expo Grounds in the Public Works Department and to create a Manitowoc County Expo Board to conduct the County Fair and coordinate other activities with the Public Works Department and to report to the Public Works Committee in an advisory capacity on budget and policy matters related to the Expo Grounds; and

WHEREAS, the Public Works Committee has concluded that creation of a Manitowoc County Expo Board and the assignment of responsibility for day-to-day operation of the Expo Grounds to the Public Works Department will permit the continued operation of the Expo Grounds and the County Fair without an increase in the number of county employees and without an increase in the tax levy needed to support operation of the Expo Grounds and the County Fair, while retaining and benefitting from the experience gained over the years by the people associated with EXPO; and

WHEREAS, creation of a Manitowoc County Expo Board would be contingent upon EXPO satisfying any and all outstanding liabilities and obligations, EXPO turning over all remaining assets of EXPO to the County, and EXPO formally dissolving Manitowoc County Expo, Inc.; and

WHEREAS, the Public Works Committee recognizes that the comptroller/auditor will need to establish such accounts and activities as are necessary for the Public Works Department to operate the Expo Grounds and for the Expo Board to conduct the County Fair;

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

MCC § 2.04(i) is amended as follows:

~~(i) Manitowoc County Expo, Inc. Liaison Members. Two (2) County Supervisors shall be appointed to act as liaison to the Manitowoc County Expo, Inc. in its operation of the Manitowoc County Expo. The liaison members shall receive per diem and mileage.~~

1. There is hereby created an Expo Board consisting of 15 members appointed by the County Executive, subject to confirmation by the County Board. The Expo Board will include at least one member who is a County Board Supervisor, but no more than two members at any given time may be County Board Supervisors. The County Executive will appoint 5 members to initial terms ending December 31, 2005; 5 members to initial terms ending December 31, 2006; and 5 members to initial terms ending December 31, 2007. All subsequent appointments will be for three-year terms.

2. The Expo Board is responsible for providing budgetary and policy advice to the Public Works Committee on matters related to the Expo Grounds.

3. The Expo Board is responsible for conducting the County Fair and will report to the Public Works Director on operational matters related to the County Fair. The Expo Board may negotiate contracts related to the operation of the County Fair, subject to the limits of funds appropriated by the County Board, but all such contracts must be approved and signed on behalf of the County by the Public Works Director or a designee. The Public Works Department will be responsible for the day-to-day operation of the Expo Grounds.

4. All members of the Expo Board may claim mileage for attendance at official meetings and all

58 members who are not County Board Supervisors may claim a per diem for attendance at official meetings,  
59 with mileage and per diem rates set by County Board resolution.

Dated this 25th day of October 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Maresh acknowledged Mishicot High School students who attended the meeting.

Supervisor Brey moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:06 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

November 16, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 16th day of November, 2004, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:02 P.M.

Supervisor Jim Brey gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisors Dobbs was excused. Supervisor Maresh arrived at 7:36 p.m.

On motion by Supervisor Sloan and seconded by Supervisor Behnke, the October 25, 2004 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:07 P.M.

Ken Stubbe, Economic Development Corporation Executive Director, spoke on activities over the past two months including establishing relationships with existing businesses in the county. They have started on a strategic plan to grow businesses and attract new business and have been looking at the Northeast Wisconsin region studying business clusters to determine strengths and weaknesses. He noted growth in Manitowoc County is inevitable because we are in a strong economic region. He talked about short term goals including visiting businesses and community leaders, researching ways to improve the website, and building relationships with business advisors throughout the county. He stated long term goals will cover work force issues and implementing a strategic plan to help the growth of businesses. He said there will be a need for a trained workforce with 30 percent of baby boomers retiring in the next five years. He answered supervisors' questions.

Dr. Glenda Gallisath, Dean of UW-Manitowoc County, reported on campus highlights over the past year. She spoke on the development of a strategic five year plan to see where the campus is going. There is a record enrollment of 650 students with 248 freshmen and they have the highest rate of student retention among all thirteen University of Wisconsin Colleges. She stated students come to the campus because of quality teachers, price, access, and convenience. The campus is facing challenges due to budget cuts and they strive to strengthen community relationships, combine resources, and find new opportunities to serve people. She answered supervisors' questions.

James Theyerl, Manitowoc, addressed the board on several county issues including the gravel pit on Hillcrest Road where there is development of duck ponds and employees who retire and then return as consultants which takes jobs away from younger people. He asked supervisors to look into these issues.

John Paul, Two Rivers, spoke on the Comprehensive Annual Financial Report stating that money listed in this report could be used to help others in the county such as building a four lane highway on STH 310 to Two Rivers and to revive the idle mall on Memorial Drive.

Chairperson Paul Hansen declared public input closed at 7:49 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Norb Vogt reported he attended a WCA Steering Committee meeting on October 28 where they discussed state and local relations. They will be looking at the cost of health insurance benefits; the

efficiency and equity between local government units; property tax exemptions and alternative fees; and unfunded state mandates. He pointed out only thirteen states rely on County Human Services Departments to be funded by local taxes and they will be looking at the Taxpayer Bill of Rights issue and the possibility of a referendum on the full funding of state mandates.

Supervisor Don Markwardt reported the WCA Board of Directors met on October 29 to discuss the state deficit. He referred to a handout called the "Preamble" that provides a platform for lobbyists for the next budget. The three largest areas of the budget are funding for school systems, corrections and prisons, and shared revenue. WCA is looking at revenue enhancements and the possibility of a resolution to support a referendum relating to funding state mandates. He answered supervisors' questions.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Attorney Katherine Reynolds to the Ethics Board for a three year term expiring December 2007. Supervisor Nate moved, seconded by Supervisor Gauger, to approve the appointment. Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Tim Barber, representing the Police Association, to the Joint Dispatch Board for a two year term expiring December 2006. Supervisor Maresh moved, seconded by Supervisor Barnes, to approve the appointment. Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Allen Karl to the Veterans' Service Commission for a three year term expiring December 2007. Supervisor Henrickson moved, seconded by Supervisor Braunel, to approve the appointment. Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

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

Board of Health: Supervisor Barnes moved, seconded by Supervisor Bauknecht, to adopt Resolution 1 (2004/2005-100) Adopting Health Department Fee Schedule. Upon discussion and vote, the motion carried with 23 ayes and 1 abstention. Supervisor Graunke abstained; all others voted aye.

No. 2004/2005 - 100

#### **RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than animal  
2 licenses) and permits issued by the Health Department must be set by County Board resolution; and  
3

4 WHEREAS, the Board of Health believes that the Health Department Fee Schedule should be revised  
5 and has provided a copy of the proposed Health Department Fee Schedule (07/01/2005 - 06/30/2006) to the  
6 County Board, which will be included in Manitowoc County Code Chapter 7 as Appendix A;  
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
9 approves the proposed Health Department Fee Schedule (07/01/2005 - 06/30/2006).

Dated this 16th day of November 2004.

Respectfully submitted by the Board of Health

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Barnes moved, seconded by Supervisor Muench, to adopt Resolution 1a (2004/2005-101) Amending Budget (Health Department). Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING BUDGET (HEALTH DEPARTMENT)**

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, when preparing its annual budget, the Health Department can only include grant funds that it has been scheduled or contracted to receive during the calendar year covered by the 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 2004 Annual Budget was approved:

DNR Beach Monitoring	\$11,400
Flu Clinic Revenue	(\$ 4,000)
KIDS Can	\$ 1,500
MCH	(\$ 5,839)
Refugee Health Services Revenue	\$ 9,839
Safety Coalition	\$12,200
Tobacco Control Board	\$ 3,460
WIC	\$14,664; and

WHEREAS, the Board of Health recommends that the Manitowoc County Board of Supervisors amend the 2004 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 2004 Annual Budget are amended to incorporate the changes shown above and that the Comptroller/Auditor is directed to record such information in the official books of the County for the year ending December 31, 2004, as may be required.

Dated this 16th day of November 2004.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Amends program revenue and expense line items by the amounts shown.

APPROVED: Dan Fischer, County Executive.

Executive Committee: Chairperson Hansen announced they will have a meeting soon to discuss participation on the Manitowoc Aviation Resources, Inc. Board of Directors.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Henrickson, to adopt Resolution 2 (2004/2005-102) Adopting 2005 Budget and Property Tax Levy. Discussion followed.

Supervisor Graunke moved, seconded by Supervisor Brey, to divide the question so that the Health Department portion of the budget is considered separately. Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried. Discussion followed.

Supervisors voted on the Health Department portion of the budget. Upon vote, the motion carried with 23 ayes and 1 abstention. Supervisor Graunke abstained; all others voted aye.

Supervisors voted to adopt the 2005 Budget and Property Tax Levy. Upon vote, the motion carried unanimously.

No. 2004/2005 - 102

**RESOLUTION ADOPTING 2005 BUDGET AND PROPERTY TAX LEVY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive's Proposed 2005 Annual Budget has been made  
2 available to each county supervisor and to the general public; and  
3

4 WHEREAS, the Proposed 2005 Annual Budget was presented and explained to the County Board at  
5 its meeting on October 12, 2004; 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 10, 2004 in accordance with Wis. Stat. § 65.90 and  
9 Wis. Stat. Ch. 985; and  
10

11 WHEREAS, a public hearing on the Proposed 2005 Manitowoc County Budget was held beginning  
12 at 7:05 PM on October 25, 2004 for the purpose of obtaining public input; and  
13

14 WHEREAS, the Proposed 2005 Annual Budget was reviewed by the County Board at its Annual  
15 Meeting on October 25, 2004; and  
16

17 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
18 adopts the Governmental Funds Budget and service delivery Proprietary Fund Budget for the calendar year  
19 beginning January 1, 2005 as stated in the 2005 Annual Budget for Manitowoc County and any attachments  
20 or addenda thereto; and  
21

22 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the  
23 following sums of money to be raised for the ensuing year:  
24

25 State Special Charges – Charitable & Penal	\$0.00
26 County Aid Bridges (Wis. Stat. § 81.38)	\$57,985.23
27 All Other County Taxes	\$25,698,522.00
28 Gross County Tax Levy	\$25,756,507.23;

29

30 and  
31

32 BE IT FURTHER RESOLVED that the appropriate county officials shall apportion the tax for Bridges  
33 under Wis. Stat. § 81.38 on the taxable property of the participating districts; and  
34

35 BE IT FURTHER RESOLVED that the appropriate county officials will enter the amount of  
36 \$889,492.00 for the Tax Apportionment State Special Charges for Forestry Mill Tax under Wis. Stat. §  
37 70.58-2; and  
38

39 BE IT FURTHER RESOLVED that the appropriate county officials will make an entry showing that  
40 there are no State Special Charges; and  
41

42 BE IT FURTHER RESOLVED that the appropriate county officials are directed to reapportion the  
43 illegal real estate taxes charged back in the amount of \$2,409.84; and  
44

45 BE IT FURTHER RESOLVED that the budget in detail is made a part of the Tax Levy; and  
46

47 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make such technical  
48 corrections to the budget as may be necessary.

Dated this 16th day of November 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Based on the budget book as printed and as adjusted by the Finance Committee, this resolution requires a composite tax levy of \$5.98833 per \$1,000 of equalized value and a composite tax levy of \$25,756,507.23.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported they had a joint meeting with the Personnel Committee and Neil Rainford, AFSCME Union Negotiator, to discuss the proposal for a side letter agreement with Local 1288 to put forth the right of successorship language if the Health Care Center was sold. It was the consensus of both committees that this language would be premature since there is no plan to sell the facility.

Supervisor Vogt moved to adopt Resolution 2a (2004/2005-103) Asking Veterans Administration to Review and Revise Contract Rates. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted.

No. 2004/2005 - 103

**RESOLUTION ASKING VETERANS ADMINISTRATION  
TO REVIEW AND REVISE CONTRACT RATES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Care Center is one of two facilities in the county that  
2 contracts with the Veterans Administration to provide long term care for local veterans; and  
3

4 WHEREAS, the Health Care Center provides long term care services to an average of three veterans  
5 per day; and  
6

7 WHEREAS, the average daily payment from the Veterans Administration of \$124.57 per day is less  
8 than the county's average daily cost of \$205.95 to provide care, and this underpayment results in a net loss  
9 of \$81.38 per day per person; and  
10

11 WHEREAS, the Veterans Administration's failure to pay the actual average daily cost of care means  
12 that \$89,109 per year must be placed on the local tax levy to provide care for veterans who are receiving  
13 services through the Veterans Administration; and  
14

15 WHEREAS, tax levy limits restrict the amount of funds available to the county to cover losses caused  
16 by these underpayments, and the county may not be able to renew its contract with the Veterans  
17 Administration if the underpayments continue; and  
18

19 WHEREAS, the county board believes that the Veterans Administration has a duty to provide and fully  
20 fund the services that veterans have been promised by the federal government and have earned by serving  
21 our nation;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
24 respectfully requests that the Veterans Administration review and revise its rates so that it pays the actual  
25 average daily cost for services provided under its contract with the Health Care Center; and  
26

27 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
28 the Administrator of the Veterans Administration and to each legislator in the United States Senate and  
29 House of Representatives who represents constituents from Manitowoc County.

Dated this 16th day of November 2004.

Respectfully submitted by the Health Care Center Committee.



FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Highway Committee: Supervisor Sloan reported they met to discuss the Fixed Based Operator (FBO) proposals and they decided to go with Lakeshore Aviation.

Supervisor Sloan moved, seconded by Supervisor Behnke, to adopt Resolution 3 (2004/2005-104) Petitioning for Airport Improvement Aid. Upon vote, the motion carried unanimously.

No. 2004/2005 - 104

**RESOLUTION PETITIONING FOR AIRPORT IMPROVEMENT AID**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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 the Wisconsin Department 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 the  
12 automobile parking lot, install security enhancements, construct an access road for navigational  
13 aids and equipment, snow removal equipment, and any necessary related work; and  
14

15 The airport project is necessary to meet the existing and future needs of the airport;

16  
17 and  
18

19 WHEREAS, airport users have been consulted in formulating the proposed improvements; and  
20

21 WHEREAS, a public hearing was held prior to the filing of this petition in accordance with Wis. Stat.  
22 § 114.33(2), as amended, and a transcript of the hearing is transmitted with the petition; and  
23

24 WHEREAS, Manitowoc County is required by Wis. Stat. § 114.32(5) to designate the Secretary of  
25 the Wisconsin Department of Transportation as its agent to accept, receive, receipt for, and disburse any  
26 funds granted by the United States under the federal Airport and Airway Improvement Act and is authorized  
27 by law to designate the Secretary as its agent for other purposes;  
28

29 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that a  
30 petition for federal or state aid, or both, in the following form is hereby approved:  
31

32 The petitioner, desiring to sponsor an airport development project with federal and state aid or  
33 state aid only, in accordance with the applicable state and federal laws, respectfully represents  
34 and states:  
35

36 1. That the airport, which it desires to develop, should generally conform to the  
37 requirements for a General Aviation type airport as defined by the Federal Aviation  
38 Administration.  
39

40 2. That the character, extent, and kind of improvements which it desires under the  
41 project are as follows:  
42

43 construct addition to existing building to house snow removal equipment,

reconstruct runway 17/35,  
reconstruct 7/25 parallel taxiways, and  
any necessary related work.

3. That the airport project, which your petitioner desires to sponsor, is necessary for  
the following reasons: to meet the existing and future needs of the airport;

and

BE IT FURTHER RESOLVED that it is recognized that the improvements petitioned for as listed will  
be funded individually or collectively as funds are available, with specific project costs to be approved as  
work is authorized, the proportionate cost of the airport development projects described above which are to  
be paid by Manitowoc County to the Secretary of the Wisconsin Department of Transportation (hereinafter  
referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent  
balance after the project is completed is to be returned to Manitowoc County by the Secretary; Manitowoc  
County will, subject to available appropriations, make available any additional monies that may be found  
necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have  
the right to suspend or discontinue the project at any time additional monies are found to be necessary by the  
Secretary and Manitowoc County does not provide the same; and

BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc County's agent  
and is requested to agree to act as such in matters relating to the airport development project described above;  
is hereby authorized as Manitowoc County's agent to make all arrangements for the development and final  
acceptance of the completed project whether by contract, agreement, force account, or otherwise and  
particularly to accept, receive, receipt for, and disburse federal monies or other monies, either public or  
private, for the acquisition, construction, improvement, maintenance and operation of the airport; to acquire  
property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stats. Ch. 32; to  
supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the  
Secretary; to execute any assurances or other documents required or requested by any agency of the federal  
government; and to comply with all federal and state laws, rules, and regulations relating to airport  
development projects; and

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

BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate the airport in  
accordance with the conditions established in Wis. Admin. Code Ch. Trans 55 or in accordance with any  
Airport Owner Assurances enumerated in any Federal Block Grant Agreement necessary to fund the  
proposed improvements; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to sign  
and execute any Agreement and Federal Block Grant Owner Assurances authorized by this Resolution and  
necessary to fund the proposed improvements.

Dated this 16th day of November 2004.

Respectfully submitted by the Highway Committee.

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

APPROVED: Dan Fischer, County Executive.

Chairperson Hansen addressed the question on the construction of duck ponds. He explained those ponds are part of the wetland bank project. This is part of a federal law which mandates when new development destroys wetlands they must be replaced.

Human Services Board: Supervisor Bundy reported they met on October 28 and were advised the former rectory of St. Mark's Parish in Two Rivers has been licensed as a community based residential facility capable to house six developmentally disabled clients that are being mainstreamed into the community.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner announced UWEX Family Living Office will host a program entitled "What's a Parent to Do" on November 30 and December 7. She invited people to register by calling the UWEX office.

Supervisor Wagner moved, seconded by Supervisor Muench, to enact Ordinance 4 (2004/2005-105) Amending Manitowoc County Code Sec. 19.05(3) (Animal Waste Ordinance Fees). Upon vote, the motion carried unanimously.

No. 2004/2005 - 105

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 19.05(3)  
(Animal Waste Ordinance Fees)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted an animal waste ordinance that requires that the county  
2 collect certain fees; and  
3

4 WHEREAS, the Land Conservation Committee has reviewed the fees that are required and has  
5 determined that the fee structure should be modified to reduce the basic fee and to charge a separate fee for  
6 additional services that are provided upon request;  
7

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

11 Manitowoc County Code sec. 19.05(3) is hereby repealed in its entirety and recreated to read as  
12 follows:  
13

14 (3) Fees. (a) Each permit applicant must, unless waived, pay an administration fee of:

15 1. \$500 if an animal waste storage facility is modified.  
16

17 2. \$500 if the number of animal units is fewer than 300.  
18

19 3. \$750 if the number of animal units is 301 to 1,000.  
20

21 4. \$1,150 if the number of animal units is 1,001 to 2,000.  
22

23 5. \$1,500 if the number of animal units is 2,001 to 3000.  
24

25 6. \$2,500 if the number of animal units is more than 3000.  
26

27  
28 (b) Each permit applicant who requests design or technical assistance must, unless waived, pay a  
29 service fee that reflects the actual cost of any services the Soil and Water Conservation Department agrees  
30 to provide.  
31

32 Effective date: This amendment is effective upon publication.

Dated this 16th day of November 2004.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 5 (2004/2005-106) Amending 2004 Budget (Aging Resource Center-NSIP). Upon vote, the motion carried unanimously.

No. 2004/2005 - 106

**RESOLUTION AMENDING 2004 BUDGET (AGING RESOURCE CENTER - NSIP)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Bay Area Agency on Aging has changed the formula allocating Nutrition Services Incentive Program funds between the Agency and the Manitowoc County Aging Resource Center; and

WHEREAS, the Natural Resources and Education Committee has reviewed the impact of the changes and recommends approval of the following modifications to the 2004 Budget:

Revenue or Expense	Account Number	Description	Amount
Revenue	46250.43566.04	Home-delivered Meal Program	(2,479)
Expense	46250.52940	Contracted Food	(2,479)

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the 2004 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record such information as may be required in the official books of the County for the year ending December 31, 2004.

Dated this 16th day of November 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Decreases budgeted revenue and expenses by \$2,479.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 6 (2004/2005-107) Adopting the 2005 Plan for Older People. Upon vote, the motion carried unanimously.

No. 2004/2005 - 107

**RESOLUTION ADOPTING THE 2005 PLAN FOR OLDER PEOPLE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, it is necessary to prepare a Plan For Older People in order to obtain certain Federal and State funds; and

WHEREAS, Manitowoc County has prepared its 2005 Plan for Older People ("Plan"), and

WHEREAS, the Plan has been reviewed by the Natural Resources & Education Committee and the Committee deems the Plan to be fair and equitable, believes that provision of the special services contained in the Plan would improve and promote the maintenance of human dignity and self-sufficiency of elderly persons in Manitowoc County, and recommends that the County Board adopt the Plan; and

WHEREAS, a copy of the Plan has been provided to the County Board for its reviews;

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
14 adopts the 2005 Plan For Older People.

