

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

April 19, 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 19th day of April 2005, 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 Ralph Kozlowski 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, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisor Rappe was excused.

On motion by Supervisor Brey, and seconded by Supervisor Nate, the March 15, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:05 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:

Chairperson Hansen presented a Proclamation declaring April 4-10 as National Public Health Week.

Louis Hovda, Child Support Department Director reported a temporary contracted employee left his department and he recommends converting the vacant position to a permanent Review and Revision union position, that would create consistency in the office. He stated there will be no tax levy impact because funding comes from federal and state monies and is dispensed to Child Support Agencies according to the performance of the office. This position is responsible for the review of Child Support Orders and is mandated by the federal government. He answered supervisors' questions.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Cindy Huhn to the Loan Review Board to complete Eugene Hein's term expiring September 2005. Supervisor Brey moved, seconded by Supervisor Mueller, 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 theme of National Public Health Week was "Empowering Americans to live stronger and longer;" the department continues to investigate the Town of Franklin's contaminated wells; and the WIC program caseload for March was 1461. This program provides nutrition education and food vouchers for pregnant and postpartum women, children, and infants. He announced a time change for their next meeting which will be May 12 at 4:00 p.m.

Economic Development Corporation: Supervisor Maresh reported Director Ken Stubbe, who has been on board for six months, is currently working with twenty-seven existing or new markets in the area. Business owners and managers call him seeking financial incentive programs. The Venture Capital Committee has been working with regional partners to form a region-wide angel investment network. Ken will be traveling to Chicago with Forward Wisconsin, a marketing group, to meet with companies who have expressed an interest in expanding Wisconsin. She reported they now have a complete Board of Directors with the addition of Dean Halverson and Laura Wiegert.

Executive Committee: Chairperson Hansen reported they will be meeting Thursday, April 28 at 4:00 p.m. to discuss the formation of a committee on the moratorium of wind towers if the Board's recommendation is accepted by the Planning and Park Commission. They will also look at developing a Board policy for using County vehicles.

Expo Board: Supervisor Behnke reported the last Flea Market took place for the season and they are now working with Eastern Wisconsin to get the race track in shape for the beginning of the season.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Muench, to adopt Resolution 1 (2005/2006-1) Authorizing Designation, Carry-Over, and Reappropriation of Funds for Public Safety Software. Upon vote, the motion carried unanimously.

No. 2005/2006 - 1

**RESOLUTION AUTHORIZING DESIGNATION, CARRY-OVER,  
AND RE-APPROPRIATION OF FUNDS FOR PUBLIC SAFETY SOFTWARE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors passed resolution No. 2004/2005-69 on  
2 September 21, 2004 to establish a new activity and transfer funds for public safety software programs; and  
3

4 WHEREAS, the public safety software project is an ongoing project that remained open at the end  
5 of 2004 and unexpended funds for this project need to be designated on the County's official books for the  
6 year ended December 31, 2004, carried forward, and re-appropriated on the County's official books for the  
7 year ending December 31, 2005; and  
8

9 WHEREAS, Wisconsin statutes and county board rules require that the county board take official  
10 action to authorize the designation, carry-over, and re-appropriation of funds, and sound financial practice  
11 requires that such carry-over designations be recorded in the official books of the County;  
12

13 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
14 following unreserved, designated funds are authorized to be carried over from the official books of the  
15 County for the year ended December 31, 2004 to the official books of the County for the year ending  
16 December 31, 2005; that the funds are re-appropriated and may be expended as required; and that the 2005  
17 Budget is amended accordingly:  
18

Activity	Description	Account	Amount
New World System	AEGIS Project	100.34267	\$185,391.93

21  
22 BE IT FURTHER RESOLVED that the Comptroller/Auditor is hereby directed to record such  
23 information in the official books of the County for the year ended December 31, 2004 and for the year ending  
24 December 31, 2005 as may be required.

Dated this 19th day of April 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 budget as stated.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported there will be a recognition dinner on April 21 to honor employees with a perfect attendance record and years of service; an additional \$30,000 IGT money was received in February; and there were 180 absenteeism occurrences for the month of March which was less than the 282 reported for the month of February when the Health Care Center was under quarantine.

Highway Committee: Supervisor Sloan thanked everyone who came to the Airport Open House on April 12. Improvements are being made at the airport and everything is going very well.

Human Services Board: Supervisor Bundy moved, seconded by Supervisor Henrickson, to adopt Resolution 2 (2005/2006-2) Proclaiming Child Abuse and Neglect Prevention Month. Upon vote, the motion carried unanimously.

No. 2005/2006 - 2

**RESOLUTION PROCLAIMING  
CHILD ABUSE AND NEGLECT PREVENTION MONTH**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, child abuse and neglect are complex and ongoing problems in our society that affect a  
2 great number of children in Manitowoc County; and  
3

4 WHEREAS, all children are entitled to be loved, cared for, nurtured, secure, and free from emotional,  
5 verbal, sexual, and physical abuse and neglect; and  
6

7 WHEREAS, it is the responsibility of every adult who comes in contact with children to protect each  
8 child's inalienable right to a safe, nurturing childhood; and  
9

10 WHEREAS, dedicated individuals and organizations work every day in Manitowoc County to counter  
11 the problem of child abuse and neglect and to help parents obtain the services they need; and  
12

13 WHEREAS, Manitowoc County is made a better place when all citizens become aware of child abuse  
14 and neglect prevention and become involved in supporting parents in raising their children in a safe,  
15 nurturing environment; and  
16

17 WHEREAS, Manitowoc County residents need to be every day heroes to children, who are this  
18 county's greatest resource and who are the community leaders of tomorrow, and Manitowoc County needs  
19 to continually support community efforts to prevent child abuse and neglect;  
20

21 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Executive Dan Fischer, the  
22 Manitowoc County Board of Supervisors, and the Manitowoc County Human Services Board do hereby  
23 proclaim the month of April 2005 as Child Abuse and Neglect Prevention Month.

Dated this 19th day of April 2005.

Respectfully submitted by the Human Services Board.

APPROVED: Dan Fischer, County Executive.

Supervisor Bundy reported the Job Center has a current open caseload of 2,390. They have two new staff persons and one of the employees is fluent in Green and White Hmong and English. With the moratorium for fuel disconnection ending on April 15, they are receiving many applications for fuel assistance. Supervisor Barnes reported he attended a Wisconsin County Human Service Association Eastern Region meeting in Green Bay where they discussed workforce investment, ICF-MR funding issues, and long term care.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported Soil and Water Director Tom Ward, Amy Wergin and Jessica Wanserski from the Health Department attended a meeting in the Town of Franklin to discuss contaminated wells. On April 14-15, Tom Ward and Tony Smith attended a Beach Monitoring Workshop in Door County. Members of the Liberty Go Getters 4-H Club will be receiving a Stewardship Award at the Wisconsin Association Lake Convention in Green Bay for their work with Purple Loose Strife beetles.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 3 (2005/2006-3) Authorizing Grant Funding for Community Partner Advisory Group. Upon vote, the motion carried unanimously.

No. 2005/2006 - 3

**RESOLUTION AUTHORIZING GRANT FUNDING  
FOR COMMUNITY PARTNER ADVISORY GROUP**

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, the Manitowoc County UW-Extension Office is committed to seeking citizen input when  
6 assessing the educational needs of county residents; and  
7

8 WHEREAS, the Manitowoc County UW-Extension office has established a Community Partner  
9 Advisory Group of twelve residents to meet with Manitowoc County UW-Extension staff up to four times  
10 a year to provide input; and  
11

12 WHEREAS, there are costs associated with the meetings and communications with the Community  
13 Partner Advisory Group;  
14

15 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County UW-Extension Office may  
16 accept \$200 from the UW-Extension Eastern District Management Grant to support costs associated with  
17 the Community Partner Advisory Groups meetings; and  
18

19 BE IT FURTHER RESOLVED the 2005 budget is amended by the amount stated and that the  
20 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
21 ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by \$200.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2005/2006-4) Authorizing Grant Funding for Portable Challenge Kit. Upon vote, the motion carried unanimously.

No. 2005/2006 - 4

**RESOLUTION AUTHORIZING GRANT FUNDING  
FOR PORTABLE CHALLENGE KIT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, group challenge activities are a unique way to develop a group's ability to communicate,  
2 cooperate, trust, and problem solve; and  
3

4 WHEREAS, the skills learned and practiced during a group challenge session are essential building  
5 blocks to individual and group success; and  
6

7 WHEREAS, Manitowoc County UW-Extension 4-H Youth Development Educator Kevin Palmer has  
8 incorporated group challenge activities into many 4-H Youth Development programs in Manitowoc County;  
9 and  
10

11 WHEREAS, the purchase of a portable challenge kit with over 200 activities will keep group challenge  
12 activities fresh and stimulating for participants and will allow team building activities to be incorporated into  
13 more programs; and  
14

15 WHEREAS, funds to purchase the portable challenge kit were requested through a UW-Extension  
16 Eastern District Resource Management Grant;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office may  
19 accept \$3,912 from the UW-Extension Eastern District Resource Management Grant to purchase a portable  
20 challenge kit; and  
21

22 BE IT FURTHER RESOLVED the 2005 budget is amended by the amount stated and that the  
23 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
24 ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by \$3,912.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 5 (2005/2006-5) Authorizing Grant Funding for “Boomerang” Character Education Program. Upon vote, the motion carried unanimously.

No. 2005/2006 - 5

**RESOLUTION AUTHORIZING GRANT FUNDING FOR  
“BOOMERANG” CHARACTER EDUCATION PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, character education provides opportunities for safe, orderly, and positive learning  
2 environments and prepares youth to become positive and productive members of society; and  
3

4 WHEREAS, the “Boomerang” Character Education Program was initiated in Magee Elementary and  
5 Jackson Elementary schools in the 2004-2005 school year by Manitowoc County UW-Extension Family  
6 Living Educator Faye Malek and Manitowoc County UW-Extension 4-H Youth Development Educator  
7 Kevin Palmer; and  
8

9 WHEREAS, fourth grade classroom teachers in both Magee and Jackson Elementary Schools have  
10 requested that the program continue in the 2005-2006 school year; and  
11

12 WHEREAS, money requested to continue and possibly expand the “Boomerang” program has been  
13 offered through the UW-Extension Eastern District Resource Management Grant;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is  
16 authorized to accept \$450 from the UW-Extension Eastern District Resource Management Grant to support  
17 the “Boomerang” Character Education Program; and  
18

19 BE IT FURTHER RESOLVED that the 2005 budget is amended by the amount stated and that the  
20 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
21 ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by \$450.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Mueller, to adopt Resolution 6 (2005/2006-6) Authorizing Grant Funding for Co-Parenting Program. Upon vote, the motion carried unanimously.

No. 2005/2006 - 6

**RESOLUTION AUTHORIZING GRANT FUNDING FOR CO-PARENTING PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, co-parenting classes for couples who have a child together, but who have never married,  
2 are offered through the UW-Extension Family Living Office and the Manitowoc County Family Court

3 Commissioner mandates attendance at these co-parenting classes once paternity has been established; and

4  
5 WHEREAS, one of the strategies used by feuding parents is to put children in the middle of their  
6 disputes and the high tension level parents bring with them to the program has been consistent over the years;  
7 and

8  
9 WHEREAS, the co-parenting program needs to include conflict resolution techniques to educate  
10 parents on their need to focus on their children and not on their animosity toward each other; and

11  
12 WHEREAS, the “Children in the Middle” and “After the Storm” video kits teach research-based  
13 methods to help educate parents on ways to develop tolerance and better communication skills;

14  
15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is  
16 authorized to accept \$558 from the UW-Extension Eastern District Resource Management Grant to purchase  
17 the “Children in the Middle” and the “After the Storm” video kits; and

18  
19 BE IT FURTHER RESOLVED the 2005 budget is amended by the amount stated and that the  
20 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
21 ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by \$558.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported the committee fully supports the three resolutions they reviewed which are before the Board. The Committee will invite legislators and supervisors to their meeting in May to discuss Tabor. The WCA State referenda questions results showed high voter approval and he urged everyone to write their legislators to keep this issue out front.

Personnel Committee: Supervisor Vogt reported “Direct Deposit” of payroll checks will be a new issue in 2006 collective bargaining and three strategic planning sessions will be held for employee benefit plans moderated by Mardi Burns from the Jabas Group.

Supervisor Vogt moved, seconded by Supervisor Kozlowski, to adopt Resolution 7 (2005/2006-7) Creating Review and Revision Position in the Child Support Agency. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Markwardt voted no; all other supervisors vote aye.

No. 2005/2006 - 7

**RESOLUTION CREATING REVIEW AND REVISION POSITION  
IN THE CHILD SUPPORT AGENCY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County is required by the Federal Government to perform review and  
2 revision functions of existing child support orders; and  
3

4 WHEREAS, all persons with a Child Support order must be allowed a review of their Child Support  
5 Order at least every three years and must be provided a reconciliation of their child support payments upon  
6 demand; and  
7

8 WHEREAS, the Child Support Agency has provided these review and revision services since 1994  
9 using a contracted service at a current annual cost of approximately \$40,000; and  
10

11 WHEREAS, the amount of training required to provide these services and the need for stability  
12 indicate the need to move this function from a contracted service to a regular employee; and  
13

14 WHEREAS, the cost of this position should be fully funded through federal/state guaranteed  
15 reimbursements and federal/state incentive payments and should have no impact on the County tax levy;  
16

17 NOW, THEREFORE, BE IT RESOLVED that a Review and Revision position be created in the Child  
18 Support Agency; and  
19

20 BE IT FURTHER RESOLVED that this position be filled in accordance with the Supportive Services  
21 bargaining agreement and Manitowoc County's personnel policies; and  
22

23 BE IT FURTHER RESOLVED that the 2005 budget is amended accordingly and that the  
24 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
25 ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Should have no tax levy impact because federal/state funds will reimburse a minimum of two-thirds of the costs and federal incentives should reimburse the remaining one-third. Should increase revenues and associated expenditures by equal amounts.

Wages	\$33,868.64
FICA	2,590.95
WRS	3,454.60
Health Insurance	14,433.60
Life Insurance	33.87
Long Term Disability	101.61
Workers Compensation	27.09
Total Cost	\$54,510.36

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Bauknecht, to enact Ordinance 8 (2005/2006-8) Amending Zoning Map for Wayne Cisler, Ordinance 9 (2005/2006-9) Amending Zoning Map for Ervin Derrenne, Ordinance 10 (2005/2006-10) Amending Zoning Map for Frederic Hartel Jr., Ordinance 11 (2005/2006-11) Amending zoning Map for John Leist, Ordinance 12 (2005/2006-12) Amending Zoning Map for Kenneth Riesterer, Ordinance 13 (2005/2006-13) Amending Zoning Map for Town of Schleswig Sanitary District, and Ordinance 14 (2005/2006-14) Amending Zoning Map for Dale Zipperer. Upon discussion and vote, the motion carried unanimously.