Dated this 16th day of November 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None. The following intergovernmental grant and aid requests are included in the 2005 Aging Department budget request:

Alzheimer's Caregiver Sup.	\$ 36,420
Elder Abuse	35,687
IIIB	90,960
IIIC1	222,505
IIIC2	59,250
IIID	7,326
IIIE	44,396
NSIP (Other Federal)	66,555
Senior Community Services	11,481
State Benefit Specialist	28,215
<u>TOTAL</u>	<u>\$602,795</u>

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Nate, to adopt Resolution 7 (2004/2005-108) Authorizing Specialized Transportation Assistance Program Grant Application. Upon vote, the motion carried unanimously.

No. 2004/2005 - 108

**RESOLUTION AUTHORIZING SPECIALIZED TRANSPORTATION  
ASSISTANCE PROGRAM GRANT APPLICATION**

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 that will require a local share of \$28,437.40; 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 to the Wisconsin Department of  
17 Transportation for financial assistance under Wis. Stat. § 85.21 for 2005, provided that the local share  
18 required for such assistance does not exceed \$28,437.40; 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 \$28,437.40.

Dated this 16th day of November 2004.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: Tax levy of \$28,437.40 is included in the 2005 budget.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt announced they will be meeting in December to discuss the property tax freeze issue, TABOR, and state highway funding.

Personnel Committee: Supervisor Vogt reported they will be meeting next Tuesday.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Maresh, to enact Ordinance 9 (2004/2005-109) Amending Manitowoc County Code Sec. 4.13 (Huber Prisoner Transfer fee). Upon discussion and vote, the motion carried unanimously.

No. 2004/2005-109

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 4.13  
(Huber Prisoner Transfer Fee)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted an ordinance requiring that any inmate of the Manitowoc  
2 County Jail who is granted privileges under Wis. Stat. § 318.08 (Huber law) and who is gainfully employed  
3 for wage or salary, gainfully self-employed, or receiving unemployment insurance or employment training  
4 benefits while in jail is responsible for certain charges; and

5  
6 WHEREAS, the fees presently authorized do not cover the cost associated with the transfer of a Huber  
7 prisoner into and out of the jail, and the Sheriff's Department recommends that such a fee be established;

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

11  
12 Manitowoc County Code sec. 4.13(3g)(c) is created to read as follows:

13  
14 (c) The Sheriff is authorized to charge a transfer fee of \$100, booking fee and tax included, to each  
15 prisoner who transfers into the Manitowoc County Jail from another jurisdiction and to each prisoner who  
16 transfers out of the Manitowoc County Jail to another facility.

17  
18 EFFECTIVE DATE: This ordinance is effective upon publication.

Dated this 16th day of November 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench reported their next meeting is December 7<sup>th</sup>.

Transportation Coordinating Committee: Supervisor Mueller reported they had a public hearing on November 9 on the 2005 Specialized Transportation Program. Manitowoc County will be receiving \$142,187 from Section 85.21 for this program.

Miscellaneous: Supervisor Janowski moved, seconded by Supervisor Rasmussen, to adopt Resolution 11(2004/2005-110) Approving Town of Newton Zoning Ordinance (Russ and Amy Teresinski). Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

No. 2004/2005 - 110

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE  
(Russ and Amy Teresinski)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has 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  
5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are 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 County  
9 Board of Supervisors for approval;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
12 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Russ and Amy  
13 Teresinski on November 10, 2004.

Dated this 16th day of November 2004.

Respectfully submitted by Supervisor Joe Janowski.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Other Business: Chairperson Hansen announced Mike Demske, Director of Planning and Park, received the 2004 Manitowoc County Veterans Award from the County Veterans Association and United Veterans Council and congratulated him on his achievement.

Supervisor Graunke moved to adjourn. Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:54 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

December 21, 2004

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 21st day of December, 2004, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:05 P.M.

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

Roll call: 23 members present; Barnes, Bauknecht, Behnke, Braudel, Brey, Bundy, Dobbs, Gauger, Goeke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Vogt and Wagner. Supervisors Graunke and Sloan were excused.

On motion by Supervisor Brey and seconded by Supervisor Behnke, the November 16, 2004 meeting minutes were approved unanimously.

The County Clerk announced changes to the agenda. Chairperson Hanson requested Resolution 2 be considered after Public Input and there were no objections. Supervisor Nate moved, seconded by Supervisor Mueller, to approve the agenda. Upon vote, motion carried unanimously.

Chairperson Hansen declared Public Input open at 7:09 P.M. There was no one present who wished to speak and Public Input was closed.

HIGHWAY COMMITTEE: Supervisor Skubal reported they reviewed the Fixed Based Operator Lease proposals from Western Shore Aviation, Inc. and Lakeshore Aviation Inc. After interviews, Lakeshore Aviation was chosen and Western Shore Aviation requested early termination of their lease for December 31, 2004. Lakeshore Aviation will be ready to take over on January 1, 2005.

Supervisor Skubal moved, seconded by Supervisor Markwardt, to adopt Resolution 2 (2004/2005-111) Regarding Fixed Base Operator Agreement. Supervisor Janowski requested a friendly amendment on page 2, 3a, line 3 of the agreement "2015" be changed to "2014" to reflect the 10 year term. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 111

**RESOLUTION REGARDING FIXED BASE OPERATOR AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Committee issued a request for proposals to provide fixed base operator  
2 services at the Manitowoc County Airport to become effective upon the expiration of the current Fixed Based  
3 Operator's Agreement with Western Shore Aviation, Inc. in September 2005; and  
4

5 WHEREAS, the Highway Committee received proposals from Western Shore Aviation, Inc. and  
6 Lakeshore Aviation, Inc.; reviewed the proposals; met with representatives from Western Shore Aviation and  
7 Lakeshore Aviation; requested and reviewed additional information; has concluded that Lakeshore Aviation's  
8 proposal is in the county's best interest, and recommends approval of the Fixed Base Operator Agreement  
9 with Lakeshore Aviation, a copy of which has been provided to the County Board; and  
10

11 WHEREAS, Western Shore Aviation has asked to be relieved of its obligations under the existing  
12 Agreement effective at the close of business on December 31, 2004 through a Cancellation Agreement, a  
13 copy of which has been provided to the County Board; and  
14



15 WHEREAS, Lakeshore Aviation is willing to take possession of the Premises at the close of business  
16 on December 31, 2004;

17  
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board authorizes the County  
19 Clerk, the Highway Commissioner, and such other County officials as may be necessary to execute the  
20 Cancellation Agreement with Western Shore Aviation and to execute the Fixed Base Operator Agreement  
21 with Lakeshore Aviation, Inc.

Dated this 21st day of December 2004.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKE AT LAST MEETING:

Supervisor Brey moved, seconded by Supervisor Maresh, to remove from the table the Resolution Denying Dennis Damm Claim. Upon vote, motion carried unanimously. Discussion followed. Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution (2004/2005-112) Denying Dennis Damm Claim. Upon vote, the motion carried unanimously.

No. 2004/2005-112

**RESOLUTION DENYING DENNIS DAMM CLAIM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Dennis Damm filed a claim that was received on September 27, 2004. Mr. Damm seeks  
2 \$7,825.08 for damages caused to a garage and three automobiles by the Two Creeks Fire Department when  
3 responding to a fire call on December 26, 2003;

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 has investigated the claim and recommends that it be denied, and  
9 the Corporation Counsel concurs in the insurance carrier's recommendation; 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  
16 the denial of the claim as may be required.

Dated this 21st day of December 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Don Markwardt reported he attended a WCA Strategic Planning Seminar on November 30 where they discussed the Taxpayer Bill of Rights issue and the importance to inform the public how a property tax freeze would impact governmental services. He also reported he attended a WCA Board of Directors

meeting on December 10 where they discussed an advisory referenda for the spring election to ask the public if they feel counties should use property taxes for the cost of the state mandated courts and human services programs. Discussion followed.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Lee Stadler to complete alternate Mark Juul's term expiring March 2005, John Kost to complete Marj LaBrecque's term expiring June 2005, and Pat Pankratz to complete Shelly Kubitz's term expiring September 2005 on the Local Emergency Planning Committee. Supervisor Maresh moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon vote, motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Mike Huck to the Long Term Support Planning Committee to complete Nancy Moyer's term expiring April 30, 2006. Supervisor Henrickson moved, seconded by Supervisor Braunel, to approve the appointment. Upon vote, motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of John Wallace, Supervisor Jan Graunke, and Cheryl Kjelstrup to the Manitowoc-Calumet Library System Board of Trustees for three year terms expiring January 2008. Supervisor Barnes moved, seconded by Supervisor Rasmussen, to approve the appointments. Upon vote, motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Nyialong Yang, Tom Hilke, Faye Malek, and Dale Moschea to the Wisconsin Works Steering Committee for three year terms expiring December 31, 2007. Supervisor Mueller moved, seconded by Supervisor Nate, to approve the appointments. Upon vote, motion carried unanimously.

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

Board of Health: Supervisor Barnes reported on a task force meeting where they discussed teen pregnancy. Nationally, there has been a reduction in teen pregnancy, but the figures have risen in Manitowoc County. The goals for the task force are to reduce teen pregnancy, promote responsible behavior, and increase community education. He reported the Health Department has outgrown their facility and spoke on a 1994 study that indicated the necessity for additional space when the City Health Department merged with the County. The matter has been referred to the Public Works Committee.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Muench, to adopt Resolution 1 (2004/2005-113) Authorizing Participation in the Lakeshore Buying Consortium. Upon vote, the motion carried unanimously.

No. 2004/2005-113

### **RESOLUTION AUTHORIZING PARTICIPATION IN THE LAKESHORE BUYING CONSORTIUM**

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

1 WHEREAS, Manitowoc County has been a member of the Lakeshore Buying Consortium since its  
2 inception in May 18, 1993 for the purpose of obtaining frequently purchased goods and services efficiently  
3 and at a reduced cost; and  
4

5 WHEREAS, members of the consortium are municipalities within the meaning of Wis. Stat. § 66.0301  
6 and are authorized to purchase goods and services and enter into cooperative agreements; and  
7

8 WHEREAS, Manitowoc County wishes to continue its membership in the Lakeshore Buying  
9 Consortium under the terms set forth in a new Lakeshore Buying Consortium Agreement, a copy of which  
10 has been provided to the County Board;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
13 the County Executive and the County Clerk to sign the Lakeshore Buying Consortium Agreement in order  
14 to provide for the County's continued participation in the Lakeshore Buying Consortium.

Dated this 21st day of December 2004.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported the state sited the Health Care Center for floor tiles in the oxygen room but no fine was assessed. He explained the state is changing some of the rules for mainstreaming developmentally disabled residents into the community and indicated employee absences have increased slightly due to the flu season.

Highway Committee: Supervisor Skubal reported bridge petitions have been referred to Highway and there will be a construction project at the airport this summer.

Human Services Board: Supervisor Bundy reported they met on December 9 and were informed there is one client at Lincoln Hills. Their next meeting will be January 27.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 3 (2004/2005-114) Accepting DNR Grant to Provide Buffer Strip Incentives. In response to supervisors' questions, Tom Ward, Soil and Water Director, explained incentives are based on the width of the buffer per acre and length of agreement. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 114

## **RESOLUTION ACCEPTING DNR GRANT TO PROVIDE BUFFER STRIP INCENTIVES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the lack of vegetation forming a buffer adjacent to streams in Manitowoc County affects  
2 the quality of inland waters and Lake Michigan; and  
3

4 WHEREAS, the Department of Natural Resources has approved a grant to improve participation by  
5 private landowners in stream buffer programs, to improve water quality in Manitowoc County, and to  
6 improve fisheries habitat in Lake Michigan; and  
7

8 WHEREAS, the grant will provide incentive funding for new participants to install buffer strips along  
9 streams and lakes and to improve water quality by reducing the amount of sediment, manure, and agricultural  
10 chemicals entering the water;  
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
13 authorizes the Soil and Water Conservation Director to accept the DNR Grant for \$25,000 to provide  
14 incentives to private riparian landowners to install buffer strips and improve program participation; that the  
15 2005 Budget is amended by the amount stated above; and that the Comptroller/Auditor is directed to record  
16 such information in the official books of the County of December 31, 2005 as may be required.

Dated this 21st day of December 2004.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expense equally by \$25,000.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt announced they will be meeting in January and reminded committee members to call the County Clerk if they cannot attend a meeting.

Personnel Committee: Supervisor Vogt reported Blue Cross/Blue Shield will be initiating a disease management program in 2005 that will be voluntary and confidential. He reported the majority of health insurance claims have been within the network which have resulted in a 40% cost savings and there has been a 55% savings with the drug card program. They are in the process of filing for arbitration with the Highway Department. He also spoke on the savings to waiver advertising for a position within the Sheriff's Department.

Supervisor Vogt moved, seconded by Supervisor Janowski, to adopt Resolution 4 (2004/2005-115) Increasing Regular Non-Represented Employee Compensation.

Supervisor Behnke moved, seconded by Supervisor Dobbs, to amend lines 18 and 19 to read: "...except that the non-represented positions in the Dietary Department at the Health Care Center shall receive only a 2.3% increase effective January 1, 2005." This amendment has the following effect on the Fiscal Note: "Reduces total cost by \$629.29 and reduces the tax levy impact by \$119.56." Upon discussion and vote, the amendment passed on a unanimous vote.

Upon vote on the main motion as amended, motion carried unanimously.

No. 2004/2005 - 115

**RESOLUTION INCREASING REGULAR NON-REPRESENTED  
EMPLOYEE COMPENSATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Section 5.05 of the Manitowoc County Code states that it is the policy of Manitowoc  
2 County to compensate employees who are not represented by labor unions in a fair, equitable, and consistent  
3 manner; and  
4

5 WHEREAS, all 2005 collective bargaining agreements include a 3.0% across the board wage increase  
6 for positions represented by those agreements; and  
7

8 WHEREAS, internal equity and the integrity of the non-represented compensation plan are dependent  
9 upon maintaining existing differentials between the compensation of supervisory personnel and the  
10 employees supervised; and  
11

12 WHEREAS, an across the board wage increase of 3.0% and associated FICA and WRS costs  
13 have been incorporated into the 2005 budget;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the non-represented wage schedule is increased across-  
16 the-board by 3.0% effective January 1, 2005; and  
17

18 BE IT FURTHER RESOLVED that non-represented positions listed on the attached sheets shall  
19 receive the 3.0% across-the-board wage increase effective January 1, 2005; and  
20

21 BE IT FURTHER RESOLVED that those employees still serving their probationary period on January  
22 1, 2005 shall receive the 3.0% across-the-board increase upon the successful completion of their probationary  
23 period.

Dated this 21st day of December 2004.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	Wages	\$146,683.46
	FICA	\$ 11,221.36
	WRS	\$ 14,961.65

Total \$172,866.47

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 5 (2004/2005-116) Amending Zoning Map for Daniel Noonan, Donald Noonan, Tracy Reich, and Anthony Reich, Ordinance 6 (2004/2005-117) Amending Zoning Map for Michael Simon, and Ordinance 7 (2004/2005-118) Amending Zoning Map for Thomas Wenzel. Upon vote, the motion carried unanimously.

No. 2004/2005 - 116

**ORDINANCE AMENDING ZONING MAP  
(Daniel Noonan, Donald Noonan, Tracy Reich, and Anthony Reich)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 8, 2004, 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 of  
5 testimony at the hearing and an examination of the facts attendant with the petition, recommends that the  
6 petition be approved for the reasons stated in the attached report;  
7

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

11 Parcel Nos. 18-218-013-000.00; 18-218-013-001.00; 18-218-016-000.00 and 18-218-016-  
12 001.00, the East ½ of the East ½ of the SE¼, excepting therefrom the South 7 acres and also  
13 the East 33 feet of the West ½ of the East ½ of the SE¼ of Section 18, T20N-R25E, Town of  
14 Two Rivers, said parcel contains approximately 35 acres of land, shall be and is hereby rezoned  
15 from A3 Agriculture to A2 Agriculture.

Dated this 21st day of December 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 117

**ORDINANCE AMENDING ZONING MAP  
(Michael Simon)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 8, 2004, 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 of  
5 testimony at the hearing and an examination of the facts attendant with the petition, recommends that the  
6 petition be approved for the reasons stated in the attached report; 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 NW¼, SW¼, Section 19, T18N-R22E, Town of Liberty,  
12 commencing at the W¼, Corner of said Section 19; thence easterly approximately 33 feet to the  
13 east r/w of CTH A; thence southerly along the east r/w of CTH A approximately 280 feet which  
14 is the point of real beginning; thence easterly approximately 294 feet; thence southerly  
15 approximately 400 feet; thence westerly approximately 294 feet; thence northerly  
16 approximately 400 feet along the east r/w of CTH A to the point of real beginning, said parcel  
17 contains approximately 3.0 acres of land, shall be and is hereby rezoned from A3 Agriculture  
18 to A1 Agriculture.

Dated this 21st day of December 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 118

**ORDINANCE AMENDING ZONING MAP  
(Thomas Wenzel)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 8, 2004, 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 of  
5 testimony at the hearing and an examination of the facts attendant with the petition, recommends that the  
6 petition be approved for the reasons stated in the attached report;  
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 SW¼, NE¼, Section 7, T19N-R21E, Town of Rockland,  
12 commencing at the Center of said Section 7; thence easterly approximately 33 feet; thence  
13 northerly approximately 33 feet to the north r/w of Boxwood Road which is the point of real  
14 beginning; thence continue northerly approximately 550 feet along the east r/w of Beech Road;  
15 thence easterly approximately 550 feet; thence northerly approximately 400 feet; thence  
16 westerly approximately 550 feet; thence northerly approximately 300 feet along the east r/w of  
17 Beech Road; thence easterly approximately 1320 feet; thence southerly approximately 1320  
18 feet; thence westerly approximately 1320 feet to the point of real beginning, said parcel  
19 contains approximately 35.0 acres of land, shall be and is hereby rezoned from A3 Agriculture  
20 to A2 Agriculture.

Dated this 21st day of December 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 8 (2004/2005-119) Amending Manitowoc County Code Pertaining to Certain Conditional Uses in Agricultural Districts. Mike Demske, Planning and Park Director, explained the zone change process and stated this amendment just alleviates an extra hearing. Upon discussion and vote, the motion carried with 22 ayes and 1 abstention. Supervisor Braunel abstained; all others voted aye.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE PERTAINING  
TO CERTAIN CONDITIONAL USES IN AGRICULTURAL DISTRICTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted an ordinance pertaining to wind energy systems and full  
2 implementation of this ordinance requires that the Board of Adjustment be granted review authority to allow  
3 for the placement of large wind energy systems as a conditional use in specified zoning districts; and  
4

5 WHEREAS, Manitowoc County has adopted ordinances pertaining to microwave, radio,  
6 telecommunication, and television towers and stations which permit certain installations as conditional uses  
7 in A-1 and A-2 agricultural zoning districts; and  
8

9 WHEREAS, the Planning and Park Commission recommends that large wind energy systems and  
10 microwave, radio, telecommunication, and television stations and towers be permitted as a conditional use  
11 in A-3 Agricultural Districts and PA Principal Agriculture Districts; and  
12

13 WHEREAS, the Planning and Park Commission recommends that the same language be used to  
14 describe the allowable conditional uses for microwave, radio, telecommunication, and television stations  
15 and towers in the A-1, A-2, A-3, and PA zoning districts;  
16

17 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
18 follows:  
19

20 Manitowoc County Code sec. 8.10(3)(oj) and (or) are created to read as follows:  
21

22 (oj) Large Wind Energy Systems.  
23

24 (or) Microwave, radio, telecommunication, and television stations and towers.  
25

26 Manitowoc County Code sec. 8.103(3)(em) is created to read as follows:  
27

28 (em) Large Wind Energy Systems.  
29

30 Manitowoc County Code sec. 8.103(3)(f) is amended as follows:  
31

32 ~~(f) Telecommunication towers~~ Microwave, radio, telecommunication, and television stations and  
33 towers.  
34

35  
36 Manitowoc County Code sec. 8.08(3)(g) is amended as follows:  
37

38 ~~(g) Radio and television broadcasting, transmitting and tower or microwave relay stations~~ Microwave,  
39 radio, telecommunication, and television stations and towers.  
40

41 Manitowoc County Code sec. 8.09(3)(d) is amended as follows:  
42

43 ~~(d) Radio and television broadcasting, transmitting and tower or microwave relay stations~~ Microwave,  
44 radio, telecommunication, and television stations and towers.

Dated this 21st day of December 2004.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal reported he attended a Utility Tax meeting where they discussed a potential bill that could double revenue for Manitowoc County to over \$700,000. He will receive more information in January.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 9 (2004/2005-120) Authorizing Out-of-State Travel for Thomas Janssen. Upon vote, the motion carried unanimously.

No. 2004/2005 - 120

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Thomas Janssen)**

TO MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, homeland security training is necessary for law enforcement to prepare to respond to the  
2 threat of terrorist activity in our country; and  
3

4 WHEREAS, the Federal Emergency Management Agency National Emergency Training Center is  
5 offering an Integrated Emergency Management Course on Homeland Security, which is a 4.5-day exercise  
6 based training activity that places public officials and emergency personnel in a realistic crisis situation  
7 within a structured learning environment; and  
8

9 WHEREAS, the course is designed to build awareness and the skills needed to develop and implement  
10 policies, plans, and procedures to protect life and property through the application of sound emergency  
11 management principles; and  
12

13 WHEREAS, airfare, campus lodging and training costs are fully funded, and the only out-of-pocket  
14 cost will be for meals;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
17 Sergeant Thomas Janssen to attend Homeland Security training in Emmitsburg, Maryland on February 21-25,  
18 2005.

Dated this 21st day of December 2004.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Out of pocket expenses of \$90 for meals will be paid from funds already in the budget and airfare (\$510), campus lodging, and training costs are fully 100% funded.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke announced they will be touring the Health Department in February.

Supervisor Behnke moved, seconded by Supervisor Braunel, to enact Ordinance 11 (2004/2005-121) Amending Manitowoc County Code Sec. 2.04(1)(i)1. Pertaining to Expo Board. Upon vote, the motion carried unanimously.

No. 2004/2005 - 121

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04(1)(i)1.  
PERTAINING TO EXPO BOARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has recently created an Expo Board to conduct the County Fair and  
2 coordinate other activities with the Public Works Department and to report to the Public Works Committee  
3 in an advisory capacity on budget and policy matters related to the Expo Grounds; and



4 WHEREAS, the Public Works Committee has concluded that it is essential that the county supervisors  
5 who serve on the Expo Board are also members of the Public Works Committee;

6  
7 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
8 follows:

9  
10 MCC § 2.04(1)(i)1. is amended as follows:

11  
12 4. There is hereby created an Expo Board consisting of 15 members appointed by the County  
13 Executive, subject to confirmation by the County Board. The Expo Board will include at least one member  
14 who is a County Board Supervisor, but no more than two members at any given time may be County Board  
15 Supervisors. A County Board Supervisor who is appointed to the Expo Board must be a member of the  
16 Public Works Committee. The County Executive will appoint 5 members to initial terms ending December  
17 31, 2005; 5 members to initial terms ending December 31, 2006; and 5 members to initial terms ending  
18 December 31, 2007. All subsequent appointments will be for three-year terms.

Dated this 21st day of December 2004.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Supervisor Kevin Behnke, Marie Kohlbeck, Dan Newberg, Dan Schaut, and Jerome Vetting to the Expo Board for one year terms expiring December 31, 2005; Scott Ohlrogge, Vic Voigt, Rosie Wiley, Lee Zirbel, and Mike Plate to the Expo Board for two year terms expiring December 31, 2006; and Doreen Bessert, Leander Nohl, Ken Swade, Jerome Valenta, and Gary Vondrachek to the Expo Board for three years terms expiring December 31, 2007. Supervisor Behnke moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon discussion and vote, the motion carried unanimously.

Miscellaneous: Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 12 (2004/2005-122) Authorizing Grant Application for an Aging and Disability Resource Center. Upon vote, motion carried unanimously.

No. 2004/2005 - 122

**RESOLUTION AUTHORIZING GRANT APPLICATION FOR  
AN AGING AND DISABILITY RESOURCE CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Health and Family Services, Division of Disability and  
2 Elder Services, has asked interested parties to submit proposals for a grant to fund the development and  
3 implementation of an Aging and Disability Resource Center (ADRC).

4  
5 WHEREAS, the Natural Resources and Education Committee, the Board of Health, and the Human  
6 Services Board agree that the Aging Resource Center, the Health Department, and the Human Services  
7 Department should collaborate and submit a proposal for the development and implementation of an Aging  
8 and Disability Resource Center in Manitowoc County; and

9  
10 WHEREAS, a local match of \$3,000 is needed to secure \$55,000 in ADRC planning and development  
11 funds for the first year of a three-year implementation cycle, and the Aging Resource Director believes that  
12 the local match can be secured from private contributions; and

13  
14 WHEREAS, continued operation of an ADRC will require a local match of \$91,669 to secure  
15 \$244,451 in grant funds. Based on the 2005 budget, the local match may be obtained by using a combination  
16 of existing funding sources and in-kind services such as:

17	Benefit Specialist & Title IIIB	\$45,000
18	COP & CIP Staffing As In-kind services	\$20,000
19	Title IIIB (Info & Assistance) & Title IIIE (Family Caregiver)	\$15,000
20	Other In-kind Services (such as rent, staff, supplies, and utilities)	\$11,669;

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Aging Resource Director and such other county  
23 officials as may be necessary are authorized to submit a grant proposal for an Aging and Disability Resource  
24 Center on behalf of Manitowoc County and the Aging Resource Center, Health Department, and Human  
25 Services Department, provided that the county receives the \$3,000 local match from outside contributions;  
26 that the 2005 budget is amended by the amount of the funds received; and that the Comptroller/Auditor is  
27 directed to record such information in the official books of the County for the year ending December 31,  
28 2005, as may be required.

Dated this 21st day of December 2004.

Respectfully submitted by the Natural Resources & Education Committee.

Respectfully submitted by the Board of Health.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: No tax levy impact. Amends the 2005 budget and increases revenues and expenditures by equal amounts up to \$58,000.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal, seconded by Supervisor Markwardt, to adopt Resolution 13 (2004/2005-123) Regarding Local Federal Aid Program Administration and Project Delivery. Upon vote, motion carried unanimously.

No. 2004/2005 - 123

**RESOLUTION REGARDING LOCAL FEDERAL AID  
PROGRAM ADMINISTRATION AND PROJECT DELIVERY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, all major industries in Wisconsin, including tourism, forestry, and agriculture, rely  
2 heavily on well-constructed and well-maintained roads; and  
3

4 WHEREAS, the federal government provides funding for the construction and maintenance of roads;  
5 county highway departments rely on federal funding for the improvement of eligible county highways; and  
6 effective federal aid program administration and delivery is critical to ensuring that Wisconsin's counties  
7 are able to utilize federal funds in the most cost effective manner and provide required services for the  
8 people; and  
9

10 WHEREAS, the Wisconsin Department of Transportation is considering restructuring its operations,  
11 decreasing the number of transportation districts that serve the state from eight to five, reducing staff, and  
12 is lowering the priority given to federal aid to local projects while diverting more federal aid to state  
13 programs;  
14

15 WHEREAS, this restructuring will reduce the state resources available to administer and deliver all  
16 programs in the transportation budget and will cause disruption and delays in county transportation projects;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges the  
19 Wisconsin Department of Transportation, all Wisconsin counties, the Wisconsin Counties Association, and  
20 the Wisconsin County Highway Association to develop a process and procedure that will allow the  
21 Wisconsin County Highway Association in cooperation with the Wisconsin Counties Association and the  
22 Department of Transportation to provide for the equitable administration of the local federal aid program and

project delivery and to ensure the effective and efficient use of federal funds for local roads throughout Wisconsin; and

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

Dated this 21st day of December 2004.

Respectfully submitted by the Highway Committee.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Nate, to adopt Resolution 14 (2004/2005-124) Authorizing Participation on Manitowoc Aviation Resources, Inc. Board of Directors. Upon vote, motion carried unanimously.

No. 2004/2005 - 124

**RESOLUTION AUTHORIZING PARTICIPATION ON  
MANITOWOC AVIATION RESOURCES, INC. BOARD OF DIRECTORS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Manitowoc County Airport has been the site of the Manitowoc County Airshow for the past 13 years; and

WHEREAS, the Manitowoc County Airshow has grown from a local fly-in sponsored by Experimental Airplane Association Chapter 383 into a regional two-day event sponsored by the Manitowoc-Two Rivers Area Chamber of Commerce; and

WHEREAS, Manitowoc Aviation Resources, Inc. has been formed as a non-stock, non-profit corporation to provide charitable and educational opportunities in the field of aviation and to continue the growth of the Manitowoc Airshow into the twenty-first century; and

WHEREAS, Manitowoc Aviation Resources, Inc. has recognized the importance of regional cooperation among the units of local government that provide services that are vital to the success of the Manitowoc Airshow; has expressed a desire to include "a governmental representative of the County of Manitowoc" on its board of directors, and has asked County Board Chair Paul A. Hansen to be an initial member of its board of directors; and

WHEREAS, the Manitowoc County Board appreciates the consideration extended by Manitowoc Aviation Resources, Inc. in endeavoring to include a representative of Manitowoc County government on its board and finds that it is in the county's interest to allow such participation;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes the participation of Manitowoc County employees, officers, and officials on the board of directors of Manitowoc Aviation Resources, Inc. with the understanding that the selection of such board members is wholly within the discretion of Manitowoc Aviation Resources, Inc.; that the employee, officer, or official is not serving in any official capacity on behalf of Manitowoc County; and that actions taken as a member of the board of directors of Manitowoc Aviation Resources, Inc. are not binding on Manitowoc County.

Dated this 21st day of December 2004.

Respectfully submitted by Paul B. Hansen, County Board Chair.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 15 (2004/2005-125) Approving Town of Centerville Zoning Ordinance (Chapter 9 - Land Use). Supervisor Behnke requested a friendly amendment to change line 8, "Town of Newton", to "Town of Centerville" and there were no objections. Upon vote, motion carried unanimously.

No. 2004/2005 - 125

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE  
(Chapter 9 - Land Use)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Centerville has adopted a new zoning ordinance in accordance with Wis.  
2 Stat. § 60.62; and  
3

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County  
6 Board; and  
7

8 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
9 County Board of Supervisors for approval;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
12 the changes to the Town of Centerville Zoning Ordinance Chapter 9 that were adopted by the Town Board  
13 of the Town of Centerville on November 9, 2004.

Dated this 21st day of December 2004.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 16 (2004/2005-126) Transferring Funds from Capital Projects Reserve to Public Works Department (ADA Access). Upon vote, motion carried unanimously.

No. 2004/2005 - 126

**RESOLUTION TRANSFERRING FUNDS FROM CAPITAL PROJECTS  
RESERVE TO PUBLIC WORKS DEPARTMENT (ADA ACCESS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Department received a complaint about handicapped access to  
2 bathrooms at Expo, conducted an investigation, found that some bathrooms at Expo did not comply with the  
3 requirements of the Americans with Disabilities Act (ADA), reviewed various options, and has concluded  
4 that the ADA issues can properly be addressed by performing work that will not exceed \$23,000; and  
5

6 WHEREAS, the Public Works and Finance Committee have reviewed the matter and recommend the  
7 transfer of \$23,000 from the Capital Projects Reserve Fund to the Public Works Department budget to allow  
8 the necessary work to be completed;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
11 an amount not to exceed \$23,000 to be transferred from the Capital Projects Reserve Fund to an appropriate  
12 line item in the Public Works Department to address the Expo bathroom ADA issues, amends the 2005  
13 budget by the amount of funds transferred, and directs the Comptroller/Auditor to record such information  
14 in the official books of the County for the year ending December 31, 2005, as may be required.

Dated this 21st day of December 2004.

Respectfully submitted by the Public Works Committee.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Transfers \$23,000 from the Capital Projects Reserve Fund to an appropriate line item in the Public Works Department.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved to adjourn. Supervisor Brey seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:42 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

January 18, 2005

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 18th day of January, 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:00 P.M.

Supervisor David Gauger gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 22 members present; Barnes, Bauknecht, Behnke, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Skubal, Vogt and Wagner. Supervisors Braunel, Nate and Sloan were excused.

On motion by Supervisor Behnke and seconded by Supervisor Henrickson, the December 21, 2004 meeting minutes were approved unanimously.

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

Chairperson Hansen declared Public Input open at 7:04 P.M.

Representative Bob Ziegelbauer, 25th Assembly District, spoke on the resolution before the board regarding WCA's recommended advisory referendum questions asking how state mandated services should be funded. These questions came from the Kettl Commission study and the idea of giving shared revenue dollars that the County now has control over to the State. With the state controlling the money, they would also make the rules and some counties would suffer. He urged the board to table the resolution to give the referendum questions more thought. He answered supervisors' questions.

William Strasser, Town of Two Creeks, spoke on concerns with the wind turbines that are in Kewaunee County. In speaking with an official from the Town of Lincoln, he stated there are problems with noise and vibration from the turbines in their area. Mr. Strasser stated Kewaunee area residents have complained about medical issues, contaminated wells, reduced milk production, and loss of animals after the turbines went up. There is a loss in real estate value, stray voltage, shadow flicker, turbine failure, and ice throws. He asked the board to repeal the conditional use permit issued to Navitas and requested an environmental study.

David Korinek, Town of Two Rivers, spoke on the process that took place to approve the wind turbines. He had been to three meetings where no one asked questions. He feels a 1000 foot setback for the turbines can create a problem for home building and also expressed concern about noise from the turbines. He asked the board to put controls on the building of the turbines to protect the citizens health and welfare.

Jerry Brickner, Town of Mishicot, said he built a home in the town this past summer and now has been informed his property value will be affected with the erection of turbines. He talked about a trip he and his wife took to view the wind turbines in Kewaunee County and experienced noise and flickering. He also expressed concern over who will take responsibility for the health issues caused by the turbines. He asked the board to put a moratorium on the turbines to allow more time to study the issue.

Bill Hlinak, Town of Mishicot, exhibited a turbine he and his brother built to scale to demonstrate the size of turbines in comparison to buildings and people. He explained it will take approximately 1000 yards of concrete to anchor the turbines which could cause groundwater contamination. Navitas contacted him this past April to put turbines on his property, but he felt the proposal was too good to be true. He said the Carlton Project in Kewaunee County is on hold at this time due to the problems they are experiencing. He also expressed concern that the turbines would affect cell and radio towers. He has met with Congressman Petri and hopes to see a federal moratorium put on turbines.

Kathleen Engeldinger, Town of Mishicot, explained her husband passed away last year from cancer which she feels is a grave issue in this area. She feels it is her responsibility to protect her daughter and things should not be brought into the area that can cause health and safety problems.

Dan Koehler, Town of Two Creeks, is concerned the turbine issue has been pushed on citizens. He explained he had attended a meeting in Mishicot where Navitas representatives dictated their needs and there was very little input.

Kristal Wilcox, Town of Mishicot, told the board she formerly lived in California and has heard the buzzing of 150 foot wind turbines in the Nevada desert. She explained the wind towers built in the desert and in Door County are not located in densely populated areas. She stated wind power cannot be stored and if it is windy the nuclear plant will have to reduce its power. She questioned how this company can be located in an agricultural area.

Chairperson Hansen declared public input closed at 8:05 p.m.

#### REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Don Markwardt reported on the W-2 Program serving the newly arrived refugees. He reported they are currently serving 20 refugee families with an additional 1 to 3 more families expected to arrive from Thailand this month. Two of the men have obtained full time employment and the remainder of the employable refugees are in English-as-a-Second-Language classes. He reported job searches are difficult due to lack of transportation and English speaking barriers. Nyialong Yang, Executive Director of the Hmong Community Center, is an important asset to the community with his knowledge in employment programs. The agency is doing its best to meet the needs of the people with programs that include a Drivers' Education in Hmong, a Teen Activity Group, tutoring sessions for children, and a job development program.

#### APPOINTMENTS BY COUNTY BOARD CHAIRPERSON

Chairperson Hansen presented the appointments of Margaret Augustin, Wilfred Gries, Eugenia Peterson, and Mary Jo Krueger to the Commission on Aging for three year terms expiring February 2008. Supervisor Mueller moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon vote, motion carried unanimously.

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

Board of Health: Supervisor Barnes reported he attended a Wisconsin Association of Local Health Departments and Boards meeting on January 13 where they discussed Act 186 that the Governor signed April 2004, which addresses terrorism and public health emergencies. He reported their next meeting will be February 2.

Executive Committee: Chairperson Hansen reported they will be meeting within the next two weeks to discuss a plan for making government more efficient and look at ways to save money. He invited everyone to come to the meeting and welcomed ideas.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 1 (2004/2005-127) Denying Claim (Fay and Mark Jens). Upon vote, the motion carried unanimously.

No. 2004/2005-127

#### **RESOLUTION DENYING CLAIM (Fay and Mark Jens)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Attorney Michael E. Lambert filed a Notice of Claim dated December 15, 2004 on behalf  
2 of Fay and Mark Jens as the result of a single car accident on September 30, 2003 on CTH DD south of STH  
3 310, which involved Ms. Jens; 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 has investigated the claim and recommends that it be denied, and  
9 the Corporation Counsel concurs in the insurance carrier's recommendation; 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  
16 the denial of the claim as may be required.

Dated this 18th day of January 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Gauger, to adopt Resolution 2 (2004/2005-128) Transferring Funds for Wireless 911 Project.

Supervisor Brey moved, seconded by Supervisor Kozlowski, to amend line numbers 16-20 to read as follows: "NOW, THEREFORE, BE IT RESOLVED that an amount not to exceed \$394,134.94 is authorized to be transferred from the Reserve for Future Capital Projects Fund to appropriate line items in the Joint Dispatch Center budget in order to fund the Wireless 911 Project; that the 2005 Budget is amended by the amount of funds transferred; and that the Comptroller/Auditor is directed to record such information as may be required in the official books of the County for the year ending December 31, 2005. Amend fiscal impact to read as follows: FISCAL IMPACT: Reduces Reserve for Future Capital Projects Fund by an amount not to exceed \$394,134.94." Upon discussion and vote, the amendment passed on a unanimous vote.

Upon discussion and vote on the main motion as amended, the motion carried unanimously.

No. 2004/2005 - 128

### **RESOLUTION TRANSFERRING FUNDS FOR WIRELESS 911 PROJECT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, more than 50% of calls coming into the Joint Dispatch Center originate from wireless  
2 telephones and the Joint Dispatch Center is unable to determine the geographical location where these calls  
3 originate; and

4  
5 WHEREAS, the Wisconsin legislature has authorized funding for one wireless 911 center in each  
6 county to make system improvements that will allow the center to locate the source of wireless 911 calls; and

7  
8 WHEREAS, it has been determined that the cost of such upgrades in Manitowoc County will be  
9 \$394,134.94, with 50% of these costs being reimbursed by the state over a 2 to 3 year period; and

10  
11 WHEREAS, additional cost savings may be realized through advance planning that will save \$40,000  
12 in overtime and training costs and \$15,000 in equipment costs, and additional cost savings may be realized  
13 by coordinating the wireless 911 system with the New World project;

14  
15 NOW, THEREFORE, BE IT RESOLVED that an amount not to exceed \$394,134.94 is authorized to  
16 be transferred from the Reserve for Future Capital Projects Fund to appropriate line items in the Joint  
17 Dispatch Center budget in order to fund the Wireless 911 Project; that the 2005 Budget is amended by the



18 amount of funds transferred; and that the Comptroller/Auditor is directed to record such information as may  
19 be required in the official books of the County for the year ending December 31, 2005.

Dated this 18th day of January 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Reduces Reserve for Future Capital Projects Fund by an amount not to exceed  
\$394,134.94.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Muench, to adopt Resolution 3 (2004/2005-129) Approving  
Revolving Loan Fund Loan to Kiel Veterinary Clinic, SC. Upon discussion and vote, motion carried  
unanimously.

No. 2004/2005 - 129

**RESOLUTION APPROVING REVOLVING LOAN FUND  
LOAN TO KIEL VETERINARY CLINIC, SC.**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has created a Revolving Loan Fund and established a Loan Review  
2 Board to make recommendations on loan applications; and  
3

4 WHEREAS, Kiel Veterinary Clinic, SC has applied for a loan from the Revolving Loan Fund in the  
5 amount of \$120,000; and  
6

7 WHEREAS, the Loan Review Board has reviewed the application and recommends that it be  
8 approved; and  
9

10 WHEREAS, the Finance Committee concurs with the Loan Review Board's recommendation and  
11 recommends that the County Board approve the loan on the terms and conditions set forth in the loan  
12 agreement, a copy of which has been provided to the County Board;  
13

14 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
15 a loan under the Revolving Loan Fund to Kiel Veterinary Clinic, SC in the amount of \$120,000 on the terms  
16 and conditions set forth in the loan agreement; and  
17

18 BE IT FURTHER RESOLVED that the Comptroller, Corporation Counsel, and such other County  
19 officials as may be appropriate are directed to prepare, execute, and file such documentation as may be  
20 necessary to effect this loan and to protect the County's Revolving Loan Fund.

Dated this 18th day of January 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Reduces Revolving Loan Fund by \$120,000 until such time  
as the loaned funds are repaid.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported they were re-visited by state inspectors and all  
corrections were made and no fines were issued. He reported absenteeism was down in December and  
overtime was at a low point. He explained that while they are supporting the resolution endorsing education  
to reduce youth smoking, they felt there is also a need to educate children regarding alcohol.

Highway Committee: Supervisor Skubal reported the transition from Western Shore Aviation to Lakeshore Aviation at the airport is going smoothly and they will be attending a conference next week in Wisconsin Dells.

Supervisor Skubal moved, seconded by Supervisor Behnke, to enact Ordinance 4 (2004/2005-130) Amending Manitowoc County Code Chapter 15 Pertaining to Highways. Upon discussion and vote, the motion carried with 20 ayes and 2 noes. Supervisors Goeke and Dobbs voted no; all other supervisors voted aye.