**ORDINANCE AMENDING ZONING MAP  
(Wayne Cisler)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, SE1/4, Section 31, T21N-R23E, Town of Gibson, commencing  
12 at the S 1/4 Corner of said Section 31; thence northerly approximately 700 feet; thence westerly  
13 approximately 400 feet which is the point of real beginning; thence continue westerly approximately  
14 208 feet; thence northerly approximately 208 feet; thence easterly approximately 208 feet; thence  
15 southerly approximately 208 feet to the point of real beginning, said parcel contains approximately  
16 1.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Ervin Derrenne)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW1/4, NE1/4, Section 11, T21N-R23E, Town of Gibson,  
12 commencing at the N 1/4 Corner of said Section 11; thence southerly approximately 565 feet; thence

13 easterly approximately 44.01 feet to the east r/w of Jambo Creek Road which is the point of real  
14 beginning; thence continue easterly approximately 560.99 feet; thence southerly approximately 423.44  
15 feet; thence southwesterly approximately 558.26 feet; thence northerly along the east r/w of Jambo  
16 Creek Road approximately 494.67 feet to the point of real beginning, said parcel contains  
17 approximately 6.36 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
18 Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 10

**ORDINANCE AMENDING ZONING MAP  
(Frederic Hartel Jr.)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 24, T21N-R23E, Town of Gibson, commencing at the  
12 E1/4 Corner of said Section 24; thence westerly approximately 1320 feet; thence southerly  
13 approximately 33 feet to the south r/w of Hillview Road which is the point of real beginning; thence  
14 continue southerly approximately 1307 feet; thence westerly approximately 330 feet; thence northerly  
15 approximately 1307 feet; thence easterly along the south r/w of Hillview Road approximately 330 feet  
16 to the point of real beginning, said parcel contains approximately 9.90 acres of land, shall be and is  
17 hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(John Leist)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 with respect to two parcels of land located in the NE¼, NE¼, Section 2, T19N-R23E, Town of  
10 Manitowoc Rapids:  
11

12 Parcel no. 1 commencing at the NE Corner of said Section 2; thence southerly approximately 33 feet  
13 to the south r/w of STH 310 which is the point of real beginning; thence continue southerly  
14 approximately 1019 feet; thence westerly approximately 299 feet; thence northerly approximately  
15 1019 feet; thence easterly approximately 299 feet; said parcel contains approximately 7.0 acres of  
16 land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.  
17

18 Parcel no. 2, commencing at the NE Corner of said Section 2; thence southerly approximately 33 feet  
19 to the south r/w of STH 310; thence continue southerly approximately 825 feet; thence westerly  
20 approximately 200 feet, which is the point of real beginning; thence southerly approximately 436 feet;  
21 thence westerly approximately 1000 feet; thence northerly approximately 436 feet; thence easterly  
22 approximately 1000 feet to the point of real beginning; said parcel contains approximately 10.0 acres  
23 of land, shall be and is hereby rezoned from A3 Agriculture to GA General Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Kenneth Riesterer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, SE1/4, Section 17, T18N-R21E, Town of Eaton, commencing  
12 at the SE 1/4 Corner of said Section 17 which is the point of real beginning; thence westerly  
13 approximately 543 feet; thence northerly approximately 565 feet; thence easterly approximately 204  
14 feet; thence southerly approximately 95 feet; thence easterly approximately 339 feet; thence southerly  
15 approximately 470 feet to the point of real beginning, said parcel contains approximately 6.30 acres  
16 of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 13

**ORDINANCE AMENDING ZONING MAP  
(Town of Schleswig Sanitary District)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NE1/4, NE1/4, Section 26, T17N-R21E, Town of Schleswig,  
12 commencing at the NE Corner of said Section 26; thence westerly approximately 380 feet; thence  
13 southerly approximately 33 feet to the south r/w of Rockville Road which is the point of real  
14 beginning; thence continue southeasterly approximately 140 feet; thence southerly approximately 35  
15 feet; thence westerly approximately 150 feet; thence northerly approximately 140 feet; thence easterly  
16 along the south r/w of Rockville Road approximately 55 feet to the point of real beginning, said parcel  
17 contains approximately .25 acres of land, shall be and is hereby rezoned from SE Small Estate to A1  
18 Agriculture.

Dated this 19th day of April 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Dale Zipperer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, March 28, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, NW1/4, Section 6, T19N-R23E, Town of Manitowoc Rapids,  
12 commencing at the center of said Section 6; thence northerly approximately 33 feet to the north r/w  
13 of STH 10; thence westerly approximately 350 feet along the north r/w of STH 10 which is the point  
14 of real beginning; thence northerly approximately 545; thence westerly approximately 400 feet; thence  
15 southerly approximately 545 feet; thence easterly along the north r/w of STH 310 approximately 400  
16 feet to the point of real beginning, said parcel contains approximately 5.0 acres of land, shall be and  
17 is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 19th day of April 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 Janowski, to adopt Resolution  
15 (2005/2006-15) Accepting Training Award (National Incident Management System Incident Command  
System Courses). Upon vote, the motion carried unanimously.

**RESOLUTION ACCEPTING TRAINING AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making a \$1,545 training award available to  
2 Manitowoc County for National Incident Management System Incident Command System courses; and  
3

4 WHEREAS, this training award enhances the county's ability to effectively communicate critical  
5 information between field Incident Command Center operations and the Emergency Operations Center;  
6

7 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
8 the Manitowoc County Emergency Management Department to apply for and accept such training funds from

9 Wisconsin Emergency Management in an amount not to exceed \$1,545; that the 2005 budget is amended by  
10 the amount of any training funds received; and that the Comptroller/Auditor is directed to record such  
11 information in the official books of the County for the year ending December 31, 2005 as may be required.

Dated this 19th day of April 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by up to  
\$1,545 in the 2005 budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Janowski, to adopt Resolution 16 (2005/2006-16)  
Authorizing Out-Of-State Travel for Joseph Keil. Upon vote, the motion carried with 23 ayes and 1 no.  
Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 16

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Joseph Keil)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Drug Recognition Expert Program has proven effective in training officers to detect  
2 and remove impaired drivers from our roadways; and  
3

4 WHEREAS, Deputy Joseph Keil holds National Instructor Drug Recognition Expert (DRE) Status;  
5 and  
6

7 WHEREAS, the University of North Florida, Institute of Police Technology and Management is  
8 offering a 24-hour program on the Medical Foundations of Visual System Testing for officers who are  
9 Certified Drug Recognition Experts that will enhance their knowledge of DRE protocol in such areas as the  
10 anatomy and physiology of the eye and central nervous system; the effects of drugs on the body, the eyes,  
11 and perception; the testing of eye signs; the effects of medical and environmental conditions; and the legal  
12 aspects of testing during the traffic stop; and trial preparation; and  
13

14 WHEREAS, this training will allow Deputy Keil to provide other Sheriff's Department officers with  
15 information on the medical and scientific foundations of the DRE protocol; and  
16

17 WHEREAS, the Wisconsin Department of Transportation, Bureau of Transportation Safety will fund  
18 100% of the cost of the training, transportation, lodging, and meals;  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
21 Deputy Joseph Keil to attend the Medical Foundations of Visual System Testing sponsored by Institute of  
22 Police Technology and Management to be held in Tempe, Arizona from August 1-3, 2005.

Dated this 19th day of April 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Total estimated cost for registration, transportation, meals, and lodging is \$1500 which will be directly paid by Wisconsin Department of Transportation

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke referred to a handout for the upcoming 2005 Clean Sweep, the Manitowoc Recycling Newsletter, and the 2005 Fairest of the Fair. He stated they have directed the Public Works Director to enter into negotiations with Manitowoc Public Utilities regarding the sale of the last lot in the County Industrial Park. He answered supervisors' questions.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 18 (2005/2006-17) Authorizing Cooperative Processing Agreement (Recycling Program). Upon vote, the motion carried unanimously.

No. 2005/2006 - 17

### **RESOLUTION AUTHORIZING COOPERATIVE PROCESSING AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1989 Wisconsin Act 335 established the goal of reducing the amount of solid waste being  
2 sent to landfills through the development of programs that reduce, reuse, and recycle waste; and  
3

4 WHEREAS, 1989 Wisconsin Act 335 requires that each municipality operate under an effective  
5 recycling program; and  
6

7 WHEREAS, Wis. Stat. § 66.0301 authorizes governmental bodies to enter into mutual agreements;  
8 and  
9

10 WHEREAS, Manitowoc County and other municipalities within the county, acting for their  
11 commercial benefit and for the health, safety, and welfare of their citizens, deem that it is in their mutual  
12 interest to enter into a Cooperative Processing Agreement to provide for the processing of recyclable  
13 materials at a single, central facility; and  
14

15 WHEREAS, the Public Works Committee has reviewed the proposed Cooperative Processing  
16 Agreement and recommends that the County enter this Cooperative Processing Agreement;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 the Public Works Director to enter into the proposed Cooperative Processing Agreement for the processing  
20 of recyclables at a single, central facility.

Dated this 19th day of April 2005.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Bauknecht, to adopt Resolution 19 (2005/2006-18) Approving Town of Newton Zoning Ordinance for Gustav Stock. Upon vote, the motion carried unanimously.

No. 2005/2006 - 18

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE  
(Gustav Stock)**

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 that have adopted  
5 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 Gustav Stock on  
12 March 23, 2005.

Dated this 19th day of April 2005.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 20 (2005/2006-19) Opposing Imposition of an Unfunded Mandate on Nursing Homes (Functional Screen). Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 19

**RESOLUTION OPPOSING IMPOSITION OF AN  
UNFUNDED MANDATE ON NURSING HOMES  
(Functional Screen)**

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS

1 WHEREAS, the Wisconsin Department of Health and Family Services has announced that it will  
2 require each nursing home to complete a functional screen on all of the nursing home's residents; and

3  
4 WHEREAS, the functional screen is a 18-page document used to assess the needs of persons who will  
5 be served in the community and duplicates information that nursing homes already obtain by completing a  
6 required Federal assessment form called the MDS (minimum data set); and



8 WHEREAS, the cost to complete the functional screen is not reimbursed by the state; and

9  
10 WHEREAS, the functional screen must be completed by a Registered Nurse or Social Worker, will  
11 take approximately 1½ – 2 hours per resident to complete, and will increase the cost of operating the Health  
12 Care Center by approximately \$31,500 per year; and

13  
14 NOW, THEREFORE, BE IT RESOLVED THAT THE Manitowoc County Board of Supervisors  
15 strongly oppose the imposition of an unfunded and unnecessary state mandate that nursing homes complete  
16 the functional screen; and

17  
18 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
19 the Governor of the State of Wisconsin and the Secretary of the Department of Health and Family Services.

Dated this 19th day of April 2005.

Respectfully submitted by the Legislative Review Committee.

Respectfully submitted by the Health Care Center Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Sloan moved, seconded by Supervisor Markwardt, to adopt Resolution 21 (2005/2006-20)  
Supporting the Governor's Proposed 2% Increase in Transportation Aids. Upon vote, the motion carried  
unanimously.

No. 2005/2006 - 20

**RESOLUTION SUPPORTING GOVERNOR'S PROPOSED  
2% INCREASE IN TRANSPORTATION AIDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Governor's "Grow Wisconsin" initiative is intended to support economic  
2 development and encourage job growth; and

3  
4 WHEREAS, Wisconsin's agriculture, forestry, and tourism industries are vital to the state's economy  
5 and are heavily dependent on well-maintained highways, streets, and roads, and a quality transportation  
6 system provides the foundation to keep Wisconsin's economy moving forward; and

7  
8 WHEREAS, Manitowoc County and all counties in the state of Wisconsin are responsible for the  
9 upkeep and maintenance of highways, streets, and roads, but present user funds are inadequate to maintain  
10 the highway system in this state; and

11  
12 WHEREAS, the Governor has proposed a 2% increase in transportation aids that would result in a  
13 \$30,896 increase in funding for Manitowoc County;

14  
15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
16 the Governor's proposed increase in transportation aids and urges the Wisconsin State Legislature to keep  
17 the 2% increase in transportation aids in the State budget; and

18  
19 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to

20 the Governor of Wisconsin, the Secretary of Transportation, and to each legislator in the Wisconsin Senate  
21 and Assembly who represents constituents from Manitowoc County.

Dated this 19th day of April 2005.

Respectfully submitted by the Legislative Review Committee.

Respectfully submitted by the Highway Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 22 (2005/2006-21) Opposing Assembly Bill 225 and Senate Bill 114. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2005/2006 - 21

**RESOLUTION OPPOSING ASSEMBLY BILL 225 AND SENATE BILL 114**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, corrections officers for Manitowoc County are currently classified as general employees  
2 for the purposes of Wisconsin Retirement System; and  
3

4 WHEREAS, Assembly Bill 225 and Senate Bill 114 would require that Manitowoc County classify  
5 corrections officers as protective for the purposes of Wisconsin Retirement System; and  
6

7 WHEREAS, this state-mandated change would increase the County tax levy a minimum of \$68,000  
8 in 2005 and by even greater amounts in future years; and  
9

10 WHEREAS, Assembly Bill 225 and Senate Bill 114 are unfunded State mandates that remove this  
11 issue from local control and the collective bargaining process; and  
12

13 WHEREAS, the Wisconsin Counties Association conducted a survey of counties to determine the  
14 state-wide expense of Assembly Bill 225 and Senate Bill 114 and found that the total cost for the 35  
15 responding counties was \$3,505,408;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board opposes the passage of  
18 Assembly Bill 225 and Senate Bill 114; and  
19

20 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
21 the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin  
22 Assembly, and each legislator in the Wisconsin Senate and Assembly who represent constituents from  
23 Manitowoc County.

Dated this 19th day of April 2005.

Respectfully submitted by the Personnel Committee.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: Changing the Wisconsin Retirement System classification of corrections officers from general to protective will increase the employer contribution from 10.2% to 15.3%. This change will cost a minimum of \$68,000 in 2005 and more in future years as wages increase. This is a conservative estimate that assumes no overtime or additional hours will be worked to cover unanticipated staff absences due to medical leaves.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Markwardt asked whether the wind tower ordinance also pertained to radio towers. Corporation Counsel Steve Rollins explained Chapter 24 relates to wind towers and Chapter 20 pertains to radio towers.

Supervisor Mueller announced LTC will be hosting an educational program this Saturday relating to wind towers for anyone interested in attending.

Supervisor Behnke moved to adjourn. Supervisor Braunel 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

May 17, 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 17th day of May 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 Rick Henrickson 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, Sloan, Skubal, Vogt and Wagner.

On motion by Supervisor Brey, and seconded by Supervisor Graunke, the April 19, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:04 P.M.

Curt Drumm, President of Lakeshore Aviation, spoke on the upcoming 2005 Airshow scheduled for June 4th and 5th. He gave an overview of the performers, military acts, exhibits, hot air balloons and flying showcase events. He stated 41,000 people attended the event last year.