No. 2004/2005 - 130

**ORDINANCE AMENDING MANITOWOC COUNTY CODE  
CHAPTER 15 PERTAINING TO HIGHWAYS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County has adopted Manitowoc County Code Chapter 15, Highways, for the purpose of setting standards for the county trunk highway system, including controlled access highways, driveways, and other matters; and

WHEREAS, the Highway Committee has reviewed Chapter 15 and recommends that Chapter 15 be revised to reflect changes that have taken place;

NOW, THEREFORE, the county board of supervisors of the county of Manitowoc, Wisconsin does ordain as follows:

Manitowoc County Code sec. 15.01(3)(c) is amended as follows:

(c) The highway commencing at the northern city limits of the City of Manitowoc north into the Town of Manitowoc through Shoto north to the intersection of State Highways 147 and 163 CTH "BB" shall be known as County Trunk Highway "B."

Manitowoc County Code sec. 15.01(3)(h) is amended as follows:

(h) The highway commencing at an intersection with United States Highway 151 in the Town of Manitowoc Rapids and proceeding North and East into the City of Manitowoc to an intersection with County Trunk Highway "R," the road also known as "Custer Street," Alverno Road shall be known as County Trunk Highway "CS."

Manitowoc County Code sec. 15.01(3)(s) is amended as follows:

(s) The highway commencing at an intersection with United States Highway 10 at Branch in the Town of Manitowoc Rapids and running South East through that Town, then along to County Trunk Highway "R" South into the City of Manitowoc along Menasha Avenue to Waldo Boulevard shall be known as County Trunk Highway "P."

Manitowoc County Code sec. 15.02(3) is repealed and recreated to read as follows:

(3) Jurisdiction in Unincorporated Areas. The provisions of this ordinance shall apply to the following county trunk highways in Manitowoc County:

**MANITOWOC COUNTY  
CONTROLLED ACCESS**

DESIGNATION	A.D.T.	MILEAGE
CTH "A"		
CTH XX to CTH X	1300	1.00
CTH X to Christel Road	1800	3.50

45	CTH C to USH 151	1300	2.42
46	Total		6.92
47			
48	CTH "B"		
49			
50	CTH BB to Nuclear Road	1200	3.97
51	Nuclear Road to STH 147	2800	1.95
52	Steiners Corners to CTH V	4700	1.20
53	CTH V to CTH VV	3400	1.40
54	CTH VV to STH 310	6000	2.01
55	STH 310 to Albert Drive	3800	2.00
56	Total		12.53
57			
58	CTH "C"		
59			
60	I-43 to STH 42	1600	3.31
61	STH 42 to CTH J	1400	4.84
62	CTH J to Tompkins Road	1700	1.50
63	Total		9.65
64			
65	CTH "CR"		
66			
67	CTH C to CTH CL	2000	3.36
68	Total		3.36
69			
70	CTH "J"		
71			
72	USH 151 TO CTH JJ	2000	1.08
73	CTH JJ to Hilltop Road	1600	2.36
74	Total		3.44
75			
76	CTH "JJ"		
77			
78	I-43 to North Union	3100	2.47
79	North Union to CTH S	1900	2.45
80	CTH S to CTH J	1700	2.21
81	North CTH J to South CTH J	2000	.96
82	Total		8.09
83			
84	CTH "K"		
85			
86	I-43 to CTH T	1200	1.40
87	Total		1.40
88			
89	CTH "LS"		
90			
91	CTH F to CTH U	1100	1.01
92	CTH C to CTH CL	1400	4.42
93	Total		5.43
94			
95	CTH "P"		
96			
97	USH 10 to CTH R	3900	2.75
98	Total		2.75
99			
100	CTH "Q"		
101			
102	Magnolia Ave to CTH V	3500	5.51
103	CTH V to Cherney Road	1600	1.33

104	Total		6.84
105			
106	CTH "R"		
107			
108	USH 151 to CTH P	8100	3.81
109	CTH P to STH 310	4200	1.53
110	STH 310 to Shoto Road	2100	1.00
111	CTH Y to CTH BB	2400	6.60
112	Total		12.94
113			
114	CTH "S"		
115			
116	USH 151 to CTH JJ	1400	1.12
117	Total		1.12
118			
119	CTH "V"		
120			
121	Arrow Road to CTH Q	1500	1.00
122	CTH Q to CTH B	1900	1.80
123	Saxonburg Rd to STH 42	1200	3.75
124	Total		6.55
125			
126	CTH "VV"		
127			
128	STH 42 to Riverview Dr	1300	0.90
129	STH 147 to CTH B	3200	2.75
130	Total		3.65
131			
132	CTH "X"		
133			
134	County Line to STH 67	1900	1.00
135	STH 67 to CTH A	2000	4.96
136	CTH A to CTH M	1500	1.53
137	Total		7.49
138			
139	CTH "XX"		
140			
141	STH 67 to CTH A	1500	5.14
142	STH 42 to I-43	1200	3.30
143	Total		8.44
144			
145			
146	Controlled Access Mileage:		100.60
147			
148	Certified CTH Mileage:		289.33
149			
150	Permissible Controlled Access Miles: 101.27		
151			
152	Manitowoc County Code sec. 15.02(12)(c)2. is amended as follows:		
153			
154	2. Application for permits shall be made to the Manitowoc County Highway Planning and Park		
155	Department.		
156			
157	Manitowoc County Code sec. 15.02(12)(e)2. is amended as follows:		
158			
159	(e) Fees. A \$75 fee may will be charged for each permit.		
160			
161	Manitowoc County Code sec. 15.02(12)(f) is amended as follows:		
162			

(f) Controlled Access Maps. The locations of all recognized access points are shown on the map entitled "Controlled Access Maps" on file in the office of the Manitowoc County Highway Commissioner. The Commissioner with the Planning and Park Department, which shall periodically update the "Controlled Access Maps," to show any changes resulting from the actions of the Department. The "Controlled Access Maps," together with all information shown thereon and all amendments thereto, shall be a part of these regulations.

Manitowoc County Code sec. 15.06(1) is amended as follows:

(1) The owner of lands adjacent to the right of way of a county trunk highway may not construct, maintain, and use a driveway for access to the highway unless the owner procures and abides by a permit from the County Highway Planning and Park Department.

Manitowoc County Code sec. 15.06(2) is amended as follows:

(2) Permits for a driveway shall be granted without charge. A landowner seeking a permit for a driveway shall complete an application on a form prescribed by the Highway Department Planning and Park Department and pay a \$75 fee. If the proposed driveway meets the requirements of subsection (3) of this Section, the Highway Planning and Park Department shall issue a permit for construction and use of the driveway. A permit is valid for construction of a driveway within one year of issuance.

Manitowoc County Code sec. 15.06(3)(c) is amended as follows:

(c) The driveway shall be no wider than is necessary to accommodate the ordinary traffic of the property to be served. Each application shall specify the proposed width of the driving surface. The Highway Planning and Park Department may approve, reject, or modify the width allowed for driving surfaces.

Manitowoc County Code sec. 15.06(4)(b) is repealed in its entirety.

Manitowoc County Code sec. 15.09(5) is amended as follows:

(5) Any person, firm, or corporation seeking approval of construction of such lines within the limits of a county trunk highway shall apply for a permit for such construction from the Manitowoc County Highway Department. The application shall be made on a form prescribed by the Department. The Highway Committee may set a reasonable fee for permit applications not to exceed \$15 \$75. The application shall be reviewed by the Highway Commissioner or designee and approved or denied. A person, firm, or corporation whose permit application has been denied may appeal the denial to the Manitowoc County Highway Committee by submitting a written notice of appeal to the Manitowoc Highway Committee stating the reasons why the application should have been granted. Such appeal shall be barred unless filed within twenty (20) calendar days of the denial of the application by the Highway Commissioner. The decision of the Highway Committee shall be final.

Pursuant to MCC § 15.02(12)(h), a copy of this ordinance shall be recorded in the office of the Register of Deeds of Manitowoc County, Wisconsin.

This ordinance shall become effective upon publication and recording.

Dated this 18th day of January 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported their next meeting will be January 27.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported 4-H Camp Tampawingo will host Tapawingo 2005 Survival Camp January 28 through January 30. The camp will be open for sledding, snowshoeing, and cross country skiing.

Legislative Review Committee: Supervisor Markwardt moved, seconded by Supervisor Skubal, to adopt Resolution 5 Placing Two Advisory Referendum Questions on the April Ballot. Discussion followed.

Supervisor Dobbs moved, seconded by Supervisor Behnke, to table Resolution 5 until the February meeting. Upon discussion and vote, the motion carried with 19 ayes and 3 noes. Supervisors Rappe, Janowski, and Markwardt voted no; all other supervisors voted aye.

Personnel Committee: Supervisor Vogt reported they discussed elected official's compensation and indicated state statutes dictate that compensation must be set before nomination papers are circulated to run for office. He explained compensation was set in May 2004 for a zero percent increase in 2005 and 2 percent in 2006 and the economy was a factor in making that decision at that time. He reported a plan for reorganization of the Economic Support Division at Human Services was approved which includes the promotion of Ruth Wichlacz to Economic Support Division Manager. He answered supervisors' questions.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 6 (2004/2005-131) Amending Zoning Map for Wayne Draheim. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted aye.

No. 2004/2005 - 131

**ORDINANCE AMENDING ZONING MAP  
(Wayne Draheim)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, December 6, 2004, 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 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 NW1/4, Section 4, T18N-R21E, Town of Eaton commencing  
12 at the NW Corner of said Section 4; thence southerly approximately 475 feet; thence easterly  
13 approximately 33 feet to the east r/w of Hickory Hills Road which is the point of real beginning;  
14 thence continue easterly approximately 450 feet; thence southerly approximately 387 feet; thence  
15 westerly approximately 450 feet; thence northerly approximately 387 feet along the east r/w of  
16 Hickory Hills Road to the point of real beginning, said parcel contains approximately 4.0 acres of land,  
17 shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 18th day of January 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal reported Manitowoc County received \$841,990.80 from Utility Tax and paid \$2,105 in dues.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Goeke, to adopt Resolution 7 (2004/2005-132) Accepting Training Award. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 132

### **RESOLUTION ACCEPTING TRAINING AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making \$10,423.50 available to Manitowoc  
2 County as an FY 2005 training award for National Incident Management System Incident Command System  
3 courses; and  
4

5 WHEREAS, this training award enhances the county's ability to effectively communicate critical  
6 information between field Incident Command Center operations and the Emergency Operations Center;  
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
9 the Manitowoc County Emergency Management Department to apply for and to accept such training funds  
10 from Wisconsin Emergency Management in an amount not to exceed \$10,423.50; that the 2005 budget is  
11 amended by the amount of any grant funds received; and that the Comptroller/Auditor is directed to record  
12 such information in the official books of the County for the year ending December 31, 2004 as may be  
13 required.

Dated this 18th day of January 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by up to  
\$10,423.50 in the 2005 Emergency Management budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Janowski, to enact Ordinance 8 (2004/2005-133)  
Pertaining to Sale or Gift and Purchase or Possession of Cigarettes or Tobacco Products by Minors. Upon  
vote, the motion carried unanimously.

No. 2004/2005 - 133

### **ORDINANCE PERTAINING TO SALE OR GIFT AND PURCHASE OR POSSESSION OF CIGARETTES OR TOBACCO PRODUCTS BY MINORS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted an ordinance based on Wis. Stat. § 134.66 that places  
2 restrictions on the sale or gift of cigarettes and tobacco products to minors; and  
3

4 WHEREAS, the Wisconsin legislature has amended Wis. Stat. § 134.66 and Manitowoc County needs  
5 to amend its ordinance to conform to changes in the state statute; and  
6

7 WHEREAS, the Sheriff's Department has asked that Manitowoc County adopt an ordinance based  
8 on Wis. Stat. § 254.92 with respect to the purchase or possession of cigarettes or tobacco products by minors;  
9

10 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
11 follows:  
12

13 Manitowoc County Code sec. 7.12(17)(2)(a) is amended as follows:  
14

15 (a) No retailer, manufacturer, ~~or distributor, jobber, or subjobber; no agent, employee, or independent~~  
16 contractor of a retailer, manufacturer, distributor, jobber, or subjobber; and no agent or employee of an

independent contractor may sell or ~~give~~ provide for nominal or no consideration cigarettes or tobacco products to any person under the age of 18, except as provided in Wis. Stat. § ~~938.983(3)~~ 254.92(2)(a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

Manitowoc County Code sec. 7.12(17)(2)(am) is created to read as follows:

(am) No retailer, manufacturer, distributor, jobber, or subjobber; no agent, employee, or independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber; and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

Manitowoc County Code sec. 7.12(17)(2)(c) is repealed in its entirety.

Manitowoc County Code sec. 7.12(17)(2)(cm)1m. is created to read as follows:

(1m) A retailer or vending machine operator may not sell cigarettes or tobacco products from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 18 years of age is present or permitted to enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

Manitowoc County Code sec. 7.12(17)(2)(cm)1. is renumbered and amended as follows:

2. Notwithstanding ~~paragraph (c)~~ subd. 1m., no retailer may place a vending machine within ~~five hundred~~ (500) feet of a school.

Manitowoc County Code sec. 7.12(17)(2)(cm)2. is repealed.

Manitowoc County Code sec. 7.12(17)(2)(cm)3. is repealed.

Manitowoc County Code sec. 7.12(17)(2)(d) is repealed.

Manitowoc County Code sec. 7.12(17)(2m) is created to read as follows:

(2m) Training. (a) Except as provided in par. (b), at the time that a retailer hires or contracts with an agent, employee, or independent contractor whose duties will include the sale of cigarettes or tobacco products, the retailer shall provide the agent, employee, or independent contractor with training on compliance with sub. (2)(a) and (am), including training on the penalties under sub. (4)(a)2. for a violation of sub. (2)(a) or (am). A retailer may comply with this paragraph by providing the training program developed or approved by the department of health and family services or by providing a comparable training program approved by that department. At the completion of the training, the retailer and the agent, employee, or independent contractor shall sign a form provided by the department of health and family services verifying that the agent, employee, or independent contractor has received the training, which the retailer shall retain in the personnel file of the agent, employee, or independent contractor.

(b) Paragraph (a) does not apply to an agent, employee, or independent contractor who has received the training described in par. (a) as part of a responsible beverage server training course or a comparable training course, as described in Wis. Stat. § 125.04(5)(a)5., that was successfully completed by the agent, employee, or independent contractor.

(c) If an agent, employee, or independent contractor who has not received the training described in par. (a) commits a violation of sub. (2)(a) or (am), a governmental regulatory authority, as defined in Wis. Stat. § 254.911(2), may issue a citation based on that violation only to the retailer that hired or contracted with the agent, employee, or independent contractor and not to the agent, employee, or independent contractor who has not received that training. If an agent, employee, or independent contractor who has received the training described in par. (a) commits a violation of sub. (2)(a) or (am) for which a governmental regulatory



authority issues a citation to the retailer that hired or contracted with the agent, employee, or independent contractor, the governmental regulatory authority shall also issue a citation based on that violation to the agent, employee, or independent contractor who has received that training.

Manitowoc County Code sec. 7.12(17)(3) is amended to read as follows:

(3) ~~Defense of retailer, manufacturer, and distributor; sale to minor.~~ Proof of all of the following facts by a retailer, manufacturer, ~~or distributor, jobber, or subjobber; and agent, employee, independent contractor~~ of a retailer, manufacturer, distributor, jobber, or subjobber; or an agent or employee of an independent contractor who sells cigarettes or tobacco products to a person under the age of 18 is a defense to any prosecution for a violation of subsection (2)(a):

Manitowoc County Code sec. 7.12(17)(4) is amended as follows:

(4) Penalties. (a) 1. In this paragraph, "violation" means a violation of subsections (2)(a), (am), ~~(c)~~, (cm), ~~(d)~~ or (e).

2. A person who commits a violation is subject to a forfeiture of:

a. Not more than ~~five hundred dollars (\$500.00)~~ if the person has not committed a previous violation within ~~twelve (12)~~ months of the violation; or

b. Not less than ~~two hundred dollars (\$200.00)~~ nor more than ~~five hundred dollars (\$500.00)~~ if the person has committed a previous violation within ~~twelve (12)~~ months of the violation.

Manitowoc County Code sec. (17)(4)(a)3. is amended as follows:

3. A court shall suspend any license or permit issued under Wis. Stat. §§ 134.65, 139.34 or 139.79, to a person for:

a. Not more than ~~three (3)~~ days, if the court finds that the person committed a violation within ~~twelve (12)~~ months after committing one previous violation;

b. Not less than ~~three (3)~~ days nor more than ~~ten (10)~~ days, if the court finds that the person committed a violation within ~~twelve (12)~~ months after committing two (2) other violations; or

c. Not less than ~~fifteen (15)~~ days nor more than ~~thirty (30)~~ days, if the court finds that the person committed the violation within ~~twelve (12)~~ months after committing ~~three (3)~~ or more other violations.

Manitowoc County Code sec. 7.12(17)(4)(b) is amended as follows:

(b) Whoever violates subsection (2)(b) shall forfeit not more than twenty-five dollars (\$25.00).

Manitowoc County Code sec. 7.12(17)(5) is amended as follows:

(5) This ordinance shall not apply within any town, village, or city that adopts or has adopted an ordinance under Wis. Stat. § 134.66 (5). The county may conduct unannounced investigations of retail outlets, as defined in Wis. Stat. § 254.91(5), to determine compliance with this ordinance, as authorized under Wis. Stat. § 254.916(1), provided the investigations meet the requirements of Wis. Stat. § 254.916(3)(a) to (f) and any standards established by the department of health and family services under Wis. Stat. § 254.916(1)(b).

Manitowoc County Code sec. 7.12(18) is created to read as follows:

(18) Purchase or possession of cigarettes or tobacco products by person under 18 prohibited. (1) No person under 18 years of age may falsely represent his or her age for the purpose of receiving any cigarette or tobacco product.

(2) No person under 18 years of age may purchase, attempt to purchase, or possess any cigarette or tobacco product except as follows:

(a) A person under 18 years of age may purchase or possess cigarettes or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.

(b) A person under 18 years of age, but not under 15 years of age, may purchase, attempt to purchase, or possess cigarettes or tobacco products in the course of his or her participation in an investigation under Wis. Stat. § 254.916 that is conducted in accordance with Wis. Stat. § 254.916(3).

(3) A law enforcement officer shall seize any cigarette or tobacco product that has been sold to and is in the possession of a person under 18 years of age.

(4) This ordinance does not apply within a town, village, or city that has enacted or enacts an ordinance under Wis. Stat. § 254.92.

EFFECTIVE DATE: This ordinance is effective upon publication.

Dated this 18th day of January 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke reported they met with the new Expo Advisory Board and will be moving forward with Eastern Racing as the provider for racing at Expo. They will be meeting next month at the Health Department to look at their space needs.

Miscellaneous: Supervisor Barnes moved, seconded by Supervisor Vogt, to adopt Resolution 9(2004/2005-134) Endorsing Wisconsin Children's Initiative to Reduce Youth Smoking. Upon discussion and vote, the motion carried with 12 ayes and 10 noes. Supervisors Henrickson, Muench, Skubal, Kozlowski, Behnke, Goeke, Graunke, Brey, Gauger, and Dobbs voted no; all other supervisors voted aye.

No. 2004/2005 - 134

## **RESOLUTION ENDORSING WISCONSIN CHILDREN'S INITIATIVE TO REDUCE YOUTH SMOKING**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, 76,800 Wisconsin high school students smoke and another 15,900 become daily smokers each year, while 930,800 Wisconsin adults smoke and 7,800 die each year from causes related to smoking; and

WHEREAS, \$1.58 billion is spent in Wisconsin annually for health care costs that are directly attributable to smoking; and

WHEREAS, the Wisconsin Medicaid Program provides health care coverage for the uninsured, elderly, and disabled, but currently has a deficit of \$224 million because \$375 million, or about 14% of all Medicaid expenditures, are spent to treat diseases caused by smoking; and

WHEREAS, every state that increased cigarette taxes between 2000 and 2002 has enjoyed large revenue increases despite declines in the sale and consumption of cigarettes; and

WHEREAS, a \$1 per pack cigarette tax increase will raise about \$251 million in new state revenues during the first year and will generate sufficient revenue to eliminate the Medicaid deficit, leverage federal Medicaid funds, fund Wisconsin's Comprehensive Tobacco Control Program at the level recommended by

18 the Centers for Disease Control and Prevention, and reduce the property tax burden on Manitowoc County  
19 tax payers for services that the county provides to its residents under the Medicaid program;

20  
21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors endorses  
22 the Wisconsin Children's Initiative proposal and urges the Wisconsin Legislature and Governor Doyle to  
23 increase the Wisconsin cigarette excise tax by \$1 per pack in order to generate revenue for the purpose of  
24 funding the Medical Assistance Program, including waiver programs; implementing tobacco control  
25 programs following the Center for Disease Control and Prevention's best practices guidelines; and providing  
26 other state programs that will advance the health, education, and general welfare of Wisconsin citizens; and  
27

28 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors requests that the  
29 Wisconsin Counties Association include an increase in Wisconsin cigarette excise tax by \$1 per pack as part  
30 of the WCA Legislative Agenda for the 2005-2007 Wisconsin State budget; and  
31

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

Dated this 18th day of January 2005.

Respectfully submitted by the Board of Health.

Respectfully submitted by the Health Care Center Committee.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved to adjourn. Supervisor Behnke seconded, and the motion was adopted by  
acclamation. The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

February 15, 2005

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 15th day of February 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:05 P.M.

Supervisor Rick Henrickson gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Barnes, Bauknecht, Behnke, Braudel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresch, Markwardt, Muench, Nate, Rappe, Rasmussen, Sloan, Vogt and Wagner. Supervisor Skubal was excused. Supervisor Mueller arrived at 7:15.

The County Clerk announced two corrections to the January 18, 2005 minutes. On page one, paragraph 12, line 2 was changed from "it will take approximately 1000 feet of concrete" to "it will take approximately 1000 yards of concrete." On page 3, under Planning and Park Commission, paragraph two was changed from "Manitowoc County received \$148,990.80 from Utility Tax" to "Manitowoc County received \$841,990.80 from Utility Tax." On motion by Supervisor Brey and seconded by Supervisor Behnke, the January 18, 2005 meeting minutes, as amended, were approved unanimously.

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

Chairperson Hansen declared Public Input open at 7:09 P.M.

Craig Thompson, Wisconsin Counties Association Legislative Director, endorsed two advisory referendum questions which ask whether the state or the county should pay for the cost of the state mandated court system and state mandated human services. He stated 55 of the 72 counties have approved placing the advisory referendum questions on the April ballot and 15 counties are considering the referendum. These are two significant policy making questions that we need to ask the public. He also spoke on the Governor's proposed budget that was introduced last week which included funding shared revenue, a property tax freeze with incentive payments to counties for keeping the levy down, a 1.4% rate increase for nursing homes that would be funded with a bed tax, and an increase in general transportation aids. He answered supervisors' questions.

Eric Cooley, UW-Extension Discovery Farms Outreach Specialist, gave a brief background on the Discovery Farms Project and stated Debbie Beyer, Lakeshore and Sheboygan Basin Educator, is also working on this project. He stated cost share dollars are being used for implementation of best management practices. Currently, their two projects they have going are monitoring surface water and tile lines. He answered supervisors' questions.

Supervisor Brey was excused at 7:42 p.m.

No one else present wished to speak and public input was closed at 7:42 p.m.

UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKE AT LAST MEETING:

Supervisor Henrickson moved, seconded by Supervisor Rasmussen, to remove from the table the Resolution Placing Two Advisory Referendum Questions on the April Ballot. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Goeke voted no; all other supervisors voted aye. Discussion followed. Supervisor Markwardt moved, seconded by Supervisor Henrickson, to substitute a Resolution Placing Two Advisory Referendum Questions on the April Ballot for the original tabled resolution. Upon discussion and vote, the motion carried unanimously. Upon further discussion and vote, the substituted Resolution (2004/2005-135) Placing Two Advisory Referendum Questions on the April Ballot, passed on a unanimous vote.

**RESOLUTION PLACING TWO ADVISORY  
REFERENDUM QUESTIONS ON THE APRIL BALLOT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, county government acts in partnership with state government in Wisconsin to provide  
2 programs and services, but the state does not fully fund all of the programs and services that it requires the  
3 county to provide; and  
4

5 WHEREAS, mandated programs and services that are not fully funded by the state must be paid for  
6 with funds raised through the county property tax;  
7

8 WHEREAS, the public and the Wisconsin legislature have both expressed concern about increases  
9 in property taxes and how property tax dollars are expended; and  
10

11 WHEREAS, both the Sheehy and Kettl Commissions have suggested that the circuit court system and  
12 human services programs should not be funded by the property tax; and  
13

14 WHEREAS, the Legislative Review Committee recommends that the voters of Manitowoc County  
15 should be given an opportunity to express their opinion on how the court system and human services  
16 programs should be funded and has provided the County Board with a proposed Notice of Referendum;  
17

18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
19 following questions will be put to the voters of Manitowoc County in an advisory referendum during the  
20 April 2005 election:  
21

- 22 1. Should the State of Wisconsin, not the County of Manitowoc, pay for the cost of the state  
23 mandated court system in Manitowoc County?  
24
- 25 2. Should the State of Wisconsin, not the County of Manitowoc, pay for the cost of state  
26 mandated human services in Manitowoc County?  
27

28 and;  
29

30 BE IT FURTHER RESOLVED that the County Clerk is directed to cause a copy of the Notice of  
31 Referendum to be published in the county's official newspaper as required by law; and  
32

33 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution  
34 and a copy of the results of the advisory referendum to the Wisconsin Counties Association.  
35

Dated this 15th day of February 2005.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: Increases election costs by \$1,000 to \$2,000.

APPROVED: Dan Fischer, County Executive.

**REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT  
DIRECTORS:**

Chairperson Hansen recognized retiring Sheriff Department employee Michael Bushman for 30 years of dedicated service.

Supervisor Barnes reported on the WCA Health and Human Services Steering Committee meeting where they discussed issues that included the Governor's Task Force on Autism, the Public Health Institute, Tabor, and the W-2 funding shortage.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Gary Shavlik and alternate Lee Stadler to the Local Emergency Planning Committee for two year terms expiring March 2007. Supervisor Muench moved, seconded by Supervisor Henrickson, to approve the appointments. Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Barnes reported Manitowoc County has a high rate of accidental falls and the proposed funding in the following resolution will assist in reducing injuries. Supervisor Barnes moved, seconded by Supervisor Nate, to adopt Resolution 1 (2004/2005-136) Authorizing Program Funding Agreements with the Medical College of Wisconsin. Upon vote, the motion carried unanimously.

No. 2004/2005 - 136

#### **RESOLUTION AUTHORIZING PROGRAM FUNDING AGREEMENT WITH MEDICAL COLLEGE OF WISCONSIN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the death rate from falls for Manitowoc County is twice as high as for the State of  
2 Wisconsin, and the Manitowoc County Injury Prevention Coalition is interested in addressing this problem;  
3 and  
4

5 WHEREAS, the Medical College of Wisconsin Injury Research Center has invited the Manitowoc  
6 County Health Department and four other local health departments, the Department of Health and Family  
7 Services, and the Wisconsin Public Health and Health Policy Institute to develop a project funded by the  
8 Healthier Wisconsin Partnership Program to assess the use of coalitions to reduce injuries in Wisconsin; and  
9

10 WHEREAS, the Manitowoc County Health Department would receive \$10,000 in 2005 and \$15,000  
11 per year in 2006 and 2007 to support the project's activities;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the Manitowoc County Health Department to enter into a Program Funding Agreement with the Medical  
15 College of Wisconsin Healthier Wisconsin Partnership that will provide \$10,000 in project funds for 2005;  
16 that the 2005 Annual Budget is amended by the amount stated; and that the Comptroller/Auditor is directed  
17 to record such information in the official books of the County for the year ending December 31, 2005 as may  
18 be required

Dated this 15th day of February 2005.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by \$10,000.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported four residents have been moved into the community from the developmentally disabled unit and the transition is going well. He also reported there has been restrictive visitation at the facility because of influenza; the Wisconsin Counties magazine will feature the Health Care Center in their April issue; the restructure of kitchen staff is going well, absenteeism has been down for the past five months; and Administrator Michael Thomas has been appointed to serve on the Governor's Select Committee to look at the future of nursing homes in Wisconsin.

Highway Committee: Supervisor Sloan reported Curt Drumm, Fixed Based Operator at the airport, presented the changes and updates made at Lakeshore Aviation over the past 30 days and stated they are planning an open house sometime in April.

Supervisor Sloan moved, seconded by Supervisor Kozlowski, to approve Resolution 2 (2004/2005-137) Authorizing Out-Of-State Travel for Gary Kennedy. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted yes.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Gary Kennedy)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the National Association of County Engineers (NACE) is holding its National  
2 Conference in Bismark, North Dakota on April 18 - 20, 2005, and the Transportation Development  
3 Association (TDA) is sponsoring a meeting in Washington, D.C. on April 21 and 22, 2005 that will provide  
4 an opportunity for direct interaction with members of the United States Senate and House of Representatives  
5 on topics of importance to Wisconsin transportation; and  
6

7 WHEREAS, the Wisconsin Counties Highway Association (WCHA) encourages its Board of Directors  
8 and Executive Committee Members to attend the TDA meeting and the NACE conference on behalf of its  
9 members and will reimburse all necessary expenses for attending these events; and  
10

11 WHEREAS, Manitowoc County Highway Commissioner Gary Kennedy presently serves as WCHA's  
12 Past State President, is a member of the WCHA Board of Directors and Executive Committee, and will chair  
13 the NACE Conference in Milwaukee, Wisconsin in April 2007; and  
14

15 WHEREAS, the Manitowoc County Highway Committee has determined that it would be  
16 advantageous to Manitowoc County, the Highway Department, and WCHA for Highway Commissioner  
17 Kennedy to attend these events;  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
20 Gary Kennedy to attend the NACE Conference in Bismark, North Dakota on April 18 -20, 2005 and the TDA  
21 meeting in Washington, D.C. on April 21 and 22, 2005, provided that all expenses are reimbursed by the  
22 Wisconsin Counties Highway Association.

Dated this 15th day of February 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Sloan moved, seconded by Supervisor Bauknecht, to approve Resolution 3 (2004/2005-138)  
Supporting Reconstruction of Part of STH 42 in the City of Two Rivers to Address Pedestrian Access and  
Safety Issues. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION SUPPORTING RECONSTRUCTION OF PART OF STH 42 IN THE CITY OF  
TWO RIVERS TO ADDRESS PEDESTRIAN ACCESS AND SAFETY ISSUES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Two Rivers voters approved an \$18.5 million investment in a new high school that  
2 opened in September 2002 on State Highway 42 just south of CTH VV in the City of Two Rivers; and  
3

4 WHEREAS, both the Board of Education and City have noted that the lack of pedestrian facilities  
5 serving the school is a major concern to the community, and both are seeking funding for the construction  
6 of pedestrian facilities that will connect the high school with the rest of the community; and  
7

8 WHEREAS, the City of Two Rivers applied for a Transportation Enhancement Grant in 2000 for the  
9 construction of a recreational trail along STH 42 that would have connected the new high school to the  
10 vicinity of 35th Place, but the grant was not funded because the existing right-of-way along this section of  
11 highway was insufficient for the construction of such a trail; and  
12

13 WHEREAS, the high school is an increasingly important year-round center for community events,  
14 including summer school, recreational programs, entertainment, and cultural events; the area surrounding  
15 the high school has seen additional development, most notably the opening of a new 260,000 square foot  
16 manufacturing and office facility by Eggers Industries in September 2004 directly across from the high  
17 school; and local residents continue to contact the County, City, and School District with their concern for  
18 the safety of children and adults who travel to and from the high school on foot or by bicycle; and  
19

20 WHEREAS, the Wisconsin Department of Transportation has a major reconstruction project planned  
21 for 2009 that will replace the existing urban design street segment of STH 42 (Lincoln Avenue) in the City  
22 of Two Rivers from 22nd Street north to 34th street and will extend the urbanized design another 500 feet  
23 north from 34th Street to 35th Place; and  
24

25 WHEREAS, extending this project another 1.13 miles north to CTH VV using an urbanized design  
26 featuring curb, gutter, storm sewers, and the elimination of roadside ditch systems would permit the  
27 installation of pedestrian facilities, such as sidewalks and pedestrian trails, that are desired by the community  
28 and that would be nearly impossible to install without the reconstruction of the roadway; and  
29

30 WHEREAS, the extension of pedestrian facilities along STH 42 is vital to a larger pedestrian and  
31 bicycle circulation plan and would ultimately connect the high school site to the city's north side residential  
32 neighborhoods via the CTH VV ("Tannery") Bridge and to the Rawley Point Recreational Trail that is one  
33 mile east of the high school; and  
34

35 WHEREAS, reconstruction of this highway segment with an urbanized design would permit the  
36 transfer of maintenance responsibilities from Manitowoc County to the City of Two Rivers;  
37

38 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors requests  
39 that the Wisconsin Department of Transportation consider expanding the scope of the Lincoln Avenue  
40 project north to CTH VV using an urbanized design manner and including the expanded project in its six year  
41 highway plan for the period 2005-2010; and  
42

43 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors encourages the Two  
44 Rivers School District, the City of Two Rivers, and concerned local residents and organizations to support  
45 this request in order to secure the safety of our community's children and adults who travel to and from the  
46 school on foot or by bicycle; and  
47

48 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
49 the Wisconsin Department of Transportation, the City of Two Rivers, and the Two Rivers School District.

Dated this 15th day of February 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported the future of the Oaks Home continues to be monitored, case management of medicaid has determined the department is receiving as much money as possible, four developmentally disabled people have been moved into the community with four to six more residents expected to be moved in the near future. Their next meeting will be February 24. She also reported there will be a St. Patrick's Day Parade on March 12.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported their first strategic planning group will hold several planning sessions in March to obtain input from departments and stakeholders relating their future direction with natural resources and the environment. Supervisors are invited to attend. Laurie Gehrke, Director UW-Extension, facilitated sessions with the City of Two Rivers Parks and Recreation relating to future development.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 4 (2004/2005-139) Opposing Merger of UW-Manitowoc with UW-Green Bay. Dr. Glenda Gallisath, U-W Manitowoc, provided



a history of the campus when it was part of UW-Green Bay in the early 70's and explained it did not work well. She also answered supervisors' questions. Upon discussion and vote, the motion carried unanimously.

No. 2004/2005 - 139

**RESOLUTION OPPOSING MERGER OF UW-MANITOWOC WITH UW-GREEN BAY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County and the University of Wisconsin - Manitowoc have a long-standing  
2 partnership that has served the interests of Manitowoc County and the University of Wisconsin system; and  
3

4 WHEREAS, a recent legislative proposal suggests merging each of Wisconsin's two-year colleges  
5 with the nearest four-year university as a cost-saving measure; and  
6

7 WHEREAS, this proposal fails to recognize the unique role that the two-year colleges play in the  
8 Wisconsin's higher education system; compromises the quality of the educational experience on two-year  
9 campuses by reducing them to second-tier status; reduces the transfer options of students who attend a two-  
10 year campus; reduces the level of administrative service provided to students at the two-year campuses;  
11 removes a vital entry point into higher education for returning adult students, students of color, and students  
12 from low income families; disrupts the excellent working relationship that has been established between the  
13 counties and the two-year campuses; and ignores the lessons learned when the state abandoned a failed  
14 system in the early 1970s that had made UW-Manitowoc a satellite of UW-Green Bay; and  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors is  
17 opposed to the merger of the University of Wisconsin - Manitowoc with the University of Wisconsin - Green  
18 Bay; and  
19

20 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution  
21 to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the  
22 Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents  
23 from Manitowoc County, and the University of Wisconsin Board of Regents.

Dated this 15th day of February 2005.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 5 (2004/2005-140)  
Regarding Proposed Merger of UW Colleges and UW-Extension. Upon discussion and vote, the motion  
carried unanimously.

No. 2004/2005 - 140

**RESOLUTION REGARDING PROPOSED MERGER  
OF UW COLLEGES AND UW-EXTENSION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has long-standing partnerships with the University of Wisconsin -  
2 Manitowoc and the University of Wisconsin Extension that have served the interests of Manitowoc County  
3 and the University of Wisconsin system; and  
4

5 WHEREAS, the President of the University of Wisconsin System has explored consolidating the  
6 administrative operations of the UW Colleges and UW-Extension; and  
7

8 WHEREAS, neither Manitowoc County nor any other county that supports the UW Colleges and UW-  
9 Extension appear to have been consulted or given an opportunity to provide input regarding the proposed  
10 merger; and  
11

12 WHEREAS, substantial unresolved questions exist concerning such a merger, including how the  
13 diverse educational goals of the UW Colleges, UW-Extension, and the counties will be met in a merged  
14 system; what role counties are expected to play in a merged system; what economic support is expected from  
15 the counties under a merged system; whether the county investment in the UW Colleges and UW-Extension  
16 will be recognized and preserved; and whether the UW Colleges and UW-Extension will continue to be  
17 responsive to the unique education needs of each county;

18  
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges the  
20 University of Wisconsin Board of Regents to involve the counties as partners in any discussion regarding  
21 a merger of the University of Wisconsin Colleges and the University of Wisconsin - Extension; and  
22

23 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution  
24 to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the  
25 Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents  
26 from Manitowoc County, and the University of Wisconsin Board of Regents.

Dated this 15th day of February 2005.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt stated the county must stay on top of issues now that the legislature is in session and asked supervisors to contact him with any topics for discussion.

Personnel Committee: Supervisor Vogt reported the Deputy Inspector position in the Sheriff's Department has been awarded and this opens a position in the Patrol Division. A recent update from Blue Cross/Blue Shield showed a dramatic change with the drug card and this should reflect favorably when we go to market for 2006 insurance rates. It was also reported 98% of employees are staying within the provider network for services. He indicated the Economic Support Division at Human Services limited term employee position will end March 31, 2005.

Supervisor Vogt moved, seconded by Supervisor Sloan, to adopt Resolution 6 (2004/2005-141) Ratifying Settlement of Health Insurance, Subcontracting, Longevity, and Wages for 2004-2005 for Highway Department Employees Represented by Local 986, AFSCME, AFL-CIO. Supervisor Vogt reported they approved all issues with the exception of the commercial drivers license requirement which will go to arbitration. Upon vote, the motion carried unanimously.

No. 2004/2005 - 141

**RESOLUTION RATIFYING SETTLEMENT OF HEALTH INSURANCE,  
SUBCONTRACTING, LONGEVITY, AND WAGES FOR 2004-2005 FOR  
HIGHWAY DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 986,  
AFSCME, AFL-CIO**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative agreement with Highway Department  
2 employees represented by AFSCME Local 986 on the issues of health insurance, subcontracting, longevity,  
3 and wages for the 2004-2005 collective bargaining agreement; and  
4

5 WHEREAS, health insurance plan design changes will reduce health insurance premiums and  
6 employees have agreed to increase their share of health insurance premium contribution to 7.0% effective  
7 July 1, 2004 and 8.0% effective January 1, 2005; and  
8

9 WHEREAS, in exchange for the reduction in premium costs associated with the drug card change,  
10 the Employer has agreed to increase the existing longevity schedule by 20¢ effective with the payroll that  
11 includes March 1, 2005; and  
12

13 WHEREAS, a tentative agreement has been reached to modify the existing subcontracting language  
14 in the collective bargaining agreements to allow subcontracting except when the subcontracting has the effect  
15 of laying a current employee off to the street or reducing a current employee's guaranteed hours below the  
16 authorized minimum hours; and

17  
18 WHEREAS, a tentative agreement has been reached to increase the wage schedule by 3.0% effective  
19 January 1, 2004 and by 3.0% effective January 1, 2005; and

20  
21 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to  
22 accept, thus avoiding the uncertainty and expense of proceeding through interest arbitration on these major  
23 issues; and

24  
25 WHEREAS, having reached a voluntary settlement on these major issues, AFSCME has announced  
26 it's intention to proceed to arbitration with their proposal to amend ARTICLE 33 - Commercial Driver's  
27 License; and

28  
29 WHEREAS, a summary of the changes in hours, wages, and working conditions for the employees  
30 represented by AFSCME Locals 986 is attached to this resolution;

31  
32 NOW, THEREFORE, BE IT RESOLVED that the settlement of health insurance, longevity,  
33 subcontracting, and wages for 2004-2005 negotiated between the Personnel Committee and the employees  
34 represented by AFSCME Local 986 is ratified, confirmed, and approved with the pay schedules, benefits,  
35 and terms set forth; and

36  
37 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel  
38 Director are authorized to execute this settlement.

Dated this 15th day of February 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2004	2005
Wages	\$61,878.96	\$63,735.33
FICA	\$ 4,733.74	\$ 4,875.75
WRS	\$ 6,064.14	\$ 6,501.00
Health Insurance Changes	(\$ 7,301.76)	(\$44,359.92)
Longevity Increase	\$	\$ 20,384.00
TOTAL	\$65,375.08	\$51,136.16

APPROVED: Dan Fischer, County Executive.

**Summary of Tentative Agreements Reached With Highway Department Employees Represented  
By Local 986, AFSCME, AFL-CIO**

1. Changes to Appendix "A":

a. Change reference from "Coveralls" to "Clothing", and increase the number of changes per week provided by the Employer from three to four.

b. Add the following:

Personal Protective Equipment Allowance: In addition to the Employer providing all personal protective equipment required by Manitowoc County's safety policies at no cost to the employee, employees shall receive an annual \$50 personal protective equipment allowance on the first paycheck in January. The PPE allowance will become effective upon ratification..

c. Freeze summer rates for the term of the Agreement

2. Changes to Appendix "B":

1. Delete Wayside Worker, Truck Drivers (Tandum), and Other Shop Labor
2. Move Motor Grader Operator from Class II to Class IV, effective upon ratification.
3. Update Side Letter of Agreement regarding HIPAA (attached)
4. Amend Article 15 - Vacations as follows:

<u>Number of weeks eligible</u>	<u>Number of days allowed in less than one week increments</u>
<u>5</u>	<u>15</u>
4	10
3	<u>10 5</u>

5. Update Agreement to reflect a two year duration (2004-2005).
6. Implement drug card change effective the first of the month following receipt of the arbitration decision, provided the decision is received prior to the 20th of the month. If the decision is received after the 20th, drug card change will be implemented the first of the following month.