Dean Glenda Gallisath, Dean of the UW-Manitowoc Campus, spoke on what is happening in the legislature regarding the merger of two year campuses with four year campuses. She noted that the Manitowoc County Board was one of the first counties to send a resolution to legislators opposing that type of merger. Representative Scott Jenson is planning to introduce an amendment to the budget bill for a pilot merger of several campuses that could begin with the merging of UW-Milwaukee and UW-Waukesha schools. There are unanswered questions such as, what would happen to the land and buildings owned by counties, and stated only 24% of students at UW-Manitowoc go onto UW-Green Bay with the others going elsewhere. She stressed the importance to do what is best for the students and asked supervisors to continue their efforts in opposition to the merger. She answered supervisors' questions.

Lynn Korinek, Town of Two Rivers, thanked the Board for recommending a moratorium on wind towers to the Planning and Park Commission. She feels it will take a great deal of time to study an issue of this magnitude and urged the board to read all the information given to them.

Dean Anhalt, Supervisor for Town of Mishicot, spoke on the resolution their Town passed requesting a moratorium on wind towers. He thanked supervisors for the proposed twelve to eighteen month moratorium and asked that small wind farms be included in the ordinance.

Anita Roberts, Town of Two Creeks, read a memo from Attorney Mark Hazelbaker, who represents the COWS group, stating the life expectancy of wind towers is measured in decades and these decisions are serious. The County Ordinance needs to be rewritten to include numerous issues such as noise limits,

realistic setback limits, ice fling, color of blades, impact on birds, shadow flicker, and security for removal costs and damage. These issues need to be studied and the time for a moratorium will allow for the study to be done to protect the public health and safety.

William Strasser, Town of Two Creeks, thanked supervisors for listening to them and spoke on information given to supervisors in December relating to health and safety issues. He asked supervisors to approve the ordinance adopting a moratorium.

Bill Rakocy, Emerging Energies, asked supervisors to reconsider re-wording the moratorium ordinance to include language “for applications not already on file.” He gave a brief history on Emerging Energies and asked that they be considered on their own merits and not be compared to other companies. He spoke about the tools they have to measure noise and shadow flicker. They have made an effort to conform to the ordinance and should be given the opportunity to have a Public Hearing. He asked for supervisors’ consideration so they can move forward.

Jeff Roberts, Town of Two Creeks, spoke in favor of the moratorium ordinance for small and large wind farms. He feels it is for the protection of the health and safety of citizens and asked supervisors to support the ordinance.

Jerome Hlinak, Town of Mishicot, talked about unanswered electrical and wiring schematic questions regarding the wind towers. He stated an electrical engineer should be involved on this issue.

Monica Johnson, Supervisor for Town of Two Creeks, thanked supervisors for recommending a moratorium to study the wind turbine issues.

Dave Korinek, Town of Two Rivers, spoke on the conditional use permit applications and the requests for information from energy companies to which there has been no response. The information was never provided and should be made available.

Tim Osterberg, Emerging Energies, stated wiring dynamics and schematics are controlled by what the utility company requires by code.

Bill Enz, Chairperson for Town of Cooperstown, questioned what will be done with wind towers when their useful life is over.

No one else present wished to speak and public input was closed at 8:08 p.m.

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

Corporation Counsel, Steven Rollins, explained what will happen if there is an amendment or changes to the ordinance creating a moratorium. The options available include accepting the amendment as proposed, reject it completely, reject and return it to the Planning and Park Commission with recommendations, or make amendments to the ordinance as it is presented. This triggers the statute whereby the County Clerk would send within 7 days of the meeting, the amended ordinance to the towns. The towns would have 40 days to approve or disapprove the change. He answered supervisors’ questions.

Supervisor Barnes reported he attended the Wisconsin Counties Association Health and Human Services Committee meeting on May 6 in Wisconsin Rapids where they discussed ICFMR rates and downsizing, and Assembly Bill 296 regarding the Liability Shield Law.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Joe Collins, John Kost, alternate Nicki Davis, and Roger Vetting to the Local Emergency Planning Committee for 2 year terms expiring June 2007. Supervisor Behnke moved, seconded by Supervisor Bauknecht, 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 he attended the Wisconsin Association of Local Health Departments and Boards meeting on May 12 where they discussed stroke prevention and lead poisoning. He reported the WIC program caseload at the Health Department is 1455 people for the month of May, they received a new computer system which is expected to reduce paper work, beach testing will be done once a week starting in June, the department passed the State's Chapter 140 and will remain at a Level III status, and they received a \$10,000 Wisconsin Youth Promise Grant.

Economic Development Corporation: Supervisor Maresh reported Director Ken Stubbe will give a report at the June County Board meeting.

Executive Committee: Chairperson Hansen reported they discussed the formation of a proposed committee to study the wind tower issues. He also stated a study will be done to determine the economics of the County owning vehicles versus paying supervisors mileage for using their own cars for county related business travel.

Expo Board: Supervisor Behnke reported the Fairest of the Fair Competition and Manitowoc County Fair Appreciation Reception will be held on May 25 and asked supervisors to RSVP. Saturday racing is going well and a lot of maintenance issues will be addressed this summer such as painting and general updates.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 1 (2005/2006-22) Authorizing Memorandum of Understanding Relating to the Statewide Voter Registration System. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 22

#### **RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING RELATING TO THE STATEWIDE VOTER REGISTRATION SYSTEM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Congress enacted the Help America Vote Act of 2002 (HAVA) to create a more uniform  
2 voter registration and voting system in the United States; and  
3

4 WHEREAS, the Wisconsin State Elections Board is charged with implementing a Statewide Voter  
5 Registration System (SVRS) that complies with HAVA; and  
6

7 WHEREAS, each local unit of government is obligated to implement and administer voter registration  
8 policies, procedures, and practices as mandated by HAVA and state statutes; and  
9

10 WHEREAS, each local unit of government is required to maintain voter registration information  
11 within the centralized SVRS or to enter into an agreement under which another unit of government performs  
12 this responsibility for the local unit of government; and  
13

14 WHEREAS, Manitowoc County is willing to provide local voter registration information services to  
15 other units of government in Manitowoc County that have a population of 5,000 or less and that enter into  
16 a memorandum of understanding which provides for Manitowoc County to be reimbursed for any costs that  
17 it incurs;

18  
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
20 and directs the County Clerk to enter into a Memorandum of Understanding with each qualifying  
21 municipality that wants the County to provide services necessary to comply with the requirements of HAVA;  
22 and

23  
24 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
25 the State Elections Board to show that the County of Manitowoc is fulfilling its HAVA requirements.

Dated this 17th day of May 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact as any costs incurred will be reimbursed by the  
participating municipalities.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 2 (2005/2006-23)  
Regarding Tax Foreclosed Property for Larry K. Henrickson. Upon discussion and vote, the motion carried  
with 24 ayes and 1 abstention. Supervisor Henrickson abstained; all other supervisors voted yes.

No. 2005/2006 - 23

**RESOLUTION REGARDING TAX FORECLOSED PROPERTY  
(Larry K. Henrickson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, as the result of an In Rem tax foreclosure judgment, took title to  
2 property in the City of Manitowoc that is identified by Tax Key No. 052-450-016-020.00 and that was  
3 previously owned by Larry K. Henrickson ("Property"); and  
4

5 WHEREAS, Mr. Henrickson and the County Treasurer have reached an agreement under which Mr.  
6 Henrickson has paid \$5,657.92 in taxes and interest that is owed to the County, has reduced the outstanding  
7 balance to \$3,963.51, and continues to make payments; and  
8

9 WHEREAS, the Treasurer is satisfied with the progress Mr. Henrickson is making and recommends  
10 that the County deed the property back to Mr. Henrickson in order to avoid the burden of any liability  
11 associated with the property while it is occupied by Mr. Henrickson, with the understanding that the County  
12 initiate new proceedings against the property if Mr. Henrickson fails to fully pay the back taxes and interest;  
13

14 WHEREAS, the Finance Committee concurs in the recommendation and finds that it is in the best  
15 interests of Manitowoc County to return the Property to its previous owner;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors finds that  
18 it is in the best interest of Manitowoc County to deed the Property back to Mr. Henrickson; authorizes the

19 Corporation Counsel prepare the appropriate quit claim deed; and authorizes the County Clerk to execute  
20 the quit claim deed transferring title to the Property to Larry K. Henrickson.

Dated this 17th day of May 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Provides for the receipt of \$3,963.51 in property taxes with interest.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported a documentary on the subject of aging in America relative to the movie "Almost Home" will be aired this fall with Michael Thomas as a panelist; Michael Thomas has been asked to help write language that would shift money from one level of care to another level; the vacant developmentally disabled beds are being switched to medicare beds; and absenteeism dropped in April to the lowest it has been in years.

Highway Committee: Supervisor Sloan moved, seconded by Supervisor Nate, to adopt Resolution 3 (2005/2006-24) Petitioning for Airport Improvement Aid. Upon vote, the motion carried unanimously.

No. 2005/2006 - 24

## **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 helipad,  
44 adoption of airport perimeter land use zoning ordinance, and  
45 any necessary related work.

46  
47 3. That the airport project, which your petitioner desires to sponsor, is necessary for  
48 the following reasons: to meet the existing and future needs of the airport;

49  
50 and

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

62  
63 BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc County's agent  
64 and is requested to agree to act as such in matters relating to the airport development project described above;  
65 is hereby authorized as Manitowoc County's agent to make all arrangements for the development and final  
66 acceptance of the completed project whether by contract, agreement, force account, or otherwise and  
67 particularly to accept, receive, receipt for, and disburse federal monies or other monies, either public or  
68 private, for the acquisition, construction, improvement, maintenance and operation of the airport; to acquire  
69 property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stats. Ch. 32; to  
70 supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the  
71 Secretary; to execute any assurances or other documents required or requested by any agency of the federal  
72 government; and to comply with all federal and state laws, rules, and regulations relating to airport  
73 development projects; and

74  
75 BE IT FURTHER RESOLVED that Manitowoc County requests that the Secretary provide, pursuant  
76 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 17th day of May 2005.

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.

Human Services Board: Supervisor Bundy reported the department will break even or have a surplus of \$44,000 for 2004 based on the auditors' "draft"; they are negotiating with Holy Family Memorial Medical Center to contract for psychiatric services; and two employees, Margaret Wardall and Mary Ann Peaslee, will be retiring in June.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2005/2006-25) Proclaiming June Dairy Month. Upon vote, the motion carried unanimously.

No. 2005/2006 - 25

## **RESOLUTION PROCLAIMING JUNE DAIRY MONTH**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, agriculture in Manitowoc County accounts for an estimated 15 percent of the county's jobs and provided annual cash receipts of approximately 160 million dollars in 2004; and

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

WHEREAS, Manitowoc County's approximately 350 dairy farms and 45,000 cows produced more than 875,000,000 pounds of milk in 2004; and

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

13 WHEREAS, this milk has a value of more than 125 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 17th day of May 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt moved, seconded by Supervisor Muench, to adopt Resolution 5 (2005/2006-26) Opposing Assembly Bill 64 (Uniform Polling Hours). Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Dobbs vote no; all other supervisors voted yes.

No. 2005/2006 - 26

**RESOLUTION OPPOSING ASSEMBLY BILL 64  
(UNIFORM POLLING HOURS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Cities of Manitowoc and Two Rivers are required to keep their polls open in any  
2 election from 7:00 a.m. to 8:00 p.m.; and  
3

4 WHEREAS, the remaining 28 municipalities in Manitowoc County are required to keep their polls  
5 open from 9:00 a.m. to 8:00 p.m., but may open as early as 7:00 a.m. at the discretion of the governing body  
6 of the municipality; and  
7

8 WHEREAS, Assembly Bill 64 mandates that the polls in every election be open from 7:00 a.m. to 8:00  
9 p.m.; and  
10

11 WHEREAS, AB 64 would imposed scheduling and fiscal burden on those municipalities that do not  
12 need to open their polls at 7:00 a.m. to accommodate voter turnout, that would have difficulty in finding  
13 enough people to work at the polls, and that would face scheduling difficulties in staffing the polls during  
14 a longer day;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes  
17 Assembly Bill 64 and that the County Clerk is directed to send a copy of this resolution to the Governor of  
18 the State of Wisconsin, each legislator in the Wisconsin Senate and Assembly who represents constituents  
19 from Manitowoc County, and the State Elections Board.

Dated this 17th day of May 2005.

Respectfully submitted by the Legislative Review Committee.

FISCAL IMPACT: Indeterminable, but would increase the property tax levy for those municipalities that do not presently open the polls at 7:00 a.m.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Henrickson, to adopt Resolution 6 (2005/2006-27) Supporting Assembly 257/Senate Bill 126 (Publishing Ordinances). Upon discussion and vote, the motion carried with 20 ayes and 5 noes. Supervisors Rasmussen, Goeke, Graunke, Brey and Gauger voted no; all other supervisors voted yes.

No. 2005/2006 - 27

**RESOLUTION SUPPORTING ASSEMBLY BILL 257/SENATE BILL 126  
(Publishing Ordinances)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, current law requires that the complete text of an ordinance enacted by a city must be  
2 published in the official city newspaper and that the complete text of an ordinance enacted by a village must  
3 be published in a newspaper published in the village or posted in at least three public places in the village  
4 if there is no newspaper published in the village; and  
5

6 WHEREAS, Assembly Bill 257/Senate Bill 126 provides that a city or village may continue to publish  
7 the complete text or notice of an enacted ordinance in the official city newspaper or in a newspaper that is  
8 published in the village provided that the notice contains the number and title, enactment date, a summary,  
9 and information about where the full text of the ordinance may be obtained; and  
10

11 WHEREAS, publishing the notice of the ordinance in place of the complete text would save taxpayer  
12 dollars;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
15 Assembly Bill 257/Senate Bill 126, which would change the requirements for the publication of city and  
16 village ordinances and directs the County Clerk to send a copy of this resolution to the Governor of the State  
17 of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin Assembly, and each  
18 legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc County.

Dated this 17th day of May 2005.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Henrickson, to adopt Resolution 7 (2005/2006-28) Supporting Assembly Bill 296 (Liability Shield Law). Upon vote, the motion carried unanimously.

No. 2005/2006 - 28

**RESOLUTION SUPPORTING ASSEMBLY BILL 296  
(LIABILITY SHIELD LAW)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates a 32 bed intermediate care facility for the mentally

2 retarded (ICF/MR); and  
3

4 WHEREAS, Manitowoc County has begun relocating residents of the ICF/MR into community  
5 settings as required by a State-mandated relocation initiative and will close the ICF/MR when the relocation  
6 is complete; and  
7

8 WHEREAS, the state of Wisconsin has released the rates to be paid through Medicaid waiver dollars  
9 for services provided for the relocated residents in the community settings, and the rates are do not cover the  
10 cost of providing care and will add significant dollars to the local tax levy; and  
11

12 WHEREAS, Assembly Bill 296 would require courts to consider available funds in making protective  
13 placement decisions;  
14

15 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
16 Assembly Bill 296 and similar legislation that requires the courts to consider available funds in protective  
17 placement orders and that the County Clerk is hereby directed to send a copy of this resolution to the  
18 Governor of the State of Wisconsin, the Secretary of the Department of Health and Family Services, the  
19 Wisconsin Counties Association, and each legislator in the Wisconsin Senate and Assembly who represents  
20 constituents from Manitowoc County.

Dated this 17th day of May 2005.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt reported he has information on Repr. Frank Lasee's latest version of TABOR available for supervisors and legislators will be invited to their meeting in June.

Personnel Committee: Supervisor Vogt reported 14 people received assistance through the EAP in the first quarter; they are beginning to gather information on salaries County Executive and County Board Supervisors which must be set before December; and the County currently has 156 PTE and 508 FTE for a total of 664 employees.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 8 (2005/2006-29) Amending Zoning Map for Mark Blatz, Ordinance 9 (2005/2006-30) Amending Zoning Map for Glen Floyd, Ordinance 10 (2005/2006-31) Amending Zoning Map for Joseph Kocourek, Ordinance 11 (2005/2006-32) Amending zoning Map for Eugene Neuser, Ordinance 12 (2005/2006-33) Amending Zoning Map for George Novitski, Ordinance 13 (2005/2006-34) Amending Zoning Map for David Meyer, Ordinance 14 (2005/2006-35) Amending Zoning Map for Brad Schuler, Ordinance 15 (2005/2006-36) Amending Zoning Map for Scott Skinkis, and Ordinance 16 (2005/2006-37) Amending Zoning Map for Raymond Zelewski. Upon discussion and vote, the motion carried with 23 ayes and 2 noes. Supervisors Henrickson and Rappe voted no; all other supervisors voted yes.

No. 2005/2006 - 29

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on April 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 SW1/4, SE1/4, Section 34, T18N-R21E, Town of Eaton,  
12 commencing at the S 1/4 Corner of said Section 34; thence easterly approximately 836 feet;  
13 thence northerly approximately 33 feet to the north r/w of Town Line Road which is the point  
14 of real beginning; thence continue northerly approximately 720 feet; thence easterly  
15 approximately 484 feet; thence southerly approximately 720 feet; thence westerly  
16 approximately 484 feet to the point of real beginning, said parcel contains approximately 8.0  
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 30

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on May 9, 2005 at 7:00 p.m. at the Manitowoc County Office  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 with respect to two parcels of land located in the NW¼, SW¼, Section 29, T18N-R21E, Town of  
10 Eaton:  
11

12 Parcel no. 1, commencing at the W ¼ Corner of said Section 29; thence easterly approximately  
13 400 feet; thence southerly approximately 200 feet which is the point of real beginning; thence  
14 easterly approximately 275 feet; thence southerly approximately 275 feet; thence westerly  
15 approximately 275 feet; thence northerly approximately 275 feet to the point of real beginning,  
16 said parcel contains approximately 1.73 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A1 Agriculture; and  
18

19 Parcel no. 2, commencing at the W¼ Corner of said Section 29; thence easterly approximately  
20 750 feet; thence southerly approximately 600 feet which is the point of real beginning; thence  
21 easterly approximately 275 feet; thence southerly approximately 275 feet; thence westerly  
22 approximately 275 feet; thence northerly approximately 275 feet to the point of real beginning,  
23 said parcel contains approximately 1.73 acres of land, shall be and is hereby rezoned from A1  
24 Agriculture to A3 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 31

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on May 9, 2005 at 7:00 p.m. at the Manitowoc County Office  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW1/4, SE1/4, Section 35, T20N-R23E, Town of Kossuth,  
12 commencing at the center of said Section 35; thence N 88° 11' 15" E along the 1/4 section line  
13 405.99 feet to the point of real beginning; thence S 1° 14' W a distance of 600.84 feet; thence  
14 N 88° 11' 15" E a distance of 367.35 feet to the west r/w of CTH R; thence N 1° 14' E along  
15 said r/w a distance of 273.88 feet to the point of curvature of a 2897.79 foot radius curve to the  
16 right; thence northeasterly along said curve a distance of 328.65 feet to the 1/4 section line;  
17 thence S 88° 11' 15" W along said 1/4 section line a distance of 386 feet to the point of real  
18 beginning, said parcel contains approximately 5.10 acres of land, shall be and is hereby rezoned  
19 from PA Principal Agriculture to SE Small Estate District.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Eugene Neuser)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on May 9, 2005 at 7:00 p.m. at the Manitowoc County Office  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 with respect to two parcels of land located in the SE 1/4, Section 15, T19N-R23E, Town of  
10 Manitowoc Rapids:  
11

12 Parcel no. 1, commencing at the Center of said Section 15; thence easterly approximately 33  
13 feet to the east r/w of I43; thence continue easterly approximately 620 feet; thence southerly  
14 approximately 2016 feet; thence westerly approximately 310 feet; thence northwesterly  
15 approximately 730 feet; thence westerly approximately 60 feet; thence northwesterly along the  
16 east r/w of I43 approximately 1320 feet to the point of real beginning, said parcel containing  
17 approximately 27.25 acres of land, shall be and is hereby rezoned from A3 Agriculture to B1  
18 Business; and  
19

20 Parcel no. 2, commencing at the south 1/4 Corner of said Section 15; thence easterly  
21 approximately 450 feet; thence northwesterly along the east r/w of I43 approximately 600 feet  
22 which is the point of real beginning; thence continue northwesterly along the east r/w of I43  
23 approximately 730 feet; thence easterly approximately 60 feet thence southeasterly  
24 approximately 730 feet; thence westerly approximately 90 feet to the point of real beginning,  
25 said parcel containing approximately 1.25 acres of land, shall be and is hereby rezoned from  
26 B2 Business to B1 Business.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(George Novitski)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 9, 2005 at 7:00 p.m. at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and



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

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 SE1/4, SE1/4, Section 8, T21N-R24E, Town of Mishicot,  
11 commencing at the SE Corner of said Section 8; thence westerly approximately 400 feet; thence  
12 northerly approximately 33 feet to the north r/w of Two Creeks Road which is the point of real  
13 beginning; thence continue northerly approximately 323 feet; thence westerly approximately  
14 450 feet; thence southerly approximately 323 feet; thence easterly along the north r/w of Two  
15 Creeks Road approximately 450 feet to the point of real beginning, said parcel contains  
16 approximately 3.34 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1  
17 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 34

**ORDINANCE AMENDING ZONING MAP  
(David Meyer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on May 9, 2005 at 7:00 p.m. at the Manitowoc County Office  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NE1/4, SE1/4, Section 33, T18N-R21E, Town of Eaton,  
12 commencing at the E 1/4 Corner of said Section 33; thence westerly approximately 33 feet to  
13 the west r/w of Lax Chapel Road; thence southerly along the west r/w of Lax Chapel Road  
14 approximately 845 feet which is the point of real beginning; thence westerly approximately 475  
15 feet; thence southerly approximately 475 feet; thence easterly approximately 475 feet; thence  
16 northerly approximately 475 feet to the point of real beginning, said parcel contains  
17 approximately 5.18 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
18 Agriculture.

Dated this 17th day of May 2005.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 35

**ORDINANCE AMENDING ZONING MAP  
(Brad Schuler)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on April 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NE1/4, NW1/4, Section 32, T18N-R21E, Town of Eaton,  
12 commencing at the NW Corner of said Section 32; thence easterly approximately 1320 feet  
13 which is the point of real beginning; thence continue easterly approximately 700 feet; thence  
14 southerly approximately 600 feet; thence westerly approximately 700 feet; thence northerly  
15 approximately 600 feet to the point of real beginning, said parcel contains approximately 9.64  
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 36

**ORDINANCE AMENDING ZONING MAP  
(Scott Skinkis)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on April 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, NE1/4, Section 18, T19N-R21E, Town of Rockland,  
12 commencing at the E 1/4 Corner of said Section 18; thence westerly approximately 570 feet;  
13 thence northerly approximately 700 feet which is the point of real beginning; thence continue  
14 northerly approximately 250 feet; thence westerly approximately 250 feet; thence southerly  
15 approximately 250 feet; thence easterly approximately 250 feet to the point of real beginning,  
16 said parcel containing approximately 1.44 acres of land, shall be and is hereby rezoned from  
17 A3 Agriculture to A1 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 37

**ORDINANCE AMENDING ZONING MAP  
(Raymond Zelewski)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on April 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW1/4, SW1/4, Section 28, T20N-R21E, Town of Maple Grove,  
12 commencing at the W 1/4 Corner of said Section 28; thence southerly approximately 660 feet;  
13 thence easterly approximately 33 feet to the east r/w of Hickory Hills Road which is the point  
14 of real beginning; thence continue easterly approximately 288 feet; thence southerly  
15 approximately 250 feet; thence westerly approximately 288 feet; thence northerly  
16 approximately 250 feet to the point of real beginning, said parcel contains approximately 1.65  
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Bauknecht, to enact Ordinance 17 (2005/2006-38) Amending Wind Energy System Ordinance to Create a Moratorium. Upon discussion and vote, motion carried unanimously.

No. 2005/2006 - 38

**ORDINANCE AMENDING WIND ENERGY SYSTEM  
ORDINANCE TO CREATE A MORATORIUM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3  
4        Manitowoc County Codes sec. 24.16 is created to read as follows:

5  
6        **24.16 Moratorium.** A moratorium on the receipt of applications and the granting of permits for large  
7 wind energy systems and small wind energy systems is hereby enacted. The purpose of the moratorium is  
8 to allow the creation of an Advisory Committee to make recommendations to the Planning and Park  
9 Commission on amendments to this ordinance and to allow the Planning and Park Commission to conduct  
10 hearings and make recommendations to the County Board regarding amendments to this ordinance. The  
11 moratorium shall be in effect for a period of 12 months from the date this ordinance is passed by the County  
12 Board and approved by the County Executive or until the County Board adopts and the County Executive  
13 approves amendments to this ordinance or rescinds this moratorium, or both.

Dated this 17th day of May 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT:        Indeterminable.

APPROVED:            Dan Fischer, County Executive.

Chairperson Hansen presented his appointments and County Executive Dan Fischer's appointments of Supervisors Ralph Kozlowski, Kevin Behnke, Don Goeke, Joe Janowski, Glen Skubal, and citizen members Jenny Eigenberger and Dave Korinek to the Wind Energy Systems Advisory Committee. Supervisor Brey moved, Supervisor Nate seconded, to approve the appointments. Upon discussion and vote, the motion carried unanimously.

Public Works Committee: Supervisor Behnke reported the 2005 Clean Sweep held this past weekend was a great success.

Miscellaneous: Chairperson Hansen invited supervisors to walk in the Memorial Day Parade on Monday, May 30.

Supervisor Maresh moved to adjourn. Supervisor Markwardt seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:08 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

June 21, 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 21st day of June 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 Mary Muench 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, Braunel, Brey, Bundy, Gauger, Goeke, Graunke, Hansen, Janowski, Kozlowski, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisors Dobbs, Henrickson and Maresh were excused.

The County Clerk announced a correction to the May 17, 2005 minutes. On page three, paragraph 3, line 2 was changed from "Sunday racing" to "Saturday racing." On motion by Supervisor Brey and seconded by Supervisor Behnke, the minutes, as amended, were approved unanimously.

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

Chairperson Hansen declared Public Input open at 7:08 P.M.

Melvin Waack, former Town Chair of Schleswig, introduced Dennis Salzman, newly elected Town Chair. They gave a brief history of the Township that was established in 1855 and invited Supervisors to the opening ceremony of their Sesquicentennial celebration on June 25. Chairperson Hansen presented a Proclamation congratulating the Town of Schleswig.

Dennis Hibray, Regional Office Director of the State Department of Health and Family Services, spoke on the state review of the Manitowoc County Health Department. He presented a Certificate of Designation to Jim Blaha, Director of Health, Amy Wergin, Director of Public Health Nursing, and Supervisor Jim Barnes, Board of Health Chair, for attaining a Level 3 rating, which is an honor and privilege awarded to only eight of twenty two Health Departments in the Northeastern Wisconsin District.

Ken Stubbe, Economic Development Corporation Executive Director, gave a report on activities of the EDC for the past six months. He talked about the good work ethic of the Manitowoc County workforce and the shortage of skilled workers and managers. The EDC is currently involved with 41 clients or projects; including 16 existing businesses, 10 entrepreneurial clients, 9 business attractions prospects and 6 community initiatives. He traveled with a Forward Wisconsin group to Chicago to visit business headquarters that have subsidiaries and facilities in Wisconsin.

Tom Schneider, Farm Service Agency Director, gave an overview of the programs offered through their Agency that help farmers conserve land and water resources, provide credit, and assist farm operations recovering from the effects of disasters. He thanked the Board for allowing FSA to rent office space from the County and asked for approval on their upcoming lease.

Debbie Beyer, UW-Extension Lakeshore and Sheboygan Basin Educator, serves five counties on issues

relating to natural resources. She talked about projects she is working on in Manitowoc County that include developing interpreter nature signs for Silver Lake, strategic planning with Camp Tapawingo, controlling exotic rusty crayfish in the Branch River, and non-point pollution regarding storm water management.

Anita Roberts, Town of Two Creeks, spoke on the two ordinance amendments relating to wind towers before the Board. She was concerned there would be no enforcement in the noise ordinance and asked the Board to allow the Wind Energy Systems Advisory Committee to study the issues first. She also asked Supervisors to reappoint Jim Aasen to the Board of Adjustment.

Don Pelischek, Town of Mishicot, spoke on the noise and setback wind ordinance amendments before the Board. He does not support the noise ordinance and felt the setback ordinance amendment would eliminate a variance. He asked the Board not to take away the public's right to be heard. He urged supervisors to reappoint Jim Aasen to the Board of Adjustment.

Andy Konopacki, Town of Mishicot, spoke on the wind towers. He questioned why the Board was discussing passage of two ordinance amendments that affect the well being of citizens before the Advisory Committee can study the issues.

Dean Anhalt, Town of Mishicot, addressed the Board on the proposed setbacks and noise ordinance amendments. He stated a variance hearing is allowed by law to protect peoples rights and this process needs to be done in a manner not to diminish the quality of life. He feels testing should be done before establishing noise guidelines. He asked the Board to reappoint Jim Aasen to the Board of Adjustment.

Jerry Brickner, Town of Two Rivers, spoke on the wind energy system ordinance amendments on noise and setbacks and urged the Board to look at the impact to the entire County. He was disappointed that Jim Aasen was not going to be reappointed to the Board of Adjustment.

Lynn Korinek, Town of Two Rivers, thanked the Board for allowing public input at meetings. She felt a noise ordinance needs to have substance and to vote in favor of the amendment before the Board would be a mistake. She stated it would be a serious loss if Jim Aasen was not reappointed to the Board of Adjustment. She read a letter sent from Atty. Hazelbaker urging Supervisors to adopt a substitute amendment relating to wind tower noise.

Jeff Roberts, Town of Two Creeks, urged the Board not to pass the wind energy system ordinance amendments. He asked Supervisors to consider reappointing Jim Aasen to the Board of Adjustment.