Amend contractual language as tentatively agreed upon as follows:

Prescription drugs will be processed through the agreed upon prescription drug program in 34 day supply increments. The \$250/\$500 deductible shall not apply to prescription drugs purchased through the drug card program and co-payments made through the prescription drug program shall not apply toward the \$250/\$500 deductible. Employees shall pay a co-payment of ~~\$6.00~~ \$10.00 for a 34 day supply of a generic drug and a co-payment of ~~\$13.00~~ \$20.00 for a 34 day supply of a brand name medication, up to an annual out-of-pocket maximum of \$100 per individual/\$200 per family. Generic medications must be substituted for brand name medications, when available, unless there is medical necessity for use of the brand name drug in place of the generic equivalent. If a brand name drug is dispensed without medical necessity, the employee will be responsible for paying the brand name co-pay and the difference in cost between the generic and brand name drug. If a generic equivalent does not exist, the brand name drug will be dispensed at the brand-name co-payment. When the cost of the medication is less than the standard co-payment amount (~~\$6.00 or \$13.00~~) (\$10.00 or \$20.00) the employee shall pay only the cost of the prescription medication, and the payment shall apply to the drug card annual maximum.

7. Increase longevity schedule by 20¢ effective with the payroll that includes the 1<sup>st</sup> of the month in which the drug card change was implemented.
8. Increase premium contribution to 7% effective July 1, 2004. Increase premium contribution to 8.0% effective January 1, 2005.
9. Increase wage schedule by 3.0% effective 1/1/04  
Increase wage schedule by 3.0% effective 1/1/05
10. Change to ARTICLE 3 - MANAGEMENT RIGHTS RESERVED

~~Manitowoc County shall have the sole right to contract for any work it chooses and to direct its employees to perform such work wherever located subject only to the restrictions imposed by this Agreement and the Wisconsin Statutes. In the event the Employer desires to subcontract any work which will result in the layoff of any County employees, said matter shall first be reviewed with the Union.~~

Manitowoc County shall have the sole right to contract for any work and to direct its employees to perform such work wherever located, subject only to the restrictions imposed by this Agreement and the Wisconsin Statutes.

Manitowoc County shall have the sole right to subcontract for any work so long as the subcontracting does not cause the layoff of an employee to the street or reduce an employee's hours to less than the

number of hours budgeted for the employee in the previous year's budget. Budgeted hours, as used herein, means the number of hours that an employee is authorized to work and that an employee typically works. Budgeted hours shall not be modified to facilitate subcontracting that would otherwise be prohibited by this provision.

Planning and Park Commission: Supervisor Muench moved, seconded by Supervisor Rasmussen, to adopt Resolution 7 (2004/2005-142) Authorizing Application for Wisconsin Coastal Management Program Grant. Upon vote, the motion carried unanimously.

No. 2004/2005 - 142

**RESOLUTION AUTHORIZING APPLICATION FOR  
WISCONSIN COASTAL MANAGEMENT PROGRAM GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Legislature has enacted legislation providing matching grants for projects  
2 that demonstrate a positive impact on Great Lakes coastal resources; and  
3

4 WHEREAS, the Planning and Park Commission has concluded that the development of a  
5 comprehensive monitoring program to identify and reduce non-point sources of pollution to Lake Michigan  
6 should be given a high priority; and  
7

8 WHEREAS, the total cost of a project to develop a comprehensive monitoring program will be  
9 approximately \$10,000, with \$5,000 coming from a grant from the Wisconsin Coastal Management Program  
10 and \$5,000 in matching funds coming from in-kind services; and  
11

12 WHEREAS, the Planning and Park Commission approved a proposed comprehensive monitoring  
13 program project at its regular meeting on Monday, January 24, 2005 and recommended that Manitowoc  
14 County apply to the Wisconsin Coastal Management Program for a grant to help fund the project;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
17 the Planning and Park Department Director and such other county officials as may be appropriate to execute  
18 such papers and to take such other action as may be necessary to apply for and accept a grant from the  
19 Wisconsin Coastal Management Program for financial assistance for the development of a comprehensive  
20 monitoring program to identify and reduce non-point sources of pollution to Lake Michigan; and  
21

22 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal rules for  
23 the program, will conduct the program in a safe manner, and will obtain written approval from the Wisconsin  
24 Department of Administration before any change is made in the project; and  
25

26 BE IT FURTHER RESOLVED that the 2005 Budget is amended by the amounts of any grant received  
27 and that the Comptroller/Auditor is directed to record such information in the official books of the County  
28 for the year ending December 31, 2005 as may be required.

Dated this 15th day of February 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. Increase revenues and expenditures by \$5,000.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Mueller, to adopt Resolution 8 (2004/2005-143) Authorizing Application for All Hazards Mitigation Plan. Upon vote, the motion carried unanimously.

No. 2004/2005 - 143

**RESOLUTION AUTHORIZING APPLICATION FOR ALL HAZARDS MITIGATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Legislature has enacted legislation providing matching grants for pre-  
2 disaster mitigation planning and the implementation of cost-effective mitigation projects that primarily  
3 address natural hazards; and

4  
5 WHEREAS, the Emergency Management Department, Planning and Park Commission, and Bay-Lake  
6 Regional Planning Commission have concluded that development of an All-Hazards Mitigation Plan has a  
7 high priority; and

8  
9 WHEREAS, the total cost of the project to develop an All Hazards Mitigation Plan will be  
10 approximately \$95,132, with \$71,349 being requested from the State of Wisconsin and \$23,783 being  
11 provided by Manitowoc County in matching funds and through in-kind services; and

12  
13 WHEREAS, the Planning and Park Commission approved a proposed All Hazards Mitigation Plan  
14 project and the proposed funding mechanism at its regular meeting on Monday, January 24, 2005 and  
15 recommended that Manitowoc County apply to the State of Wisconsin for a grant to help fund the project;

16  
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
18 the Planning and Park Department Director and such other county officials as may be appropriate to execute  
19 such papers and to take such other action as may be necessary to apply for and accept a grant from the State  
20 of Wisconsin for financial assistance for the development of an All Hazards Mitigation Plan; and

21  
22 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal rules for  
23 the program, will conduct the program in a safe manner, and will obtain written approval from Wisconsin  
24 Emergency Management before any change is made in the project; and

25  
26 BE IT FURTHER RESOLVED that the 2005 Budget is amended by the amounts of any grant received  
27 and that the Comptroller/Auditor is directed to record such information in the official books of the County  
28 for the year ending December 31, 2005 as may be required.

Dated this 15th day of February 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by the amount of the  
grant received, which is not to exceed \$71,349.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Mueller, to enact Ordinance 9 (2004/2005-144)  
Amending Zoning Map for Merle Schuler. John Schnell, representing Spancrete of Valders, explained their  
plan to purchase 71 acres from Merle Schuler was for expansion of their facility. Upon discussion and vote,  
the motion carried unanimously.

No. 2004/2005 - 144

**ORDINANCE AMENDING ZONING MAP (Merle Schuler)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held at 10:00 a.m. on January 24, 2005 at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

3  
4 WHEREAS, the Planning and Park Commission, after careful consideration of the testimony and an  
5 examination of the facts attendant to the petition, recommends the petition be approved for the reasons stated  
6 in the report submitted with this ordinance;

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

10 A parcel of land located in the SE¼, Section 33, T19N-R22E, Town of Cato, lying south of USH 151  
11 and north of the Canadian National Railroad; excepting Tract 1 of a certified survey map recorded in  
12 volume 5, page 33 and the south 699.11 feet thereof, said parcel containing approximately 71.0 acres  
13 of land, shall be and is hereby rezoned from A3 Agriculture to I1 Industrial.

Dated this 15th day of February 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 10 (2004/2005-145) Authorizing Out-of-State Travel for Larry Welnicke. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors vote yes.

No. 2004/2005 - 145

### **RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL (LARRY WELNICKE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Manitowoc County recognizes the importance of an efficient and effective jail operation;  
2 and  
3

4 WHEREAS, the U.S. Department of Justice, National Institute of Corrections offers training for jail  
5 administrators of medium-sized jails in the basic skills and competencies needed to effectively oversee and  
6 direct jail operations; and  
7

8 WHEREAS, the training focuses on risk management, jail standards, policies and procedures, inmate  
9 supervision and management, jail staffing, budget management, and operational assessments; and  
10

11 WHEREAS, jail administrators are given the opportunity to examine their own leadership and  
12 motivation styles and their role in relations to local government officials, other parts of the criminal justice  
13 system, and community residents;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
16 Jail Administrator Larry Welnicke to attend the Jail Administration program in Longmont, Colorado from  
17 March 7 - 10, 2005.

Dated this 15th day of February 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Airfare, lodging, meals, and training costs are fully 100% funded. Out of pocket expenses of \$42 for airport shuttle will be paid from funds already in the budget.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke reported their last meeting was held at the Health Department to look at their space needs. They are reviewing a new phone system and will report on it at a later date. Expo held Winterfest a few weeks ago and it was a success.

Supervisor Behnke moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:28 P.M.

Respectfully submitted,  
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

March 15, 2005

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open-closed-open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 15th day of March 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:00 P.M.

Supervisor Susie Maresh gave the invocation and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Barnes, Bauknecht, Behnke, Braudel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Nate, Rappe, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisor Muench was excused.

The County Clerk announced a correction to the February 15, 2005 minutes. On page three, paragraph 4, line 3 was changed from "Local 96" to "Local 986." On motion by Supervisor Brey and seconded by Supervisor Henrickson, the February 15, 2005 meeting minutes, as amended, were approved unanimously.

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

Chairperson Hansen declared Public Input open at 7:08 P.M.

William Strasser, Town of Two Creeks, spoke on the decibel levels for the proposed wind turbines. He stated the county ordinance does not address noise levels and with modern technology couldn't a built-in sensor shut the turbines down when the noise reaches a set decibel level. He stressed the need to address the noise concerns.

Jerome Hlinak, Town of Mishicot, addressed the Board on electrical pollution and stray voltage and its effects on farms. He referred to the state model ordinance that states stray voltage will be regulated.

Dean Anhalt, Town of Mishicot, asked about how the noise violations and decommissioning of wind turbines would be handled. He talked about the necessity to have a structured plan to address these issues and he asked for a moratorium.

David Korinek, Town of Two of Rivers, spoke on health and safety issues related to wind turbines. There are various setbacks for participating and non participating neighbors and he feels the regulations should be uniform. Also, the current ordinance does not address flicker, noise or ice shed. The wind farm affects the rights of many property owners and he asked for a temporary moratorium to address the unanswered questions.

Kris Strasser, Town of Two Creeks, was unable to attend the meeting and prepared a letter that was read by William Strasser. She asked about the hours of construction for the turbines and noted it may be desirable to set dates and hours for the project.

Anita Roberts, Town of Two Creeks, addressed the issue of possible well water contamination from the wind turbines. She stated many people in the 15 square mile area could be affected. She is concerned that the land can be farmed up to the foundation of the towers and that liquid manure could seep down around the base. The conditional use permit does not address well water testing, property values would be affected, and there are health and safety concerns.

Lynn Korinek, Town of Two Rivers, spoke on the importance of protecting the health and safety of people. She feels finding alternative energy is important and we also need to put more emphasis on conserving energy. She urged supervisors to review the information handed out to them and adopt a moratorium on wind turbines.



Francis Kunz, Town of Mishicot, spoke on safety issues and property values. He questioned why property owners nearby the proposed turbines did not receive notification and asked for a moratorium on the wind turbines.

Patti Koehler, Town of Two Creeks, played a Channel 5 taped interview with Arlin Monfiles from Kewaunee County where he talked about noise problems relating to wind towers.

Mike Pekarek, Town of Mishicot, played the second part of the Channel 5 taped interview with Arlin Monfiles from Kewaunee County regarding wind turbines issues that included comments on flickering and stray voltage.

George Kluck, Town of Mishicot, questioned why the public hearing notice for the turbines were not scheduled to accommodate citizens and wants to know the impact the wind farm will have on area property value, tourism, environment, health and safety, and the cost of electricity when wind towers are idle.

Bill Rakocy, Emerging Energies, thanked the Board for their time and effort regarding the wind turbine project and asked that they consider a noise level that is unilateral so that everyone is treated fairly.

Ken Holland, Town of Mishicot, stated he works in Africa and came to this area to build his dream home. He felt a moratorium on the wind turbines is needed while considering the facts on health and safety.

Vicky Young, Town of Mishicot, spoke on noise issues, ice throw and blade throw. She was concerned about not receiving notification of the proposed wind turbines and found out about it from a Green Bay paper.

Tony Heyroth, Town of Mishicot, urged the Board to take a step back and look at issues that have been missed. He stated there is a gentleman in the area with a private landing strip that is concerned about a safe approach to his runway considering the proposed height and location of the towers.

No one else present wished to speak and public input was closed at 8:17 p.m.

#### REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS:

Corporation Counsel Steve Rollins reported on the status of litigation relating to Roberts v. Manitowoc County and discussed the status on proposed amendments to the county's wind energy system ordinance. He then explained the procedure involved in pursuing a moratorium and answered supervisors' questions.

At 8:37 p.m. Chairperson Hansen granted a recess, and the Board reconvened at 8:47 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Shirley Fessler, Dr. Henry Loomans, Frank Rodriguez, and Tony Yaggie to the Board of Health for two year terms expiring April 2007. Supervisor Barnes moved, seconded by Supervisor Graunke, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Supr. Ralph Kozlowski and Supr. Rick Henrickson to the Human Services Board for three year terms expiring April 2008. Supervisor Rasmussen moved, seconded by Supervisor Markwardt, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Marilyn Garceau, Mary Ann Johnson, Anna Wood, and Janice Wichlacz to the Long Term Support Planning Committee for three year terms expiring April 30, 2008. Supervisor Nate moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Carol Wagner to the Manitowoc-Calumet Library System to complete Kathryn Smith's term expiring January 2006. Supervisor Graunke moved, seconded by Supervisor Maresh, to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Frank Hlinak, Roger Strzyewski, Supervisor Clyde Mueller, and Supervisor Don Goeke to the Transportation Coordinating Committee for three year terms expiring April 2008. Supervisor Rasmussen moved, seconded by Supervisor Skubal, to approve the appointments. Upon vote, the motion carried unanimously.

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

**Board of Health:** Supervisor Barnes invited everyone to attend the "Healthiest Manitowoc County 2010" meeting on March 21 at the UW-Manitowoc. He reported they will undergo the required Chapter 140 Audit and the department will receive funds in 2005, 2006 and 2007 from the Wisconsin Injury Prevention Coalition.

**Expo Board:** Supervisor Behnke reported the Flea Market was a success and the next one will be April 9. They are working with the Expo Foundation to run certain activities at the Fair. He reported everything is running well.

**Finance Committee:** Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2004/2005-146) Authorizing Designation, Carry-Over, and Reappropriation of Specified Funds from 2004 to 2005. The County Clerk announced a friendly amendment on page 2, line 52, changing "expended with further action" to "expended without further action." Upon vote, the motion carried unanimously.

No. 2004/2005-146

**RESOLUTION AUTHORIZING DESIGNATION, CARRY-OVER,  
AND REAPPROPRIATION OF SPECIFIED FUNDS FROM 2004 TO 2005**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the Annual Budget that affect 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 2004 budget year  
5 did not take place, were not completed, or are on-going and must be carried-over into the next budget year;  
6 and  
7

8 WHEREAS, the Comptroller/Auditor has compiled a pre-audit list designating those programs,  
9 projects, activities, and funds that should be carried forward and reappropriated in the 2005 budget; and  
10

11 WHEREAS, the appropriate oversight committees and the Finance Committee have reviewed the  
12 requests and recommend that the designation, carry-over, and reappropriation requests be approved; and  
13

14 WHEREAS, Wisconsin statutes and county board rules require that the county board take official  
15 action to authorize the designation, carry-over, and reappropriation of funds, and sound financial practice  
16 requires that such carry-over designations be recorded in the official books of the County; and  
17

18 WHEREAS, any additional items or adjustments that may be required at the completion of the  
19 County's external audit will be brought to the County Board in a separate resolution at the conclusion of the  
20 field work of the external audit;  
21  
22

23 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
24 following unreserved, designated funds are authorized to be carried over from the official books of the  
25 County for the year ended December 31, 2004 to the official books of the County for the year ending  
26 December 31, 2005; that the funds are reappropriated and may be expended as required; and that the 2005  
27 Annual Budget is amended and the following line items are increased by the amounts shown:  
28

Department	Description	Account	Amount
Emergency Management	Training Grant	100.34279	1,000.00

Department	Description	Account	Amount
Emergency Management	Designated Hazmat	100.34280	135,565.88
Planning & Parks	Designated Planning & Park	100.34237	10,200.00
U.W. Extension	Finance Grant (\$500) and Chairs (\$7,996)	100.34284	8,496.00
Personnel Dept.	Training Money	100.34282	1,930.00
Planning Comprehensive	EDC Grant	100.34268	261,900.00
Veterans Service Ofc.	Direct Relief to Veterans	100.34245	5,631.01
Register of Deeds	Land Records Modernization	100.34270	240,788.66
Public Works Dept.	Wetland Mitigation Project	100.34291	212,925.78
Public Works Dept.	Vehicle Replacement Fund	100.34277	22,000.00
Comptroller/Auditor	Systems Update	100.34287	34,686.44
Airport	Outlay Projects	100.34222	21,518.81
Planning & Parks	Mapping	100.34232	18,500.00
Planning & Parks	Area Wide Planning	100.34233	28,572.91

AND BE IT FURTHER RESOLVED that the following unreserved, designated funds are authorized to be carried over from the books of the County for the year ended December 31, 2004 to the official books of the County for the year ending December 31, 2005; but that the funds may not be reappropriated or expended without further action by the County Board:

Department	Activity	Account	Amount
Public Works	Future Capital Projects	100.34295	817,295.31

AND BE IT FURTHER RESOLVED that the following grant and project funds are authorized to be carried over from the official books of the County for the year ended December 31, 2004 to the official books of the County for the year ending December 31, 2005; that they may be expended; and that the 2005 Annual Budget is amended and the following line items are increased by the amounts shown:

Department	Activity	Account	Category	Amount
Emergency Mgmt.	Homeland Security Grant 04	25450.58116	Expense	133,527.90
Emergency Mgmt.	Homeland Security Grant 05	25450.43520.19	Revenue	133,527.90
Emergency Mgmt.	Homeland Security Grant 04	25450.52999	Expense	15,000.00
Emergency Mgmt.	Homeland Security Grant 05	25450.51100	Expense	2,965.65
Emergency Mgmt.	Homeland Security Grant 06	25450.51551	Expense	237.00
Emergency Mgmt.	Homeland Security Grant 07	25450.51552	Expense	291.00
Emergency Mgmt.	Homeland Security Grant 08	25450.51554	Expense	165.00
Emergency Mgmt.	Homeland Security Grant 09	25450.51555	Expense	3.00
Emergency Mgmt.	Homeland Security Grant 10	25450.51556	Expense	27.00
Emergency Mgmt.	Homeland Security Grant 11	25450.51557	Expense	10.00
Emergency Mgmt.	Homeland Security Grant 12	25450.51600	Expense	3.00
Emergency Mgmt.	Homeland Security Grant 13	25450.53001	Expense	5,152.00
Emergency Mgmt.	Homeland Security Grant 14	25450.53998	Expense	6,800.00
Emergency Mgmt.	Homeland Security Grant 15	25450.53035	Expense	200.00
Emergency Mgmt.	Homeland Security Grant 16	25450.43520.19	Revenue	30,853.65
Emergency Mgmt.	Training award from State	25000.53034	Expense	1,522.50
Emergency Mgmt.	Training award from State	25000.43520.12	Revenue	1,522.50
Public Health	Bio Terrorism Grant Revenue	41185.52309	Expense	44,883.40
Public Health	Bio-Rev	41185.43550.30	Revenue	44,883.40

	Department	Activity	Account	Category	Amount
79	Public Health	Mercury - Personal Services	41186.51200	Expense	11,964.00
80	Public Health	Mercury - Rev	41186.46510.12	Revenue	11,964.00
81	Public Health	Pedestrian Safe - Operating	41300.53005	Expense	848.80
82	Public Health	Ped. - Rev	41300.48500	Revenue	848.80
83	U.W. Extension	Project Supplies Grant	56200.53056	Expense	3,093.63
84	U.W. Extension	Discovery Farms	56200.43570.26	Revenue	3,093.63
85	U.W. Extension	Postage & Mailing	56351.53007	Expense	1,132.00
86	U.W. Extension	Parenting Training	56351.46700.04	Revenue	1,132.00

87  
88 AND BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such  
89 information in the official books of the County for the year ended December 31, 2004 and for the year ending  
90 December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over the amounts specified from the 2004 budget to the 2005 budget and amends the 2005 Annual Budget as stated.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Bauknecht, to adopt Resolution 2 (2004/2005-147) Authorizing the Restatement of Various Activity, Revenue, and Expense Appropriations for 2004. Upon vote, the motion carried unanimously.