Dave Korinek, Town of Two Rivers, spoke on the wind energy system ordinance amendments and asked Supervisors to allow the Advisory Committee to review the issues prior to making any decision.

No one else present wished to speak and public input was closed at 8:22 p.m.

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

Chairperson Hansen recognized retiring Manitowoc County employees Alice Mohr for 14 years of service, Mary Ann Peaslee for 33 years of service, and Margaret Wardell for 30 years of service.

Tom Stanton, Human Services Director, reported on the status of the Oaks Home. He stated the Oaks home was originally part of the old Health Care Center Complex and explained currently Human Services contracts with "New Beginnings" to run the home. It provides short term housing for juveniles who cannot return to their homes. There are three possible options for the future of the home including continue with New Beginnings, develop emergency foster care beds in the community, or develop a crisis intervention stabilization prevention service. He answered supervisors' questions.

Todd Reckelberg, Comptroller, introduced Mike Konecny, External Auditor with Schenck Solutions who

summarized the 2004 audit and indicated Manitowoc County is in solid financial shape. He referred to Financial Statements and Statements of Net Assets which were favorable.

Supervisor Skubal reported on proposed legislation from the Joint Finance Committee in regard to increased utility payments.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Earl Glaeser and Orville Bonde to the Board of Adjustment for three year terms expiring July 2008. Supervisor Skubal moved, seconded by Supervisor Behnke, to approve the appointments. Upon discussion and vote, the motion carried with 19 ayes and 3 noes. Supervisors Rasmussen, Rappe and Goeke voted no; all other supervisors voted aye.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Jim VanLanen to the Planning and Park Commission for a seven year term expiring July 2012. Supervisor Bauknecht moved, seconded by Supervisor Mueller, to approve the appointment. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Goeke voted no; Supervisor Rasmussen's attend button was turned off; all other supervisors voted aye.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Vida Willins to the Bay Area Agency on Aging Board of Directors for a two year term expiring June 30, 2007. Supervisor Markwardt moved, seconded by Supervisor Behnke, 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 on the proposed "Smoke Free Dining Act" that would prohibit local government from regulating smoking that is more stringent than the state law.

Supervisor Barnes moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2005/2006-39) Authorizing Acceptance of Youth Substance Abuse. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 39

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF YOUTH SUBSTANCE ABUSE GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the arrest rate for alcohol related offenses in Manitowoc County is 40% higher than the  
2 state; and  
3

4 WHEREAS, alcohol and other substance abuse has been identified by Healthiest Manitowoc County  
5 2010 as a health priority; and  
6

7 WHEREAS, the Manitowoc County Alliance for Substance Abuse Prevention has applied for and  
8 received a \$10,000 grant from the Alliance for Wisconsin Youth to address the problem of youth substance  
9 abuse; and  
10

11 WHEREAS; the Manitowoc County Health Department is the fiscal agent for the grant;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the acceptance of the Alliance for Wisconsin Youth Alliance Promise Grant in the amount of \$10,000 by the  
15 Manitowoc County Health Department; that the 2005 budget is amended by the amount stated; and that the  
16 Comptroller/Auditor is directed to record such information in the official books of the County for the year  
17 ending December 31, 2005 as may be required.

Dated this 21st day of June 2005.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increase revenues and expenditures by equal amounts.

APPROVED: Dan Fischer, County Executive.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 2 (2005/2006-40) Denying Claim for Amy Meyer. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 40

**RESOLUTION DENYING CLAIM  
(Amy Meyer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Amy Meyer of Kaukauna, Wisconsin filed a claim that was received on May 25, 2005  
2 seeking \$1,024.59 for damages to her 1987 Chevrolet; and  
3

4 WHEREAS, Sheriff's Deputies searched Ms. Meyer's vehicle for illegal drugs during a traffic stop  
5 on April 8, 2005 and impounded the car after the driver was cited for operating after suspension and the  
6 passenger was arrested on an outstanding warrant; and  
7

8 WHEREAS, Ms. Meyer was not in the car when it was stopped, was not present during the search,  
9 but claims that Sheriff's Deputies damaged the car during the search; and  
10

11 WHEREAS, Manitowoc County provided a copy and relevant Sheriff's Department records to its  
12 insurance carrier and the Corporation Counsel has reviewed the claim and the relevant Sheriff's Department  
13 records; and  
14

15 WHEREAS, the insurance carrier has investigated the claim and recommends that it be denied, and  
16 the Corporation Counsel concurs in the insurance carrier's recommendation; and  
17

18 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and  
19 recommends that the claim be denied;  
20

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

Dated this 21st day of June 2005.



Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 3 (2005/2006-41) Authorizing Out-of-State Travel for Bob Blashe and Chris Eiles. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Graunke vote no; all other supervisors voted yes.

No. 2005/2006 - 41

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Bob Blashe and Chris Eiles)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Government utilizes financial systems software applications from  
2 JD Edwards, including Payroll, Human Resources, Financial Reporting, Budgeting, and General Accounting;  
3 and  
4

5 WHEREAS, Information Systems supports these software applications on an iSeries IBM mainframe  
6 computer system; and  
7

8 WHEREAS, Manitowoc County Highway Department is converting its financial systems over to the  
9 JD Edwards system and will significantly expand the demands placed on the JD Edwards system; and  
10

11 WHEREAS, JD Edwards was recently acquired by Oracle Corporation and there will be changes to  
12 the support mechanisms provided by Oracle for the JD Edwards package; and  
13

14 WHEREAS, IBM and Oracle are conducting a conference in Minnesota and a conference in New York  
15 on the future of the IBM-JD Edwards product suite and the information available by attending one of these  
16 conferences cannot be obtained at any other location;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 Bob Blashe and Chris Eiles to travel out-of-state to attend a conference sponsored by IBM and Oracle in  
20 Rochester, Minnesota on June 26 through June 28, 2005 concerning the future plans and support for the JD  
21 Edwards product suite that runs on the IBM iSeries mainframe computer systems.

Dated this 21st day of June 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: \$600 for hotel and meals, which is included in the department's budget.

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported additional parking has been created for visitors; the state will fully fund the movement of the remaining developmentally disabled clients into the community; and employee absences and overtime continue to decrease.

Highway Committee: Supervisor Sloan reported they will finish the carferry slip project in the next few

weeks; a major project will begin on Highway G from San Road to Long Road; County Road CS is under construction with completion expected in September; and they attended the Highway Conference where they discussed fleetwood management, local transportation funding, legislative issues and winter intervention.

Human Services Board: Supervisor Bundy moved, seconded by Supervisor Muench, to adopt Resolution 4 (2005/2006-42) Authorizing Out-of-State Travel for Patty Timm and Karen Steinbach. Upon vote, the motion carried with 20 ayes and 2 noes. Supervisors Rasmussen and Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 42

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
[Patty Timm and Karen Steinbach]**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Treatment Foster Care provided by Manitowoc County is less expensive than Treatment  
2 Foster Care purchased from private vendors and is generally more effective than either a Group Home or a  
3 Residential Treatment Center; and  
4

5 WHEREAS, Patty Timm is the Foster Care Coordinator for the Manitowoc County Human Services  
6 Department and Karen Steinbach is the senior professional level Social Worker who provides intensive  
7 treatment services to children placed in Treatment Foster Care homes licensed and operated by the Human  
8 Services Department; and  
9

10 WHEREAS, the Human Services Department has a goal of increasing the number of Treatment Foster  
11 Care homes but has been losing trained foster parents to private providers; and  
12

13 WHEREAS, the Foster Family-Based Treatment Association is offering a comprehensive training  
14 conference from July 24 to July 27, 2005 in Atlanta, Georgia that would significantly enhance the  
15 Department's recruitment, training, and retention of Treatment Foster Parents; and  
16

17 WHEREAS, funding is available through the Title IV-E Youth Independent Living Initiative Program  
18 and through Foster Parent Recruitment, Retention, and Training funds received from the Wisconsin  
19 Department of Health and Family Services;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
22 Patty Timm and Karen Steinbach to travel out-of-state to attend the Foster Family-Based Treatment  
23 Association conference in Atlanta, Georgia on July 24-27, 2005.

Dated this 21st day of June 2005.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Funds included in adopted 2005 Budget. No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Supervisor Bundy reported they discussed the Human Services remodeling to become ADA compliant.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 5 (2005/2006-43) Amending 2005 Budget for Aging Resource Center. Upon vote, the motion carried unanimously.

No. 2005/2006 - 43

**RESOLUTION AMENDING 2005 BUDGET  
(AGING RESOURCE CENTER)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Bay Area Agency on Aging has increased the amount of the Federal and State funds available to the Manitowoc County Aging Resource Center as the result of transitional grants approved by Centers for Medicare and Medicaid Services and these additional funds may be used to provide services through the State Pharmaceutical Assistance Programs; and

WHEREAS, the Natural Resources and Education Committee has reviewed the impact of the changes and recommends approval of the following modifications to the 2005 Budget:

Revenue or Expense	Account Number	Description	Amount
Revenue	46475.43566.09	Benefit Specialist	\$16,670
Expense	46475.52999	Contracted Service	\$16,670;

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the 2005 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, 2005.

Dated this 21st day of June 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenue and expenses by \$16,670.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt moved, seconded by Supervisor Janowski, to adopt Resolution 6 (2005/2006-44) Urging Action to Provide Full State Funding of Circuit Court System and Human Services Programs. Upon vote, the motion carried unanimously.

No. 2005/2006 - 44

**RESOLUTION URGING ACTION TO PROVIDE FULL STATE FUNDING OF CIRCUIT  
COURT SYSTEM AND HUMAN SERVICES PROGRAMS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the circuit court system and human services programs are matters of statewide concern that were designed to be principally funded by state tax revenues and administered by the counties, but the

3 State has allowed cost increases for circuit court system and human services programs to fall almost solely  
4 on the local property tax; and  
5

6 WHEREAS, counties now contribute 270 million more in property tax dollars to support individuals  
7 served through Community Aids than they did 18 years ago, while the State provides 28 million less in state  
8 tax dollars; and  
9

10 WHEREAS, despite what was supposed to be a phased-in assumption of circuit court costs by the  
11 State that began under the Thompson Administration more than 20 years ago, over 80 million dollars in  
12 circuit court costs remain on the property tax; and  
13

14 WHEREAS, the State is considering various “property tax freeze” proposals that will prevent counties  
15 from raising the revenue necessary to fund the State-mandated circuit court system and human services  
16 programs while providing those services that local residents want and need to preserve their quality of life;  
17 and  
18

19 WHEREAS, the Kettl Commission, like previous commissions, recommended that Wisconsin move  
20 as quickly as possible to provide full state funding of the circuit court system and human services programs;  
21 and  
22

23 WHEREAS, Wisconsin voters spoke with resounding clarity on April 5, 2005 when 86% voted in  
24 favor of full state funding of the circuit court system and 85% voted in favor of full state funding of human  
25 services programs;  
26

27 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County calls upon the Governor and the  
28 Legislature to follow this clear and unequivocal expression of the will of the people and to take such action  
29 as is necessary to remove the cost of supporting the circuit court system and human services programs from  
30 the property tax and to provide for full state funding of these state-mandated services; and  
31

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

Dated this 21st day of June 2005.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt reported the utility tax amendment was discussed at their meeting and information on shared revenue looks favorable. He answered supervisors’ questions.

Personnel Committee: Supervisor Vogt reported Personnel is pursuing direct deposit for all employees and this will be a bargaining issue; they are compiling information on compensation for the positions of County Executive and County Board Supervisors; they will be going to market for health insurance to make sure our present provider is providing the best premium; and the Highway AFSCME Union is filing for arbitration relating to the Patriot Act.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 7 (2005/2006-45) Amending Zoning Map for Scott Bubolz, Ordinance 8 (2005/2006-46) Amending Zoning Map for Dorothy Christopherson, and Ordinance 9 (2005/2006-47) Amending Zoning Map for James Schmidt Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted yes.

No. 2005/2006 - 45

**ORDINANCE AMENDING ZONING MAP  
(Scott Bubolz)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 23, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, SW¼, Section 24, T20N-R21E, Town of Maple Grove,  
12 commencing at the Center of said Section 24; thence southerly approximately 33 feet to the  
13 south r/w of Taus Road which is the point of real beginning; thence continue southerly  
14 approximately 720 feet; thence westerly approximately 270 feet; thence northerly  
15 approximately 720 feet; thence easterly approximately 270 feet to the point of real beginning,  
16 said parcel containing approximately 4.46 acres of land, shall be and is hereby rezoned from  
17 A3 Agriculture to A1 Agriculture.

Dated this 21st day of June 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 46

**ORDINANCE AMENDING ZONING MAP  
(Dorothy Christopherson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 23, 2005, 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  
5 consideration of testimony and an examination of the facts attendant with the petition, recommends

6 the 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  
9 ordain as follows:

10  
11 A parcel of land located in the NW¼, NW¼, Section 29, T18N-R21E, Town of Eaton,  
12 commencing at the NW Corner of said Section 29; thence easterly approximately 1320 feet;  
13 thence southerly approximately 775 feet which is the point of real beginning; thence continue  
14 southerly approximately 300 feet; thence westerly approximately 290 feet; thence northerly  
15 approximately 300 feet; thence easterly approximately 290 feet to the point of real beginning,  
16 said parcel containing approximately 2.0 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A1 Agriculture.

Dated this 21st day of June 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 47

**ORDINANCE AMENDING ZONING MAP  
(James Schmidt)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 23, 2005, 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼ , SW¼, Section 32, T21N-R23E, Town of Gibson,  
12 commencing at the W ¼ Corner of said section 32; thence easterly approximately 33 feet to the  
13 east r/w of Melnik Road; thence southerly along the east r/w of Melnik Road approximately 475  
14 feet which is the point of real beginning; thence easterly approximately 275 feet; thence  
15 northerly approximately 100 feet; thence easterly approximately 1045 feet; thence southerly  
16 approximately 300 feet; thence westerly approximately 1320 feet; thence northerly along the  
17 east r/w of Melnik Road approximately 200 feet to the point of real beginning, said parcel  
18 containing approximately 9.0 acres of land, shall be and is hereby rezoned from A3 Agriculture  
19 and A1 Agriculture to A2 Agriculture.

Dated this 21st day of June 2005.

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 10 Amending Wind Energy System Ordinance and Continuing a Moratorium (Noise).

Corporation Counsel Steve Rollins presented information on the noise ordinance amendment before the Board. When the Board adopted the Wind Ordinance, noise standards were not set and this amendment was brought forward to establish a minimal level to address that concern. In the proposed setback amendment, he explained citizen rights are actually being extended because it would require the neighbor being encroached upon to grant an easement for the tower. He stated the setback ordinance may be premature and there may not be a need to adopt a noise ordinance at this point given the police powers. Discussion followed.

Supervisor Brey moved, seconded by Supervisor Graunke, to send Ordinance 10 back to Planning and Park. Upon discussion and vote, the motion carried with 13 ayes and 9 noes. Supervisors Bundy, Muench, Sloan, Behnke, Rappe, Goeke, Janowski, Bauknecht and Mueller voted no; all other supervisors voted aye.