No. 2004/2005 - 147

# **RESOLUTION AUTHORIZING THE RESTATEMENT OF VARIOUS ACTIVITY, REVENUE, AND EXPENSE APPROPRIATIONS**

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 appropriation for a given budget year; and  
3

4 WHEREAS, the Comptroller/Auditor has produced a pre-audit report showing the effect of those  
5 events on the various activities and their appropriations for 2004 and has identified certain adjustments that  
6 should be made to reconcile the Annual Budget; and  
7

8 WHEREAS, sound financial practice requires that such adjustments be recorded in the official books  
9 of the County; and  
10

11 WHEREAS, the Finance Committee has reviewed the pre-audit adjustments shown below and  
12 recommends that such adjustments be made to the County's official books, and the Wisconsin statutes and  
13 County Board rules require that the County Board take official action to authorize such adjustments; and  
14

15 WHEREAS, any additional adjustments that may be needed at the completion of the County's external  
16 audit will be brought to the County Board in a separate resolution;  
17

18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
19 following changes to the activity, revenue, and expense appropriations and funds described are hereby  
20 approved:  
21

	Activity	Account Number	Category	Change	Amount
22	Airport	35100.58275	Expense	+	269,284

	Activity	Account Number	Category	Change	Amount
24	Airport	35100.43532	Revenue	+	269,284
25	Child Support	13400.43560.02	Revenue	+	83,169
26	Child Support-Case Mgmt.	13500.51250	Expense	+	78,049
27	Child Support-Family Crt.	13700.51200	Expense	+	5,120
28	Circuit Court	12100.51100	Expense	+	33,750
29	Comptroller	15100.51554	Expense	+	11
30	Contingent Fund	1.59990	Expense	-	15,111
31	Emergency Management	25000.	Expense	+	9,152
32	Emergency Management	25000.43520.12	Revenue	+	9,152
33	Family Court Com.	12400.51200	Expense	+	2,267
34	Joint Dispatch	21600.51200	Expense	+	25,063
35	Maintenance- Jail	16300.51200	Expense	+	4,710
36	Maintenance-Admin Bldg.	16750.58225	Expense	-	2,564
37	Maintenance-Crt House	16100.58100	Expense	+	16,591
38	Maintenance-Expo	16500.52417	Expense	-	4,500
39	Maintenance-Expo	16500.52100	Expense	-	1,010
40	Maintenance-Expo	16500.52999	Expense	-	2,541
41	Maintenance-Expo	16500.53048	Expense	-	4,349
42	Maintenance-Expo	16500.58225	Expense	-	1,028
43	Maintenance-HSD Bldg.	16600.58225	Expense	-	6,629
44	Maintenance-Ofc Complx	16200.51100	Expense	+	2,825
45	Maintenance-Other	16800.52999	Expense	+	2,837
46	Maintenance-PHS Bldg.	16700.58100	Expense	-	273
47	Register in Probate	12300.52154	Expense	+	2,512
48	Sheriff-Administration	21000.51100	Expense	+	25,000
49	Sheriff-Administration	21000.51450	Expense	+	60,253
50	Sheriff-Jail	27000.53070	Expense	+	34,261
51	Sheriff-Metro Drug	27500.51490	Expense	+	3,611
52	Sheriff-Metro Drug	27500.51250	Expense	+	2,100
53	Sheriff-Metro Drug	27500.43520.04	Revenue	+	5,711
54	Sheriff-Traffic	21200.52415	Expense	+	36,000
55	Sheriff-Traffic	21200.53050	Expense	+	18,188
56	Solid Waste Mgmt. GF	36000.52528	Expense	+	13,662
57	Solid Waste Mgmt. GF	36000.43547	Revenue	+	13,662
58	Treasurer	15200.41800	Revenue	+	226,263
59	Veterans Service Office	47000.51200	Expense	+	2,300
60	Veterans Srv. Com.	47100.52902	Expense	-	2,300

AND BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information in the official books of the County for the year ended December 31, 2004, as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases net appropriated 2004 revenues and expenses by \$607,241.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 3 (2004/2005-148) Authorizing CDBG-ED Grant Application (Tony A. and Bonnie L. Kohlmann). Supervisor Brey explained the Kohlmans were involved in a tornado last year and applied for the grant to help rebuild their herd. Upon vote, motion carried unanimously.

No. 2004/2005 - 148

**RESOLUTION AUTHORIZING CDBG-ED GRANT APPLICATION  
(Tony A. and Bonnie L. Kohlmann)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Federal monies are available under the Wisconsin Community Development Block Grant  
2 program that is administered by the State of Wisconsin, Department of Commerce for the purpose of  
3 promoting economic development (CDBG-ED Program); and  
4

5 WHEREAS, Tony A. and Bonnie L. Kohlmann of Valders are seeking a loan in the amount of \$59,000  
6 to provide working capital for the purchase of 118 cows (Kohlmann Project); and  
7

8 WHEREAS, the loan payments will increase the amount of money available for new loans under the  
9 County's Revolving Loan Fund Program for economic development; and  
10

11 WHEREAS, the Finance Committee has reviewed the need for and benefits to be gained from the  
12 proposed project and recommends that the County Board authorize the preparation and filing of an  
13 application for funds from the CDBG-ED Program;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
16 the appropriate County staff to prepare, file, and execute all documents necessary to process an application  
17 for the Kohlman Project and to accept and administer any funds received pursuant to the Wisconsin  
18 Community Development Block Grant program; and  
19

20 BE IT FURTHER RESOLVED that the 2005 budget is amended by the amount of the CDBG-ED  
21 funds received and that the Comptroller/Auditor is directed to record such information in the official books  
22 of the County for the year ending December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by \$61,950, with \$59,000 paid out as a loan to be paid back to the County and \$2,950 paid to the County for administration costs.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported they had an operating loss of \$27,676 in January and they will be receiving IGT funds from the state in the amount of \$125,918 each month through June. He reported 57 beds were available in the county at the end of February, but the Health Care Center was full. Absences in February were high due to the flu and they had a restricted visiting notice. He asked everyone to watch for an article on the Health Care Center in the April issue of the WCA magazine.

Highway Committee: Supervisor Sloan invited everyone to the Airport open house on Tuesday, April 12.

Human Services Board: Supervisor Bundy reported they approved a Comprehensive Community Service Program; Ruth Wichlacz was introduced as the Economic Support Division Manager; and there is a joint effort with Lakeshore Cap to develop a pilot program that is designed to provide high risk students with a place to go after school.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 4 (2004/2005-149) Authorizing Volunteer Guardianship Grant Application. Upon vote, the motion carried unanimously.

No. 2004/2005 - 149

**RESOLUTION AUTHORIZING VOLUNTEER GUARDIANSHIP GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Health and Family Services provides funding to counties  
2 and has allocated \$2,400 to Manitowoc County for the recruitment, training, and support of existing  
3 volunteer guardians; and  
4

5 WHEREAS, the Natural Resources and Education Committee recommends that the County Board  
6 amend the 2005 budget to allow for this increased revenue and authorize a corresponding increase in  
7 expenditures;  
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
10 authorizes the Director of the Aging Resource Center to apply for volunteer guardianship grant funds in the  
11 amount of \$2,400; that the 2005 budget is amended by the amount of the grant funds received; and that the  
12 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
13 ending December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenses by equal amounts not to exceed \$2,400.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner reported a Beach Monitoring Workshop will be held in Door County on April 14 and 15. Master Gardeners have spent endless volunteer hours sharing their expertise and will be holding plant clinics April through September. She also reported the Garden Walk will be July 16.

Legislative Review Committee: Supervisor Markwardt stated they will be watching the proposed legislation on the jailer protective issue in conjunction with the Personnel Committee.

Personnel Committee: Supervisor Vogt reported members of the committee signed a letter sent to Senator Leibham opposing the proposed bill classifying county jailers as protective occupation participants. This additional benefit would cost Manitowoc County a minimum additional \$68,000 to the Wisconsin Retirement System in 2005. He reported the Jabas Group has offered to assist the County in developing a strategic plan for employee benefits and this would be at no additional cost.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to adopt Resolution 5 (2004/2005-150) Authorizing 2005-2006 Snowmobile Trail Program. Upon vote, the motion carried unanimously.

No. 2004/2005 - 150

**RESOLUTION AUTHORIZING 2005-2006 SNOWMOBILE TRAIL PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has completed thirty-two 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 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 Snowmobile Aids Program; and  
9

10 WHEREAS, the Planning and Park Commission recommends that the County Board approve the  
11 accompanying trail system map which provides for 221.1 miles of trail; and  
12

13 WHEREAS, Manitowoc County has budgeted \$55,275 for the Snowmobile Program to cover costs  
14 for 221.1 miles of trail; and  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
17 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 designates the  
20 Manitowoc County Planning and Park Commission as the agency to act on behalf of Manitowoc County in  
21 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 2005-2006 Snowmobile Program; and  
26

27 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and redevelopment  
28 of the snowmobile trails, the trails will be designated as public snowmobile trails; and  
29

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

Dated this 15th day of March 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. \$55,275 is included in the 2005 budget and the State will  
reimburse the County for the funds spent on this program.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Janowski, to enact Ordinance 6 (2004/2005-151)  
Amending Zoning Map for Glen and Mary Floyd, Ordinance 7 (2004/2005-152) Amending Zoning Map for  
Francis and Tracy Kunz, and Ordinance 8 (2004/2005-153) Amending Zoning Map for Donald Pfister. Upon  
vote, the motion carried with 23 ayes and 1 no. Supervisor Rappe voter no; all other supervisors voted yes.

No. 2004/2005 - 151

**ORDINANCE AMENDING ZONING MAP  
(Glen and Mary Floyd)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held at 7:00 p.m. on February 28, 2005 at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Planning and Park Commission, after careful consideration of testimony and an  
5 examination of the facts attendant to the petition, recommends the petition be approved for the reasons stated  
6 in the report submitted with this ordinance;



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

10 A parcel of land located in the NW1/4, SW1/4, Section 29, T18N-R21E, Town of Eaton, commencing  
11 at the W1/4, Corner of said Section 29; thence easterly approximately 400 feet; thence southerly  
12 approximately 200 feet which is the point of real beginning; thence easterly approximately 275 feet;  
13 thence southerly approximately 275 feet; thence westerly approximately 275 feet; thence northerly  
14 approximately 275 feet to the point of real beginning, said parcel containing approximately 1.73 acres  
15 of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 15th day of March 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 152

**ORDINANCE AMENDING ZONING MAP  
(Francis and Tracy Kunz)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held at 7:00 p.m. on February 28, 2005 at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and  
3

4 WHEREAS, the Planning and Park Commission, after careful consideration of testimony and an  
5 examination of the facts attendant to the petition, recommends the petition be approved for the reasons stated  
6 in the report submitted with 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 32, T21N-R24E, Town of Mishicot,  
12 commencing at the SW Corner of said Section 32; thence easterly approximately 1320 feet along the  
13 north r/w of CTH V; thence northerly approximately 1320 feet along the west r/w of Saxonburg Road  
14 which is the point of real beginning; thence westerly approximately 250 feet; thence northerly  
15 approximately 125 feet; thence easterly approximately 250 feet; thence southerly approximately 125  
16 feet long the west r/w of Saxonburg Road to the point of real beginning, said parcel containing  
17 approximately .58 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1  
18 Agriculture.

Dated this 15th day of March 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2004/2005 - 153

**ORDINANCE AMENDING ZONING MAP  
(Donald Pfister)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held at 7:00 p.m. on February 28, 2005 at the Manitowoc County

Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

WHEREAS, the Planning and Park Commission, after careful consideration of testimony and an examination of the facts attendant to the petition, recommends the petition be approved for the reasons stated in the report submitted with this ordinance;

NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does ordain as follows with respect to two parcels of land located in the NW1/4, SE1/4, Section 12, T17N-R21E, Town of Schleswig:

Parcel no. 1, commencing at the center of said Section 12; thence southerly approximately 33 feet to the south r/w of Wagner Road; thence easterly along the south r/w of Wagner Road approximately 700 feet which is the point of real beginning; thence continue easterly along the south r/w of Wagner Road approximately 591 feet; thence southerly along the west r/w of Shad Road approximately 407 feet; thence westerly approximately 587 feet; thence northerly approximately 429 feet to the point of real beginning, said parcel containing approximately 6.43 acres of land, shall be and is hereby rezoned from SE Small Estate to ES Estate Residential; and

Parcel no. 2, commencing at the center of said Section 12; thence southerly approximately 33 feet to the south r/w of Wagner Road which is the point of real beginning; thence continue southerly approximately 634 feet; thence easterly approximately 235 feet; thence northerly approximately 626 feet; thence westerly along the south r/w of Wagner Road approximately 235 feet to the point of real beginning, said parcel containing approximately 3.58 acres of land, shall be and is hereby rezoned from ES Estate Residential to SE Small Estate.

Dated this 15th day of March 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Henrickson moved, seconded by Supervisor Rappe, to adopt Resolution 9 (2004/2005-154) Authorizing Out-of-State Travel for Nancy Crowley. Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Graunke voted no; all other supervisors vote yes.

No. 2004/2005 - 154

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
( Nancy H. Crowley )**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County Emergency Management Director Nancy H. Crowley has been invited to attend the 15th Annual National Radiological Emergency Preparedness Conference; and

WHEREAS, this conference provides a forum for dialogue among individuals who are professionally involved in off-site radiological emergency preparedness programs; and

WHEREAS, the Emergency Management Director acts as the county's primary emergency preparedness specialist and will benefit from a conference that focuses on important and timely issues of concern, such as the media, radiological health, radioactive waste, and current federal issues; and

WHEREAS, all expenses for airfare, hotel, meals, and surface transportation will be reimbursed by the Nuclear Management Company;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes Nancy H. Crowley to attend the National Radiological Emergency Preparedness Conference in Harrisburg, Pennsylvania on April 11-14, 2005, with County being reimbursed for all conference expenses by the Nuclear

17 Management Company.

Dated this 15th day of March 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. County will be fully reimbursed for conference expenses by Nuclear Management Company.

APPROVED: Dan Fischer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Janowski, to adopt Resolution 10 (2004/2005-155) Accepting Terrorist Incident Training Award. Upon vote, the motion carried unanimously.

No. 2004/2005 - 155

### **RESOLUTION ACCEPTING TERRORIST INCIDENT TRAINING AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making a \$7,467 FY 2005 training award  
2 available to Manitowoc County for the accomplishment of a functional exercise for law enforcement to test  
3 weapons management, equipment retention, and crowd control techniques in a terrorist incident; and  
4

5 WHEREAS, this training award will enhance the ability of county law enforcement officers to  
6 effectively respond to terrorist incidents;  
7

8 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes  
9 the Manitowoc County Emergency Management Department to apply for and accept the available funds in  
10 an amount not to exceed \$7,467; that the 2005 budget is amended by the amount of the grant funds received;  
11 and that the Comptroller/Auditor is directed to record such information in the official books of the County  
12 for the year ending December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses in the 2005 budget by up to \$7,467.

APPROVED: Dan Fischer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Goeke, to adopt Resolution 11 (2004/2005-156) Accepting Hazardous Material Incident Training Award. Upon vote, the motion carried unanimously.

No. 2004/2005 - 156

### **RESOLUTION ACCEPTING HAZARDOUS MATERIALS INCIDENT TRAINING AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making a \$2,300 FY 2005 training award  
2 available to Manitowoc County for the delivery of training by Lakeshore Technical College to the  
3 Manitowoc County Hazardous Materials Team; and  
4

5 WHEREAS, this training award will enhance the ability of the County's Hazardous Materials Team  
6 to effectively respond to hazardous materials incidents;  
7

8 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes  
9 the Manitowoc County Emergency Management Department to apply for and accept the available funds in

10 an amount not to exceed \$2,300; that the 2005 budget is amended by the amount of the grant funds received;  
11 and that the Comptroller/Auditor is directed to record such information in the official books of the County  
12 for the year ending December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses in the 2005 budget by up to \$2,300.

APPROVED: Dan Fischer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Goeke, to adopt Resolution 12 (2004/2005-157) Proclaiming Telecommunicators Week. Upon vote, the motion carried unanimously.

No. 2004/2005-157

### **RESOLUTION PROCLAIMING TELECOMMUNICATORS WEEK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Joint Dispatch Department provides emergency communications  
2 for Manitowoc County, the City of Manitowoc, the City of Two Rivers, and the City of Kiel on a 24-hour  
3 basis; and  
4

5 WHEREAS, the President and Congress of the United States have designated the second week in April  
6 as National Public Safety Telecommunicators Week; and  
7

8 WHEREAS, Manitowoc County recognizes that public safety telecommunicators are the first and  
9 most critical link between our citizens and emergency service providers; that the services they provide are  
10 vital to the health, safety, and welfare of the community; and that their commitment and devotion to public  
11 service deserve public recognition;  
12

13 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it joins  
14 with the President and Congress in designating the week of April 10-16, 2005, as National  
15 Telecommunicators Week in Manitowoc County to honor these dedicated employees whose diligence and  
16 professionalism keep our county and communities safe.

Dated this 15th day of March 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke reported two representatives from the Manitowoc Public Utilities attended their meeting to discuss an offer to purchase county owned property for a water tower. There will be an informational session with property owners and surrounding residents to answer questions on the proposal.

Transportation Coordinating Committee: Supervisor Mueller stated they reviewed and accepted several reports including the 85.21 Annual Financial Report, 5310 and 85.21 six month reports.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 13 (2004/2005-158) Approving Town of Centerville Zoning Ordinance for Kenneth Bruckschen. Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE  
(Kenneth Bruckschen)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Centerville has adopted a new zoning ordinance in accordance with Wis.  
2 Stat. § 60.62; and  
3

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which  
5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County  
6 Board; and  
7

8 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc  
9 County Board of Supervisors for approval;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
12 the zoning ordinance that was adopted by the Town Board of the Town of Centerville for Kenneth  
13 Bruckschen on August 10, 2004.

Dated this 15th day of March 2005.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Bauknecht announced congratulations to the UW-Manitowoc Blue Devil's Basketball Team for winning their first WIAA Championship.

Supervisor Brey moved, seconded by Supervisor Sloan, to adopt Resolution 14 (2004/2005-159) Appropriating Funds for Highway Department Accounting Conversion. Upon vote, the motion carried unanimously.

**RESOLUTION APPROPRIATING FUNDS FOR  
HIGHWAY DEPARTMENT ACCOUNTING CONVERSION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Department uses an accounting system that is produced by a one-person  
2 company that has no backup or staff support, that does not update the county's general records on a real time  
3 basis, and that compromises the Highway Department's ability to perform its accounting and reporting  
4 responsibilities in a timely and efficient manner; and  
5

6 WHEREAS, Manitowoc County purchased general ledger, budgeting, payroll, personnel, purchasing,  
7 fixed assets, and accounts payable software accounting modules from JD Edwards Co. in 1996 with the  
8 understanding that other modules could be purchased in the future that would allow Highway Department  
9 accounting to be performed using the same software; and  
10

11 WHEREAS, JD Edwards changed from a module-based system to a suite-based software licensing  
12 system in 2002 and Manitowoc County became licensed to use a number of other JD Edwards accounting  
13 modules, including job costing, inventory, and equipment maintenance modules that would allow the system  
14 to perform accounting for the Highway Department; and  
15

16 WHEREAS, Manitowoc County can save money by converting to the JD Edwards accounting system  
17 at the same time that Fond du lac County converts from its proprietary highway accounting software to the

18 JD Edwards system;

19  
20 WHEREAS, the Finance and Highway Committees recommend that Manitowoc County convert  
21 Highway Department accounting to the JD Edwards system at a cost not to exceed \$200,000, which will  
22 allow the hiring of a company to consult and work with county staff in making the conversion;  
23

24 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that  
25 \$34,686.44 is transferred from the General Fund Designated for System Updates to an appropriate  
26 expenditure account; that an amount not to exceed \$165,313.56 is authorized to be transferred from the  
27 Highway Special Revenue Fund Balance to an appropriate expenditure account as needed; that the 2005  
28 budget is amended accordingly; and that the Comptroller/Auditor is directed to record such information in  
29 the official books of the County for the year ending December 31, 2005 as may be required.

Dated this 15th day of March 2005.

Respectfully submitted by the Finance Committee.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: No tax levy impact. Transfers \$34,686.44 from the General Fund Designated for  
System Updates to an appropriate expenditure account. Transfers an amount not  
to exceed \$165,313.56 from the Highway Special Revenue Fund Balance to an  
appropriate expenditure account.

APPROVED: Dan Fischer, County Executive.

Chairperson Hansen recognized retiring Human Services Department employee Mary Diedrich for 32 years  
of service.