Supervisor Skubal moved, seconded by Supervisor Markwardt, to enact Ordinance 11 Amending Wind Energy System Ordinance and Continuing a Moratorium (Setbacks). Upon discussion and vote, the motion failed with 20 noes and 2 ayes. Supervisors Skubal and Rappe vote aye; all other supervisors voted no.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Janowski, to adopt Resolution 12 (2005/2006-48) Authorizing State Homeland Security Grant Application. Upon vote, the motion carried with 21 ayes. Supervisor Kozlowski had stepped out of the room.

No. 2005/2006 - 48

**RESOLUTION AUTHORIZING STATE HOMELAND  
SECURITY GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1       WHEREAS, the Office of Justice Assistance is making a \$55,669 FY 2005 grant available to  
2 Manitoowoc County for local jurisdiction equipment requests; and  
3

4       WHEREAS, this grant will enhance the county's capability to be prepared for potential acts of  
5 terrorism involving weapons of mass destruction;  
6

7       NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
8 the Manitowoc County Emergency Management Department to apply for and accept such available funds  
9 as may be awarded; and  
10

11       BE IT FURTHER RESOLVED that the 2005 budget is hereby amended by the amounts of any grant  
12 fund award and that the Comptroller/Auditor is directed to record such information in the official books of  
13 the County for the year ending December 31, 2005, as may be required.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by no more than \$55,669 in the 2005 Emergency Management budget. Unexpended funds will automatically be carried forward to the 2006 budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Janowski, to enact Ordinance 12a (2005/2006-49) Amending Manitowoc County Code Sec. 4.14 (Worthless Payment Fee). Upon vote, the motion carried with 21 ayes. Supervisor Kozlowski was out of the room.

No. 2005/2006 - 49

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 4.14  
(Worthless Payment Fee)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Stat. § 20.905(2) authorizes state agencies to charge a fee set by the state  
2 depository selection board for unpaid drafts and this fee will be raised from \$20 to \$30 effective July 1, 2005;  
3 and  
4

5 WHEREAS, Wisconsin Stat. § 59.54(24) authorizes a county to adopt an ordinance that is the same  
6 or similar to Wis. Stat. § 20.905 so that the county can impose and collect a charge from any person who  
7 issues a worthless payment to a county office or agency; and  
8

9 WHEREAS, Manitowoc County has adopted such an ordinance, but the \$15 charge authorized by the  
10 ordinance is insufficient to cover the costs of handling worthless payments; and  
11

12 WHEREAS, the Public Safety Committee recommends that Manitowoc County Code sec. 4.14 be  
13 amended so that the county code conforms to the language used in the enabling statute and the fee is the same  
14 as authorized by the state depository selection board;  
15

16 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
17 follows:  
18

19 Manitowoc County Code sec. 4.14 is amended to read as follows:  
20

21 **4.14 Dishonored Drafts and Charges Tendered to County Departments and Clerk**  
22 **of Circuit Court Checks and Demands For Payment.** If a personal check tendered to make  
23 any payment to any ~~County Department or the Clerk of Circuit Court~~ county office or agency  
24 is not paid by the bank on which it is drawn, or if a demand for payment under a debit or credit  
25 card transaction is not paid by the bank upon which demand is made, the person by whom the  
26 check has been tendered or the person entering into the debit or credit card transaction shall  
27 remain liable for the payment of the amount for which the check was tendered or the amount  
28 agreed to be paid by debit or credit card and for all legal penalties, additions, and a charge of  
29 ~~Fifteen Dollars (\$15.00)~~ \$30. In addition, the county officer ~~or agency~~ to whom the check was  
30 tendered or to whom the debit or credit card was presented may, if there is probable cause to  
31 believe that a crime has been committed, provide any information or evidence relating to the  
32 crime to the district attorney ~~of said county~~ for prosecution as provided by law. If any license



33 has been granted upon any such check or any such debit or credit card transaction, the license  
34 shall be subject to cancellation for the nonpayment of the check or failure of the bank to honor  
35 the demand for payment authorized by debit or credit card.  
36

37 EFFECTIVE DATE: This amendment shall take effect on July 1, 2005.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable. The amount of any increased revenue will depend on the number of worthless payments issued to the county.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Sloan, to adopt Resolution 13 (2005/2006-50) Commending Clean Sweep Program Volunteers and Staff. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 50

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County held a Household, Very Small Quantity Generator, and Agricultural  
2 hazardous waste collection "Clean Sweep" at the Manitowoc County Highway Department Building on May  
3 13 and 14, 2005 and at the City of Two Rivers Cemetery Facility on May 13, 2005; and  
4

5 WHEREAS, this year's Clean Sweep program serviced a total of 1099 households from Manitowoc  
6 County; and  
7

8 WHEREAS, the success of Manitowoc County's Clean Sweep program is due in large part to the  
9 efforts of the volunteers and county staff who work on the collection days; and  
10

11 WHEREAS, the efforts of the volunteers and county staff saved Manitowoc County more than \$5,000  
12 compared to what the same work would have cost if it had been performed by a contractor, as is done in most  
13 other Wisconsin Clean Sweep programs;  
14

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

Dated this 21st day of June 2005.

Respectfully submitted by the Public Works Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 14 (2005/2006-51) Granting Public Works Committee Authority Over Solid Waste Agreement. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 51

**RESOLUTION GRANTING PUBLIC WORKS COMMITTEE  
AUTHORITY OVER SOLID WASTE AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the current Solid Waste Agreement contract with Waste Management for disposal at the  
2 Ridgeview Landfill site contains a favored nation clause that allows Manitowoc County to benefit if other  
3 municipalities pay a lower tipping fee or receive more favorable terms than Manitowoc County, and Waste  
4 Management has offered another municipality more favorable terms than are presently in place for  
5 Manitowoc County; and  
6

7 WHEREAS, the Public Works Committee has had preliminary discussions with Waste Management  
8 regarding the most favored nation clause and has reached a preliminary agreement that would provide the  
9 county with a reduction of tipping fees from over \$31 to \$21.95 per ton; the exercise of an option in the  
10 existing contract for a five-year extension that will move the contract termination date from May 31, 2009  
11 to May 31, 2014; and other changes that favorably impact Manitowoc County and those municipalities that  
12 use the Ridgeview Landfill site;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 the Public Works Committee to finalize an agreement incorporating new, more favorable terms that will be  
16 effective retroactive to July 1 or on August 1, 2005, to exercise the option for a five-year extension to 2014,  
17 and to negotiate and settle any other contract issues that may arise under the Solid Waste Agreement in the  
18 future, including the exercise of a second option to extend the contract for an additional five years; and  
19 authorizes the Public Works Committee Chair to execute the final agreement and any options with Waste  
20 Management.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Indeterminable. Rates will be reduced, but actual savings will depend on the volume of solid waste.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Nate, to adopt Resolution 15 (2005/2006-52) Authorizing Application for Household and Agricultural Clean Sweep Grant. Upon vote, the motion carried unanimously.

No. 2005/2006 - 52

**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 2006, 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 2006, 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 2006, 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 2006.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No fiscal impact in 2005. No tax levy impact in 2006 because appropriate revenue and expenditure line items in the 2006 budget will be amended by equal amounts that will not exceed the amount of any grant awarded.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Bauknecht, to enact Ordinance 15a (2005/2006-53) Amending Manitowoc County Code Sec. 2.04 (1) (j) (Ice Center Liaison Members). Upon vote, the motion carried unanimously.

No. 2005/2006 - 53

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04(1)(j)  
(Ice Center Liaison Members)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the contract between Manitowoc County and Manitowoc County Ice Center, Inc.  
2 authorizes two representatives of the Manitowoc County board to serve in a liaison capacity between  
3 Manitowoc County and Manitowoc County Ice Center, Inc.; and  
4

5 WHEREAS, the Manitowoc County Code presently provides for two county board supervisors to serve  
6 as liaison members to Manitowoc County Ice Center, Inc.; and  
7

8 WHEREAS, the Public Works Committee believes that it would be beneficial for the Public Works  
9 Director or the Director's designee to be one of the county's liaison members because the Public Works  
10 Department plays a critical role in the maintenance and operation of the Ice Center facility;  
11

12 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
13 follows:  
14

15 Manitowoc County Code sec. 2.04(1)(j) is amended as follows:  
16

17 **(j)** Manitowoc County Ice Center, Inc. Liaison Members. ~~Two (2) County Supervisors persons, one~~  
18 ~~being a county board supervisor appointed by the county board chair and the other being the Public Works~~  
19 ~~Director or the directors's designee,~~ will act as liaison to the Manitowoc County Ice Center, Inc. in its  
20 operation of the Manitowoc County Ice Center. ~~The liaison members shall receive per diem and are entitled~~  
21 ~~to be paid~~ mileage.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Miscellaneous: Chairperson Hansen moved, seconded by Supervisor Graunke to adopt Resolution 16 (2005/2006-54) Establishing Expense Reimbursement for the Wind Energy Systems Advisory Committee. Discussion followed. Supervisor Brey moved, seconded by Supervisor Rappe, to amend Resolution 16, line 15 by removing "and per diem rates." Upon discussion and vote, the motion to amend Resolution 16 carried with 17 ayes and 5 noes. Supervisors Barnes, Braunel, Kozlowski, Markwardt and Hansen voted no; all other supervisors voted aye. Upon vote on the main motion, as amended, it carried with 20 ayes and 2 noes. Supervisors Wagner and Markwardt voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING EXPENSE REIMBURSEMENT  
(Wind Energy Systems Advisory Committee)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wind Energy Systems Advisory Committee was created on May 17, 2005 by  
2 Ordinance 2005/2006-38, consists of five supervisors appointed by the County Board Chair and two citizen  
3 members appointed by the County Executive, and will serve a term that will end with the termination of the  
4 wind energy systems ordinance moratorium; and  
5

6 WHEREAS, the members on the Wind Energy Systems Advisory Committee are making a substantial  
7 commitment of their time and resources to address an issue of tremendous importance to the county and its  
8 citizens; and  
9

10 WHEREAS, it is the belief of the county board that citizens should be compensated and all persons  
11 should be reimbursed for expenses incurred in providing authorized service to the county;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 citizen members of the Wind Energy Systems Advisory Committee to be paid mileage ~~and per diem rates~~  
15 as set forth in Resolution No. 2004/2005-95; and  
16

17 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes county  
18 board supervisors who are members of the Wind Energy Systems Advisory Committee to be paid mileage  
19 for attendance at Wind Energy Systems Advisory Committee meetings.

Dated this 21st day of June 2005.

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

FISCAL IMPACT: Indeterminable, as the amount of mileage and per diem paid will depend on the  
number of meetings that are held. All payments will be made from the County  
Board budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Vogt, to adopt Resolution 17 (2005/2006-55)  
Designating District Attorney to Represent the Public Interest Under Wis. Stat. § 938.13. Upon vote, the  
motion carried unanimously.

**RESOLUTION DESIGNATING DISTRICT ATTORNEY TO  
REPRESENT THE PUBLIC INTEREST UNDER WIS. STAT. § 938.13**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Statutes § 938.13 provides for jurisdiction over juveniles who are alleged to  
2 be in need of protection and services; and

3 WHEREAS, the Manitowoc County Board of Supervisors previously designated the District Attorney  
4 to represent the public interest in matters arising under Wis. Stat. § 938.13(12) because that office is staffed  
5 to comply with stringent state notification standards; and  
6

7 WHEREAS, the Manitowoc County Board of Supervisors previously designated the Corporation  
8 Counsel to represent the public interest in matters arising under the remaining sections of Wis. Stat. § 938.13;  
9 and  
10

11 WHEREAS, both the District Attorney and the Corporation Counsel are presently unable to access  
12 certain court records because the responsibility for representing the public interest in matters under Wis. Stat.  
13 § 938.13 is split between the offices of the District Attorney and the Corporation Counsel; and  
14

15 WHEREAS, the District Attorney would be able to access necessary court records if the responsibility  
16 for representing the public interest under all sections of Wis. Stat. § 938.13 were consolidated in the District  
17 Attorney's office; and  
18

19 WHEREAS, the District Attorney and Corporation Counsel agree that it is in the best interests of the  
20 public and their respective offices to consolidate the representation of the public interest in matters under  
21 Wis. Stat. § 938.13 within the District Attorney's office;  
22

23 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
24 Manitowoc County District Attorney is designated to represent the public interest in all matters brought  
25 under Wis. Stat. § 938.13.

Dated this 21st day of June 2005.

Respectfully submitted by the Public Safety Committee.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Kozlowski reported the Wind Energy System Advisory Committee had their first meeting on June 8 which was an organizational meeting. Their next meeting is scheduled on June 28.

Chairperson Hansen announced the need for a Committee of the Whole meeting to discuss the Communications System at the Sheriff's Department. He asked supervisors to look at meeting on Tuesday, July 26.

Chairperson Hansen announced six supervisors will be able to attend the WCA Convention this year and should let him know who is interested. Supervisor Skubal stated the Utility Tax Association breakfast at the convention is discontinued because of the expense.

Supervisor Bauknecht moved to adjourn. Supervisor Brey seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:52 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

July 19, 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 19th day of July 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:01 P.M.

Supervisor Jim Barnes 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, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisors Bauknecht, Goeke, and Graunke were excused.

The County Clerk announced a correction to the June 21, 2005 minutes. On page 5, paragraph 1, line 1 was changed from "meeting is scheduled on June 28 with public input." to "meeting is scheduled on June 28." On motion by Supervisor Brey and seconded by Supervisor Behnke, the minutes, as amended, were approved unanimously.

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

Chairperson Hansen declared Public Input open at 7:05 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:

Chairperson Hansen reported he received a letter from Senator Leibham acknowledging receipt of the Resolution Opposing Assembly Bill 225 and Senate Bill 114 relating to Jailer protection issues.

Supervisor Barnes reported he recently attended a WCA Health and Human Services Steering Committee meeting where they discussed the 2005-2007 State Biennial Budget, ICF-MR Downsizing, and 2005 WCA Conference Resolutions.

Mike Demske, Planning and Park Director, explained National Purple Heart Day was established by George Washington in 1782. Manitowoc is the designated site this year for the Purple Heart ceremony that will take place August 7 on the USS Cobia and everyone is invited to attend. Chairperson Hansen presented a Proclamation to Mike Demske declaring August 7, 2005 as Purple Heart Day.

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

Board of Health: Supervisor Barnes reported he attended a meeting of the Wisconsin Association of Local Health Departments and Boards on July 14 where they discussed the Communicable Disease Program and tobacco control issues. On July 21, they will participate in an Anthrax Public Health Emergency Preparedness Exercise with the U. S. Postal Service Processing and Distribution Center in Green Bay. Their next meeting will be August 11.

Expo Board: Supervisor Behnke reported they are busy preparing for the upcoming County Fair.

Finance Committee: Supervisor Brey reported they will be starting to review the 2006 budgets shortly.