Supervisor Hansen moved, seconded by Supervisor Markwardt, to adopt Resolution 15 (2004/2005-160) on  
the Passing of Karen A. Crawford. Upon vote, the motion carried unanimously. This was followed by a  
moment of silence.

No. 2004/2005 - 160

### **RESOLUTION ON THE PASSING OF KAREN A. CRAWFORD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Karen A. Crawford passed away on Friday, March 11, 2005; and

2  
3 WHEREAS, Karen A. Crawford was born in Milwaukee and graduated from Lincoln High School in  
4 Manitowoc in 1970 and went on to obtain a dental assistant's degree and a dental laboratory technician's  
5 degree;  
6

7 WHEREAS, Karen A. Crawford worked at Marquette Dental School and Lakeshore Technical College  
8 as a teaching assistant, taught pre-school and Vacation Bible School at First German Evangelical Lutheran  
9 Church, and most recently was employed with the Manitowoc Public School District as an instructional aid;  
10 and  
11

12 WHEREAS, Karen A. Crawford was a very caring and giving individual who was dedicated to  
13 bringing up her children and supporting them in every way possible; and  
14

15 WHEREAS, the Manitowoc County Board of Supervisors shares in the loss with Karen A. Crawford's  
16 family and friends;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
19 commemorates the life of Karen A. Crawford and expresses its condolences to her husband and family. A  
20 copy of this resolution shall be provided to Karen A. Crawford's husband.

Dated this 15th day of March 2005.

Respectfully submitted by the Manitowoc County Board of Supervisors.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Brey moved, seconded by Supervisor Rasmussen, to convene into closed session at 9:19 p.m. pursuant to Wis Stats. § 19.82 (1) and 19.85 (1) (g) to confer with legal counsel on Roberts v. Manitowoc County. Upon vote, the motion carried unanimously.

Supervisor Brey moved, seconded by Supervisor Sloan, to reconvene in open session at 9:51 p.m. pursuant to Wis. Stats. § 19.83 and 19.85 (2). Upon vote, the motion carried unanimously.

Chairperson Hansen announced there will be a Committee of the Whole meeting scheduled tentatively for April 14 at 7:00 p.m. to discuss the wind turbine issues with impartial representation from both sides. It will be an informational meeting with no public input.

Supervisor Bauknecht moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:57 P.M.

Respectfully submitted,

Char Peterson, County Clerk

## COUNTY BOARD PROCEEDINGS INDEX

### APPOINTMENTS

#### April 27, 2004 Session:

- ▶ Finance Committee: Jim Brey, Jan Graunke, Mary Muench, Bob Rasmussen, and Ralph Kozlowski.
- ▶ Highway Committee: Ricky Sloan, Kathie Bundy, Glen Skubal, Don Markwardt, and Kevin Behnke.
- ▶ Health Care Center Committee: Norb Vogt, Rick Henrickson, Marion Nate, Ed Rappe, and Paul B. Hansen.
- ▶ Legislative Review Committee: Don Markwardt, Rick Henrickson, Bob Dobbs, Kathie Bundy, and Michael Bauknecht.
- ▶ Natural Resources & Education Committee/Land Conservation Committee: Cathy Wagner, Marion Nate, Clyde Mueller, Susie Maresh, and Don Goeke.
- ▶ Personnel Committee: Norb Vogt, Jim Barnes, Ed Rappe, Joe Janowski, and Don Markwardt.
- ▶ Public Safety Committee: Mary Muench, Jan Graunke, Rick Henrickson, David Gauger, and Don Goeke.
- ▶ Public Works Committee: Kevin Behnke, Clyde Mueller, Ricky Sloan, Jim Brey, and Lee Braunel.
- ▶ Commission on Aging: Don Goeke.
- ▶ Sergeant-at-Arms: Rick Henrickson.
- ▶ Board of Health: Jim Barnes, Bob Dobbs, Marion Nate, Bob Rasmussen, and Joe Janowski.
- ▶ Citizens Participation Committee: Mary Muench.
- ▶ Community Action Program (CAP): Kathie Bundy.
- ▶ Economic Development Corporation Board of Directors: Susie Maresh.
- ▶ English Lake Management District: Joe Janowski.
- ▶ Ethics Board: Bob Dobbs.
- ▶ Expo, Inc. Liaison Members: Norb Vogt and Lee Braunel.
- ▶ Glacierland Resource Conservation & Development Council: Clyde Mueller.
- ▶ Human Services Board: Kathie Bundy, Ed Rappe, Michael Bauknecht, Jim Barnes, Ralph Kozlowski, and Susie Maresh.
- ▶ Ice Center Board: David Gauger and Michael Bauknecht.

- ▶ Industrial Development Corp: Don Markwardt.
- ▶ Joint Dispatch Board: Mary Muench.
- ▶ Lester Public Library Board of Trustees: David Gauger.
- ▶ Loan Review Board: Jim Brey
- ▶ Local Emergency Planning Committee: Ricky Sloan and alternate Ed Rappe.
- ▶ Long Term Support Planning Committee: Jan Graunke and Cathy Wagner.
- ▶ Manitowoc-Calumet Library System Board of Trustees: Jan Graunke.
- ▶ Manitowoc Public Library Board of Trustees: Jan Graunke.
- ▶ Planning and Park Commission: Bob Rasmussen, Glen Skubal, Mary Muench, and Clyde Mueller.
- ▶ Transportation Coordinating Committee: Clyde Mueller and Don Goeke.
- ▶ VTAE District II Farm Committee: Cathy Wagner.
- ▶ WI Counties Utility Tax Association: Glen Skubal.

**May 18, 2004 Session:**

- ▶ Local Emergency Planning Committee: Eric Storm and Brian Helminger
- ▶ Manitowoc County Commission on Aging: Mary Jo Krueger, Frank Hlinak and Melvin Bourgeois.

**APPOINTMENTS cont...**

**June 15, 2004 Session:**

- ▶ Board of Adjustment: Laurel Vondracheck.
- ▶ Lester Public Library Board of Trustees: Supervisor Rick Henrickson.
- ▶ Local Emergency Planning Committee: Robert Ziegelbauer.
- ▶ Northeast Wisconsin Regional Economic Partnership: David Less and alternate Dan Pawlitzke.
- ▶ Planning & Park Commission: Supervisor Glen Skubal.
- ▶ Solid Waste Management System Advisory Committee: William Handlos, Paul Herrmann, Robert Hoff, Harvey Jannette, Donna Kieckbusch, Randy Neils, Scott Thorenson and Richard Wegner.

**August 17, 2004 Session:**

- ▶ Public Safety committee: Supervisor Joe Janowski.
- ▶ Loan Review Board: Charles Indestad and Phil Maples.
- ▶ Joint Dispatch Board: Bob Carroll.

**September 21, 2004 Session:**

- ▶ Local Emergency Planning Committee: Mary Coenen.
- ▶ Long Term Support Planning Committee: Anna Wood.

**October 12, 2004 Session:**

- ▶ Human Services Board: Supervisor Rick Henrickson.

**November 16, 2004 Session:**

- ▶ Ethics Board: Attorney Katherine Reynolds.
- ▶ Joint Dispatch Board: Tim Barber.
- ▶ Veterans' Service Commission: Allen Karl.

**December 21, 2004 Session:**

- ▶ Local Emergency Planning Committee: Lee Stadler, John Kost and Pat Pankratz.
- ▶ Long Term Support Planning Committee: Mike Huck.
- ▶ Manitowoc-Calumet Library System Board of Trustees: John Wallace, Supr. Jan Graunke and Cheryl Kjelstrup..
- ▶ Wisconsin Works Steering Committee: Nyialong Yank, Tom Hilke, Faye Malek and Dale Moschea.
- ▶ Expo Board: Supr. Kevin Behnke, Marie Kohlbeck, Dan Newberg, Dan Schaut, Jerome Vetting, Scott Ohlrogge, Vic Voigt, Rosie Wiley, Lee Zirbel, Mike Plate, Doreen Bessert, Leander Nohl, Ken Swade, Jerome Valenta and Gary Vondracheck..

**January 18, 2005 Session:**

- ▶ Commission on Aging: Margaret Augustin, Wilfred Gries, Eugenia Peterson and Mary Jo Krueger.

**February 15, 2005:**

- ▶ Local Emergency Planning Committee: Gary Shavlik and alternate Lee Stadler.



**March 15, 2005:**

- ▶ Board of Health: Shirley Fessler, Dr. Henry Loomans, Frank Rodriguez and Tony Yaggie.
- ▶ Human Services Board: Supervisor Ralph Kozlowski and Supervisor Rick Henrickson.
- ▶ Long Term Support Planning Committee: Marilyn Garceau, Mary Ann Johnson, Anna Wood and Janice Wichlacz.
- ▶ Manitowoc-Calumet Library System: Carol Wagner
- ▶ Transportation Coordinating Committee: Frank Hlinak, Roger Strzyewski, Supervisor Clyde Mueller and Supervisor don Goeke.

**COMMUNICATIONS****April 20, 2004 Session:**

1. Dunn County - Resolution Supporting Assembly Substitute Amendment to 2003 AB 616 That Changes the Criteria for Determining Indigency for Purposes of Public Defender Representation.
2. Waupaca County - Resolution Supporting Municipal Employment Relations Reform as Outlined in AB598 and SB 296 with Outlined Changes.
3. Kenosha County - Resolution Requesting Legislature to Examine Methods of Providing Funding for State and Local Governments.
4. Senator Leibham - Letter of Thanks for Supporting AB 598 and SB 286 Relating to Employment Relations Under the Municipal Relations Act.
5. Senator Leibham - Letter of Thanks for Supporting AB 606 Relating to the Size of the County Board of Supervisors in Certain Counties.
6. Kewaunee County - Resolution Opposing AB 868 Relating to the Establishment of a New or the Expansion of an Existing Livestock Facility.
7. Town of Cooperstown - Resolution Requesting Manitowoc County to Exercise its Jurisdiction to Raze the Maribel Caves Hotel.
8. Manitowoc City Clerk - Letter to Attorney Andrew Steimle Regarding an Amendment Resolution Supporting Establishing an Economic Development Corporation for Manitowoc County.
9. Town of Centerville - Resolution Supporting a University of Wisconsin Discovery Farm in Manitowoc County.
10. Family of David Douglas - Letter of Thanks for Funeral Plant.

**April 27, 2004 Session:**

1. Wisconsin Counties Association - Letter Regarding Concerns on SB 351.
2. Supervisor James Brey - Letter Resigning from Human Services Board.
3. Family of Anthony Dufek - Letter of Thanks for Funeral Plant.

**May 18, 2004 Session:**

1. Waupaca County - Resolution Supporting Amendment to AB 616 Which Changes Criteria for Public Defender Representation.
2. Jackson County - Resolution Urging State Legislature to Allow Input From Taxpayers Before Moving Forward With Proposed Constitutional Amendment.

**June 15, 2004 Session:**

1. Dunn County, Florence County, and Waupaca County - Resolution Urging Legislature to Allow for Dialogue and Input from Taxpayers Before Proceeding With a Proposed Constitutional Amendment.
2. Sheboygan County - Resolution Opposing Taxpayer's Bill of Rights.
3. Polk County - Resolution Urging the Governor to Require Department of Commerce to Revise Rules Relating To Future Loan Applications Through Its Milk Volume Production Program.
4. Charles Gray, Kewaunee Nuclear Plant Employee – Letter Supporting Sale of Kewaunee Nuclear Power Plant to Dominion Power
5. Greg Buckley, City of Two Rivers – Letter Supporting Sale of Kewaunee Nuclear Power Plant.

**July 20, 2004 Session:**

1. Langlade County and Vilas County – Resolution Urging Legislature to Allow for Dialogue and Input from Taxpayers Before Proceeding With a Proposed Constitutional Amendment.
2. Vilas County – Resolution Urging development of Legislative Language Prohibiting State of Wisconsin From Using Highway Funds for any Purpose Other Than Highway Activities.
3. Oneida County – Resolution Requesting Assistance from WCA and WTA to Provide Support to

Protect Private and County Lands.

**COMMUNICATIONS cont...**

4. Senator Joe Leibham – Letter Acknowledging Receipt of Resolution 2004/2005-39 Supporting Approval of point Beach Nuclear Power Plant's License Renewal.

**August 17, 2004 Session:**

1. Dunn County – Resolution Urging the Wisconsin Legislature to Introduce and Support Legislation Regarding the Computer TakeBack Campaign Platform.
2. Washington County – Resolution Regarding the Taxpayers Bill of Rights.
3. Washington County – Resolution Supporting Assembly Substitute Amendment to 203 Assembly Bill 616.
4. Sauk County – Resolution Recommending Consideration of Broadening the State Sales Tax to Fund the K-12 Educational system.
5. Senator Joe Leibham – Letter Acknowledging Receipt of Resolution 2001/2005-36 Regarding the Funding and Implementation of Various Highway Improvement Projects in Manitowoc County.

**September 21, 2004 Session:**

1. Juneau County - Resolution Opposing ICF-MR Downsizing.
2. Juneau County - Resolution Urging State to Limit Use of Highway Funds for Only Highway Activities.
3. Waushara County - Resolution Opposing DNR Use of Wildlife Damage Funds for CWD Research.

**October 12, 2004 Session:**

1. Columbia County - Resolution Requesting the Wisconsin Department of Commerce to Revise the Milk Volume Production Program to Protect Water Quality.
2. Oneida County - Resolution Supporting Increase of State Cost-Share Rate and Revision of Criteria to Allow Not-For Profit Groups to be Eligible for Grants.
3. Oconto County - Resolution Concurring with 2004 Comprehensive Economic Development Strategy.
4. Langlade County - Resolution Requesting State to Cover all Costs Associated with ICF-MR Downsizing.
5. Langlade County - Resolution Requesting State to Use Highway Funds for Only Highway Activities.

**October 25, 2004 Session:**

1. Florence County - Resolution Concurring with 2004 comprehensive Economic Development Strategy Annual Report.
2. Chippewa County - Resolution Opposing ICF-MR Downsizing Initiative and Protective Placements Unless the State will Cover Costs.

**November 16, 2004 Session:**

1. Brown County and Kewaunee County - Resolution Concurring with 2004 Comprehensive Economic Development Strategy Annual Report.
2. Oconto County - Resolution Urging Use of Highway Funds for Only Highway Activities.
3. Waushara County - Resolution Regarding Downsizing of ICF-MR.

**December 21, 2004 Session:**

1. St. Croix County - Resolution Supporting Computer Takeback Legislation.
2. Sheboygan County - Resolution Urging Use of Highway Funds for Only Highway Activities.
3. Sheboygan County - Resolution Concurring with 2004 Comprehensive Economic Development Strategy Annual Report.
4. Manitowoc County Villages Association - Invitation to Meeting.
5. Wisconsin Counties Association - Memo Regarding Referenda Recommendation.

**COMMUNICATIONS cont...**

**January 18, 2005 Session:**

1. Brown County - Resolution Regarding ICF-MR Downsizing.
2. Senator Joe Leibham - Letter of Thanks for Copy of Resolution Regarding Local Federal Aid Program Administration and Project Delivery.
3. Ken Stubbe, EDC Executive Director, 2004 Annual Report.

4. Washington County - Resolution Opposing DNR Use of Wildlife Damage Funds for Chronic Wasting Disease.

**February 15, 2005 Session:**

1. Supervisor Michael Bauknecht - Letter of Resignation from Ice Center Board.
2. Jefferson County - Resolution Supporting "Computer TakeBack Campaign Platform."
3. Langlade County, Menomonie County and Jefferson County - Resolution Regarding April Ballot Referenda.
4. Wisconsin Dept. of Transportation - Letter Regarding Reorganization Plan and Distribution of Federal Aid.
5. Sauk County - Resolution Opposing any Proposal to Limit Counties' Ability to Establish the Levy to Support the Services Counties are Mandated to Provide.
6. Representative Bob Ziegelbauer - Letter of Thanks for Copy of Resolution Endorsing Wisconsin Children's Initiative to Reduce Youth Smoking.
7. Winnebago County - Resolution Requesting Legislature Amend Section 59.13(2). (Committees; Compensation).
8. Ozaukee County and Grant County - Resolution Regarding ICF-MR Downsizing.
9. Douglas County - Resolution Requesting Legislature Permanently Remove Sunset of Wisconsin Land Information Program.
10. Vernon County - Resolution Requesting State Highway Funds be Used Only for Highway Purposes.

**March 15, 2005 Session:**

1. Dunn County - Resolution Regarding ICF-MR Downsizing.
2. Dunn County - Resolution Urging Legislature to Make \$1.5 Available for WIC Services.
3. Green Lake County and Grant County - Resolution Opposing any Proposal to Limit Counties' Ability to Establish the Levy to Support the Services Counties are Mandated to Provide.
4. Buffalo County - Resolution Approving Referenda Questions on April Ballot.
5. Russell Steeber - Article Relating to Government Spending.
6. Representative Bob Ziegelbauer and Senator Joe Leibham - Letters of Thanks for Copies of Resolutions Opposing Merger of UW-Manitowoc with UW-Green Bay and Regarding Proposed Merger of UW Colleges and UW-Extension.
7. David and Lynn Korinek, Dean Anhalt, Jeffrey Roberts, and Ken and Sharron Howland - Letters Requesting Moratorium on Wind Turbines.
8. Wisconsin Department of Transportation - Letter of Thanks for Copy of Resolution Supporting Reconstruction of WIS 42 in Two Rivers.
9. Trempealeau County - Resolution Opposing Use of Wildlife Damage Funds for Chronic Wasting Disease.
10. Kathleen Engeldinger - Statement Regarding Wind Turbine Concerns.
11. Patti Koehler, Florence Reynolds, Tom Grimm, Bret Koehler, Lorraine and Bert Shefchek, and Jim and Lori Pohl - Letters Regarding Wind Turbine Concerns.
12. Department of Veterans Affairs - Letter of Thanks for Copy of Resolution Concerning Reimbursement Rates at Manitowoc Health Care Center.
13. Brown County - Resolution Supporting State Efforts to Address Non-Native Aquatic Species Problem.

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14. Vicky Young - Letter Regarding Wind Turbine Concerns.
15. Nigrelli Systems - Letter Regarding Restrictions on Business Growth.
16. Jenny Eigenberger - LTC - Information Regarding Wind Power and Upcoming Classes.

## **PETITIONS**

### **April 20, 2004 Session:**

1. Glen Barbier - Town of Gibson.
2. Cheryle Jandrey - Town of Rockland.
3. Michael & Steve Presto - Town of Meeme.
4. Joseph Salm - Town of Meeme.
5. Allen Schuh - Town of Maple Grove.

### **May 18, 2004 Session:**

1. Ronald Baeten - Town of Rockland.
2. Larry Ledvina - Town of Manitowoc Rapids.
3. Randy Loose - Town of Rockland.
4. Kevin Markvart - Town of Cooperstown.
5. Donald Pfister - Town of Schleswig.
6. Tim Thor - Town of Rockland.
7. Planning & Park General Zoning Text Amendment - Manitowoc County.

### **June 15, 2004 Session:**

1. Mark Berge - Town of Rockland.
2. Tim Desotelle - Town of Gibson.

### **July 20, 2004 Session:**

1. Lee Stefaniak - Town of Mishicot.
2. Robert Parker - Town of Mishicot.

**August 17, 2004 Session:**

1. Brian Burt - Town of Cooperstown.
2. TRKL Hoerth Partnership - Town of Schleswig.
3. Myron & Patricia Lukasik - Town of Gibson.

**September 21, 2004 Session:**

1. Manitowoc County Planning & Park Commission - Manitowoc County.
2. Debra Lueloff - Town of Eaton.
3. Bob and Sandy Kortens - Town of Kossuth.

**October 12, 2004 Session:**

1. Manitowoc County Planning & Park General Zoning Text Amendment - Manitowoc County.

**October 25, 2004 Session:**

1. Manitowoc County Planning & Park General Zoning Text Amendment - Manitowoc County.

**November 16, 2004 Session:**

1. Daniel Noonan, Donald Noonan, Tracy Lynn Reich and Anthony Reich - Town of Two Rivers.
2. Michael Simon - Town of Liberty.
3. Thomas Wenzel - Town of Rockland.

**December 21, 2004 Session:**

1. Wayne Draheim - Town of Eaton.

**January 18, 2005 Session:**

1. Merle Schuler - Town of Cato.

**February 15, 2005 Session:**

1. Manitowoc County Planning and Park General Zoning Text Amendment - Manitowoc County.
2. Glen and Mary Ford - Town of Eaton.
3. Francis and Tracy Kunz - Town of Mishicot.

**March 15, 2005 Session:**

1. Donald Pfister - Town of Schleswig.
2. Ervin Derrenne - Town of Gibson.
3. Frederic Hartel Jr. - Town of Gibson.
4. Wayne Cisler - Town of Gibson.
5. John Leist - Town of Manitowoc Rapids.
6. Town of Schleswig Sanitary District - Town of Schleswig.
7. Dale Zipperer - Town of Manitowoc Rapids.
8. Kenneth Riesterer - Town of Eaton.

\* Denotes an Ordinance.

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