Health Care Center Committee: Supervisor Vogt reported administrative offices have been moved to various locations and the original office area is now the Medical Services area which is made up of the Medical Director and Memory Center. The Memory Center will be a joint venture between the Health Care Center, Aging Resource, Dr. Tracy Hoffman, and the Alzheimer's Association. He also reported the developmentally disabled unit was inspected by the state and minor infractions were corrected; absenteeism was down in June and overtime has been consistently below the previous two years.

Highway Committee: Supervisor Sloan reported all construction projects are on schedule.

Human Services Board: Supervisor Bundy reported a public hearing will be held August 11 for the 2006 Human Services budget and the department is working with Sheboygan County Health and Human Services on a W-2 Plan.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported on a workshop entitled "Framework for Understanding Poverty." At the upcoming Municipal Official's Event, the topic "Brain Drain in Wisconsin" will be discussed and how this impacts the economy as well as a new program from the Chamber of Commerce on "Sail" covering how to attract young professionals to the county.

Personnel Committee: Supervisor Vogt reported their next meeting will be July 21.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 1 (2005/2006-56) Amending Zoning Map for Greg Herrmann, Ordinance 2 (2005/2006-57) Amending Zoning Map for Daniel Peterson, Ordinance 3 (2005/2006-58) Amending Zoning Map for James Reindl, and Ordinance 4 (2005/2006-59) Amending Zoning Map for Jerome Tenhaken. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted yes.

No. 2005/2006 - 56

**ORDINANCE AMENDING ZONING MAP  
(Greg Herrmann)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on June 27, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼, NE¼, Section 32, T20N-R23E, Town of Kossuth, commencing  
12 at the NE Corner of said section 32; thence westerly approximately 1287 feet to the east r/w of  
13 Thunder Road; thence southerly along said r/w approximately 910 feet which is the point of real



14 beginning; thence continue southerly along said r/w approximately 410 feet; thence easterly  
15 approximately 400 feet; thence northerly approximately 400 feet; thence westerly approximately 500  
16 feet to the point of real beginning, said parcel containing approximately 4.0 acres of land, shall be and  
17 is hereby rezoned from NA Natural Area to SE Small Estate.

Dated this 19th day of July 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 57

**ORDINANCE AMENDING ZONING MAP  
(Daniel Peterson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on June 27, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, Section 33, T18N-R21E, Town of Eaton,  
12 commencing at the SW Corner of said section 33; thence easterly approximately 350 feet;  
13 thence northerly approximately 600 feet which is the point of real beginning; thence continue  
14 northerly approximately 600 feet; thence easterly along the south r/w of Town Line Road  
15 approximately 500 feet; thence southerly approximately 450 feet; thence westerly  
16 approximately 500 feet to the point of real beginning, said parcel containing approximately 6.0  
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 19th day of July 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(James Reindl)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on June 27, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼ , NW¼, Section 25, T19N-R22E, Town of Cato,  
12 commencing at the NW Corner of said section 25; thence easterly approximately 673.30 feet  
13 which is the point of real beginning; thence continue easterly approximately 643 feet; thence  
14 southerly approximately 261.91 feet; thence westerly along the north r/w of CTH JJ  
15 approximately 375.26 feet; thence southerly approximately 33 feet; thence westerly along said  
16 r/w approximately 278.42 feet; thence northerly approximately 360.01 feet to the point of real  
17 beginning, said parcel containing approximately 4.73 acres of land, shall be and is hereby  
18 rezoned from A2 Agriculture to A1 Agriculture.

Dated this 19th day of July 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Jerome Tenhaken)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on June 27, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼, NW¼, Section 18, T17N-R21E, Town of Schleswig,  
12 commencing at the W ¼ Corner of said section 18; thence easterly approximately 550 feet;  
13 thence northerly approximately 33 feet to the north r/w of Meggers Road which is the point of  
14 real beginning; thence continue northerly approximately 300 feet; thence westerly  
15 approximately 550 feet to the east r/w of Meggers Road; thence southerly along said r/w  
16 approximately 250 feet; thence easterly along said r/w approximately 500 feet to the point of  
17 real beginning, said parcel containing approximately 3.78 acres of land, shall be and is hereby  
18 rezoned from GA General Agriculture to SE Small Estate.

Dated this 19th day of July 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench reported their next meeting will be August 2 and will include a jail tour.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 5 (2005/2006-60) Authorizing Land Sale to Curt Elmore. Upon vote, the motion carried unanimously.

No. 2005/2006 - 60

### **RESOLUTION AUTHORIZING LAND SALE TO CURT ELMORE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee received an offer from Curt Elmore to purchase 1.67 acres  
2 of county-owned land in the Manitowoc County Industrial Park and the Public Works Committee and the  
3 Planning and Park Commission staff have reviewed the offer to purchase; and  
4

5 WHEREAS, Curt Elmore has reviewed the deed restrictions established by Manitowoc County Board  
6 Resolution No. 90/91-75; and  
7

8 WHEREAS, the Public Works Committee recommends the sale of 1.67 acres of land to Curt Elmore  
9 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 1.67 acres of land in the County Industrial Park to Curt Elmore for \$7,500 per acre  
13 and authorizes the County Clerk to execute such papers as may be required to effect this land sale; and  
14

15 BE IT FURTHER RESOLVED that the proceeds from the sale be placed in a separate account  
16 established for the sale of county-owned land for future capital development.

Dated this 19th day of July 2005.

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 Behnke moved, seconded by Supervisor Brey, to adopt Resolution 6 (2005/2006-61) Authorizing Land Sale to Manitowoc Public Utilities. Upon discussion and vote, the motion carried with 20 ayes and 2 noes. Supervisors Braunel and Dobbs voted no; all other supervisors voted aye.

No. 2005/2006 - 61

**RESOLUTION AUTHORIZING LAND SALE TO MANITOWOC PUBLIC UTILITIES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee received an offer from the Manitowoc Public Utilities to  
2 purchase 4.01 acres of county-owned land in the Manitowoc County Industrial Park and the Public Works  
3 Committee and the Planning and Park Commission staff have reviewed the offer; and

4 WHEREAS, Manitowoc Public Utilities has reviewed all deed restrictions established by Manitowoc  
5 County Board Resolution No. 90/91-75; and

6  
7 WHEREAS, the Public Works Committee and Manitowoc Public Utilities have agreed that Manitowoc  
8 Public Utilities will make annual payments to the County in lieu of property taxes that are equal to the  
9 County's portion of the property taxes, to be determined by using the property's current assessed value and  
10 the current tax rate, that would be paid if the property were not exempt; and

11  
12 WHEREAS, the Public Works Committee and Manitowoc Public Utilities have agreed that Manitowoc  
13 County will be granted access at standard rates to any fiber optic cable that Manitowoc Public Utilities runs  
14 to the property it is purchasing from the county; and

15  
16 WHEREAS, the Public Works Committee recommends the sale of 4.01 acres of land to Manitowoc  
17 Public Utilities for \$7,500 per acre on the terms stated above;

18  
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
20 the sale of approximately 4.01 acres of land in the County Industrial Park to Manitowoc Public Utilities for  
21 \$7,500 per acre on the terms stated above and authorizes the County Clerk to execute such papers as may  
22 be required to effect this land sale; and

23  
24 BE IT FURTHER RESOLVED that the proceeds from the sale and the annual payments in lieu of  
25 property taxes will be placed in a separate account established for the future capital development and  
26 maintenance of county property.

Dated this 19th day of July 2005.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Proceeds of \$7,500 per acre and payment in lieu of taxes to be placed in Fund 405 for capital development and maintenance of county property.

APPROVED: Dan Fischer, County Executive.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they will treat small wind energy systems separately from large wind energy systems. Currently, they are working on defining the small systems. Their next meeting will be July 25.

Miscellaneous: Chairperson Brey moved, seconded by Supervisor Henrickson to adopt Resolution 7 (2005/2006-62) Appropriating up to \$20,000 for Human Services ADA Compliance Needs. Upon vote, the motion carried unanimously.

No. 2005/2006 - 62

**RESOLUTION APPROPRIATING UP TO \$20,000  
FOR HUMAN SERVICES ADA COMPLIANCE NEEDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department contracts with various vendors to provide services at  
2 the Human Services building, which is located at 926 South 8th Street in Manitowoc; and  
3

4 WHEREAS, a vendor has notified the Human Services Department that an employee who works at  
5 the Human Services building needs the Human Services Department to provide reasonable accommodation  
6 as required by the ADA in order for the employee to continue working; and  
7

8 WHEREAS, the Human Services Department is required to comply with the Americans with  
9 Disabilities Act (ADA) and while various remodeling projects over the years have made the building ADA  
10 accessible, the building is not ADA compliant; and  
11

12 WHEREAS, the Public Works Department has obtained estimates indicating that the employee's work  
13 and service area can be made ADA compliant at a cost of no more than \$20,000;  
14

15 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that a sum  
16 not to exceed \$20,000 may be transferred from the Human Services Special Revenue Fund Undesignated  
17 account to an appropriate expenditure account to pay for the work necessary to make the employee's work  
18 and service areas ADA compliant, that the Human Services Department budget is hereby amended  
19 accordingly, and that the Comptroller/Auditor is directed to record such in the official books of the County  
20 for the year ended December 31, 2005 as may be necessary.

Dated this 19th day of July 2005.

Respectfully submitted by the Human Services Board.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Decreases the Human Services Special Revenue Fund Undesignated fund balance by an amount not to exceed \$20,000 and increases authorized Human Services expenditures by an equal amount.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Nate, to adopt Resolution 8 (2005/2006-63) Authorizing and Appropriating Funds to Purchase an Adult Family Home. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 63

**RESOLUTION AUTHORIZING AND APPROPRIATING FUNDS  
TO PURCHASE AN ADULT FAMILY HOME**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Human Services Department is responsible under Wisconsin  
2 Statute § 51.437 for providing services to developmentally disabled citizens residing within the county; and  
3

4 WHEREAS, the Human Services Department is required to transition developmentally disabled  
5 residents from ICF/MR facilities, including the Manitowoc Health Care Center, into residential settings; and  
6

7 WHEREAS, the Human Services Department contracts with organizations that provide residential care  
8 to developmentally disabled residents in facilities that are owned by those organizations; and  
9

10 WHEREAS, a review of the funding sources and the associated rules and regulations shows that it  
11 would be economically advantageous to county taxpayers for the Human Services Department to purchase  
12 and own a property that would be used as an Adult Family Home;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 the Human Services Department to expend not more than \$200,000 to purchase and remodel a property to  
16 be used as an Adult Family Home; and  
17

18 BE IT FURTHER RESOLVED that the Human Services Department is directed, in accordance with  
19 policies and procedures established by the Comptroller/Auditor, to create and maintain a specific activity  
20 account for the Adult Family Home within its annual operating budget;  
21 and  
22

23 BE IT FURTHER RESOLVED that the Human Services Department is directed to enter into an  
24 agreement with the Public Works Department for the maintenance and upkeep of the Adult Family Home;  
25 and  
26

27 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the  
28 transfer of not more than \$200,000 from the Fund Balance of the Human Services Special Revenue Fund to  
29 the specific activity account to be used for the purchase and remodeling of the Adult Family Home; and  
30

31 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information  
32 as may be required in the official books of the County for the year ending December 31, 2005.

Dated this 19th day of July 2005.

Respectfully submitted by the Human Services Board.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Transfers funds between Human Services accounts, authorizes the expenditure of not more than \$200,000, and reduces total fund balances by the amount expended.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Rasmussen, to adopt Resolution 9 (2005/2006-64) Urging the Governor to Approve the Fair Utility Tax-Sharing Amendment. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 64

**RESOLUTION URGING THE GOVERNOR TO APPROVE  
THE FAIR UTILITY TAX-SHARING AMENDMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, utility property was once taxed at the local level by counties and local units of  
2 government in the same way as most other property; and  
3

4 WHEREAS, the statutes were revised in 1929 to provide for the state to uniformly value all utility  
5 property in Wisconsin, levy a tax on that property, and return 83 percent of the collected tax receipts to the  
6 counties and municipalities where the utilities were located as compensation for these local governments  
7 losing the right to impose property taxes on utilities; and  
8

9 WHEREAS, the state changed the utility tax system about 30 years ago so that only 19 percent of tax  
10 collections are returned to utility-site counties and municipalities; and  
11

12 WHEREAS, the state converted the utility tax to a gross receipts tax about 20 years ago, but didn't  
13 change the archaic formula for compensating utility-site counties and municipalities; and  
14

15 WHEREAS, the Legislature and Governor recognized the unfairness of the system and enacted 2003  
16 Wisconsin Act 31 to more fairly compensate utility-site counties and municipalities with respect to newly-  
17 constructed power generation sites, but did not address the compensation paid for existing power generation  
18 sites; and  
19

20 WHEREAS, the Legislature adopted the Fair Utility Tax-Sharing Amendment to 2005 Assembly Bill  
21 100, the budget bill, to remedy the problem and more fairly compensate utility-site counties and  
22 municipalities that have existing sites;  
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board urges the Governor to  
25 approve the Fair Utility Tax-Sharing Amendment contained in the budget bill so that counties and  
26 municipalities that host existing power generation sites will be fairly compensated.

Dated this 19th day of July 2005.

Respectfully submitted by Glen Skubal, Supervisor.

APPROVED: Dan Fischer, County Executive.

Other Business: Chairperson Hansen invited anyone interested in being nominated to a WCA Steering Committee to contact him.

Chairperson Hansen announced there is a conflict with the WCA Convention and the scheduled September 20 County Board meeting. He asked supervisors to look at meeting on September 13. Also, the presentation on the 2006 budget will be on October 11 and according to the County Board Rules the Annual Meeting will be held on Monday, November 7 with final approval on Tuesday, November 15. He asked supervisors to let him know if these dates did not work.

Supervisor Maresh moved to adjourn. Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:46 P.M.

Respectfully submitted,

Char Peterson, County Clerk



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

August 16, 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 16th day of August 2005, 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 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, Sloan, Skubal, Vogt and Wagner.

On a motion by Supervisor Brey and seconded by Supervisor Graunke, the July 19, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:05 P.M.

Jeff Beyer, Public Works Director, introduced Eliza Ulness, the 2005 Fairest of the Fair. She is excited to be involved in the 146th Manitowoc County Fair which runs from August 23 through August 28. She gave a brief background of the events that will run through the week and invited everyone to the fair.

No one else present wished to speak and public input was closed at 7:08 p.m.

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

Inspector Rob Hermann of the Sheriff's Department presented retiring Manitowoc County employee Colleen Brunner with a certificate for 34 years of dedicated service in the Processing and Records Department. Colleen stated she enjoyed working for the County and thanked everyone.

Supervisor Vogt reported the WCA Organization and Personnel Steering Committee reviewed resolutions to for the State Convention. They discussed local government control over creating a smoke free environment and SB 114 and AB 125 that would give protective status to jailers. They supported SB 64 that would create uniform polling hours and AB 257 and SB 126 which would allow abbreviated publication of legal notices. They also discussed handicapped voting machines at polling places.

Supervisor Markwardt reported the WCA Resolutions Committee met on August 8 where they compiled resolutions for the upcoming conference. They also discussed options for a proposed health care savings plan for municipal employers.

Chairperson Hansen presented a Proclamation for Brenda Cavanaugh, 2004 Fairest of the Fair, in appreciation for her work as an ambassador for the Manitowoc County Fair. Jeff Beyer, Public Works Director, will give the Proclamation to Brenda during Fair week.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments of Joel Aulik and Cindy Huhn to the Loan Review Board for three years terms expiring September 2008. Supervisor Brey moved, seconded by Supervisor Rasmussen, to approve the appointments. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Pat Pankratz, Mary Coenen and alternate Mary Stangel to the Local Emergency Planning Committee for two year terms expiring September 2007. Supervisor Sloan moved, seconded by Supervisor Nate, 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 Paul Stitt gave a presentation on the importance of Vitamin D; 5 new refugee families have moved into Manitowoc County for a total of 28 refugee people; there is one case of TB; beach testing results have been inconsistent; and they are reviewing the 2006 budget which is extended by \$89,000. He announced Dr. Henry Loomans has resigned from the Board and they will be looking for a replacement.

Expo Board: Supervisor Behnke spoke on the 2005 Manitowoc County Fair stating there are a lot of activities and a variety of entertainment for a reasonable price. He stated there is much work being done behind the scenes to prepare for the Fair.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Sloan, to adopt Resolution 1 (2005/2006-65) Transferring Funds to Pay Airport Storm Sewer Assessment. Upon vote, the motion carried unanimously.

No. 2005/2006 - 65

#### **RESOLUTION TRANSFERRING FUNDS TO PAY AIRPORT STORM SEWER ASSESSMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the City of Manitowoc has installed storm sewers along Herman Road that is adjacent  
2 to property owned by Manitowoc County and that is used by the County in connection with the operation  
3 of the Manitowoc County Airport; and  
4

5 WHEREAS, the City of Manitowoc assessed the County a total of \$26,950 for the installation of these  
6 storm sewers on the same basis as all other property owners; and  
7

8 WHEREAS, Manitowoc County appealed the City's assessment, but the appeal was denied on the  
9 grounds that Manitowoc County's property received a benefit from the installation of the storm sewers; and  
10

11 WHEREAS, the Finance Committee recommends the transfer of \$26,950 from the Contingent Fund  
12 to an appropriate account in the airport activity budget for the purpose of paying the storm sewer assessment;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Comptroller/Auditor is authorized to transfer  
15 \$26,950 from the Contingent Fund to an appropriate account in the airport activity budget for the purpose

16 of paying the storm sewer assessment and that the Comptroller/Auditor is directed to record such information  
17 in the official books of the County for the year ending December 31, 2005 as may be required.

Dated this 16th day of August 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Reduces the Contingent Fund by \$26,950 and increases expenses in the airport activity budget by an equal amount.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey stated budget season is coming up and it will be difficult.

Health Care Center Committee: Supervisor Vogt reported there are seven developmentally disabled beds open and four developmentally disabled clients will soon be transferred to the home that has been purchased. The Health Care Center was hit by lightening placing a hole in the roof which also compromised the sprinkling system, computers, door locks, to name a few. The staff did an excellent job of securing the building.

Highway Committee: Supervisor Sloan moved, seconded by Supervisor Bauknecht, to adopt Resolution 2 (2005/2006-66) Petitioning for Airport Improvement Aid. Upon vote, the motion carried unanimously.

No. 2005/2006 - 66

## **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 land acquisition  
12 to address safety concerns and any necessary related work; and  
13

14 The airport project is necessary to meet the existing and future needs of the airport;  
15

16 and  
17

18 WHEREAS, airport users have been consulted in formulating the proposed improvements; and  
19

20 WHEREAS, a public hearing was held prior to the filing of this petition in accordance with Wis. Stat.  
21 § 114.33(2), as amended, and a transcript of the hearing is transmitted with the petition; and  
22

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 land acquisition and any necessary related work.  
44

45 3. That the airport project, which your petitioner desires to sponsor, is necessary for  
46 the following reasons: to meet the existing and future needs of the airport;  
47

48 and  
49

50 BE IT FURTHER RESOLVED that it is recognized that the improvements petitioned for as listed will  
51 be funded individually or collectively as funds are available, with specific project costs to be approved as  
52 work is authorized, the proportionate cost of the airport development projects described above which are to  
53 be paid by Manitowoc County to the Secretary of the Wisconsin Department of Transportation (hereinafter  
54 referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent  
55 balance after the project is completed is to be returned to Manitowoc County by the Secretary; Manitowoc  
56 County will, subject to available appropriations, make available any additional monies that may be found  
57 necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have  
58 the right to suspend or discontinue the project at any time additional monies are found to be necessary by the  
59 Secretary and Manitowoc County does not provide the same; and  
60

61 BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc County's agent  
62 and is requested to agree to act as such in matters relating to the airport development project described above;  
63 is hereby authorized as Manitowoc County's agent to make all arrangements for the development and final  
64 acceptance of the completed project whether by contract, agreement, force account, or otherwise and  
65 particularly to accept, receive, receipt for, and disburse federal monies or other monies, either public or  
66 private, for the acquisition, construction, improvement, maintenance and operation of the airport; to acquire  
67 property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stats. Ch. 32; to  
68 supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the  
69 Secretary; to execute any assurances or other documents required or requested by any agency of the federal  
70 government; and to comply with all federal and state laws, rules, and regulations relating to airport  
71 development projects; and  
72  
73

74  
75 BE IT FURTHER RESOLVED that Manitowoc County requests that the Secretary provide, pursuant  
76 to Wis. Stat. § 114.33(8)(a), that Manitowoc County may acquire certain parts of the required land or  
77 interests in land that the Secretary shall find necessary to complete the aforesaid project; and  
78

79 BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate the airport in  
80 accordance with the conditions established in Wis. Admin. Code Ch. Trans 55 or in accordance with any  
81 Airport Owner Assurances enumerated in any Federal Block Grant Agreement necessary to fund the  
82 proposed improvements; and  
83

84 BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to sign  
85 and execute any Agreement and Federal Block Grant Owner Assurances authorized by this Resolution and  
86 necessary to fund the proposed improvements.

Dated this 16th day of August 2005.

Respectfully submitted by the Highway Committee.

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

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported no one from the public attended their 2006 Budget Hearing; two Economic Support Specialists at the Job Center left the Human Services Department; Public Assistance Program cases continue to increase; the department is implementing a new web based computer system required by the State; the purchase of the adult family home is on schedule and will be closing in a month; automatic doors were installed in the office at the 8<sup>th</sup> Street entrance. Their next meeting will be August 25.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported members of the Manitowoc County UW-Extension Association of Home and Community Education will be assisting with the screening of well water for nitrates at the Fair; an Agricultural After Hours Event will be held on the Wilfert Farms on September 8; and 130 people attended the first Dairy After Hours Event at the Kappelman Farm on June 29.

Supervisor Wagner moved, seconded by Supervisor Mueller, to adopt Resolution 3 (2005/2006-67) Authorizing Out-of-State Travel for Tom Ward. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 67

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Tom Ward)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, counties in the State of Indiana that are part of the Great Lakes Basin are evaluating the  
2 desirability of developing an Indiana Great Lakes Watershed Alliance; and  
3

4 WHEREAS, Soil & Water Conservation Department Director Tom Ward was instrumental in  
5 organizing the Great Lakes Non-Point Abatement Coalition, which is made up of Wisconsin counties whose  
6 watersheds drain to the Great Lakes; and  
7

8 WHEREAS, Tom Ward has been asked to make a presentation to the Indiana counties and other  
9 interested parties on the success of the Great Lakes Non-point Abatement Coalition; and  
10

11 WHEREAS, the Indiana counties have agreed to pay all travel expenses and to pay a speaker's fee to  
12 cover staff costs;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 Soil & Water Conservation Department Director Tom Ward to travel to Goshen, Indiana during September  
16 or October 2005 to make a presentation on the success of the Great lakes Non-point Abatement Coalition,  
17 provided that travel expenses are paid by the program sponsor and that the speaker's fee is used to  
18 compensate the county for its staff costs.

Dated this 16th day of August 2005.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None. Travel expenses will be paid by the program sponsor and a speaker's fee  
will compensate the county for staff costs.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2005/2006-68)  
Accepting a Nutrient Management Farmer Education Initiative Grant. Upon vote, the motion carried  
unanimously.

No. 2005/2006 - 68

**RESOLUTION ACCEPTING A NUTRIENT MANAGEMENT  
FARMER EDUCATION INITIATIVE GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Land and Water Resource Plan identifies non-point pollution of  
2 surface water contamination in the West Twin River and ground water contamination from non-point  
3 pollution in ground water sensitive areas in the County as a concern; and  
4

5 WHEREAS, the Soil & Water Conservation Department has been awarded a \$15,000 Farmer  
6 Education Initiative Grant from USDA Natural Resources Conservation Service and the University of  
7 Wisconsin Cooperative Extension that will focus on farm nutrient planning; and  
8

9 WHEREAS, farmers in the project area will be encouraged to develop conservation and nutrient  
10 management plans that protect the environment by identifying surface and groundwater hazard areas,  
11 improving winter manure handling practices on permeable and shallow soils with karst features, and utilizing  
12 soil and manure testing and crop planning to develop fertility budgets; and

13 WHEREAS, the grant will provide a \$500 incentive payment to farmers, reimburse farmers for soil  
14 tests, and reimburse the Soil & Water Conservation Department for 50% of its staff and GIS mapping service  
15 costs; and  
16

17 WHEREAS, the grant requires, a local match of \$8,010, which can be met through in-kind services  
18 that are already included in the Soil & Water Conservation Department's budget;  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
21 the Soil and Water Conservation Department Director to accept the Nutrient Management Farmer Education  
22 Initiative Grant for \$15,000, which requires an in-kind match of \$8,010, for a total project cost of \$23,010;  
23 and  
24

25 BE IT FURTHER RESOLVED that the 2005 Annual Budget is hereby amended by the amounts stated  
26 above and that the Comptroller/Auditor is hereby directed to record such information in the official books  
27 of the County for the year ending December 31, 2005 as may be required.

Dated this 16th day of August 2005.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by offsetting amounts,  
with the local match provided through in-kind services that are already included  
in the 2005 budget.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported there is concern with the financial support  
of Library Boards at the State level. He asked supervisors to contact him with any legislation matters for a  
meeting in September.

Personnel Committee: Supervisor Vogt reported the Information Systems Director requested a Desktop  
Technician position that would decrease current contracted support; the Calumet County Veterans Service  
Officer is helping out in the Veterans Service Office, along with a volunteer who has been hired as a  
temporary employee; and they discussed a proposed policy on conference room usage.

Supervisor Vogt moved, seconded by Supervisor Kozlowski, to adopt Resolution 5 (2005/2006-69)  
Establishing Compensation for County Executive for Term Beginning April 2006. Discussion followed.

Supervisor Rasmussen moved, seconded by Supervisor Goeke, to table Resolution 5. Upon discussion and  
vote, the motion failed with 11 ayes and 14 noes. Supervisors Bauknecht, Dobbs, Goeke, Hansen,  
Henrickson, Maresh, Mueller, Muench, Rappe, Rasmussen and Wagner voted aye; all other supervisors voted  
no.

Upon discussion and vote on the main motion, the motion carried with 13 ayes and 12 noes. Supervisors  
Bauknecht, Braudel, Dobbs, Gauger, Goeke, Henrickson, Markwardt, Maresh, Muench, Mueller, Rasmussen  
and Wagner voted no; all other supervisors voted yes.

**RESOLUTION ESTABLISHING COMPENSATION FOR  
COUNTY EXECUTIVE FOR THE TERM BEGINNING APRIL 2006**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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 elected official's term; and  
5

6 WHEREAS, the Personnel Committee has compared the current salary of the County  
7 Executive to the salary established for County Executives in comparable counties and to the salaries  
8 paid to department directors reporting to the County Executive; and  
9

10 WHEREAS, the Personnel Committee recommends that the salary of County Executive be  
11 increased for 2006 and each subsequent year of the term as stated below; and  
12

13 WHEREAS, the Personnel Committee recommends that the County Executive be offered the same  
14 fringe benefit package that is offered to non-represented employees;  
15

16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
17 annual salary of the County Executive for each year of the term commencing in 2006 will be as follows:  
18

19 2006 - \$70,437;  
20 2007 - \$73,125;  
21 2008 - \$75,813;  
22 2009 - \$78,500; and  
23

24 BE IT FURTHER RESOLVED that the annual salary will be paid on a bi-weekly basis and will be  
25 pro-rated based on the period of time that the incumbent holds office; and  
26

27 BE IT FURTHER RESOLVED that the County Executive will be offered the same fringe benefit  
28 package as is offered to non-represented employees; and  
29

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

Dated this 16th day of August 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Based on 2006 FICA and WRS rates, increases wages and associated fringe  
benefits as follows:

	2006	2007	2008	2009
Wages	\$2,688.00	\$2,688.00	\$2,688.00	\$2,687.00
FICA	205.63	205.63	205.63	205.55
WRS	303.74	303.74	303.74	303.63
Total	\$3,197.37	\$3,197.37	\$3,197.37	\$3,196.18



APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 6 (2005/2005-70) Establishing Compensation for County Board Supervisors for the Term Beginning April 2006. Discussion followed.

Supervisor Brey moved, seconded by Supervisor Rasmussen, to remove lines 27 through 30. Upon discussion and vote, the amendment passed with 13 ayes and 12 noes. Supervisors Barnes, Braunel, Bundy, Janowski, Kozlowski, Maresh, Markwardt, Nate, Rappe, Skubal, Sloan and Vogt voted no; all other supervisors voted aye.

Upon discussion and vote on the main motion as amended, the motion carried with 17 ayes and 8 noes. Supervisors Bauknecht, Braunel, Dobbs, Gauger, Goeke, Graunke, Henrickson and Wagner voted no; all other supervisors voted aye.

2005/2006- 70

(Engrossed Copy)

**RESOLUTION ESTABLISHING COMPENSATION FOR COUNTY BOARD SUPERVISORS  
FOR THE TERM BEGINNING APRIL 2006**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Statutes § 59.22 requires that the total annual compensation of certain  
2 elected officials, exclusive of reimbursements, must be established before the earliest time for filing  
3 nomination papers for office, and Wisconsin Statutes § 59.22 further provides that this compensation shall  
4 not be increased or decreased during the elected officials' term; and  
5

6 WHEREAS, the Personnel Committee has compared the compensation of County Board Supervisors  
7 and the County Board Chair to the compensation established for County Board Supervisors and the County  
8 Board Chair in comparable counties; and  
9

10 WHEREAS, the salary for County Board Supervisors and the County Board Chairperson has not  
11 been adjusted since April 1998; and  
12

13 WHEREAS, the current salary structure for County Board Supervisors does not provide for any per  
14 diem for those Supervisors appointed by the County Board Chair to serve on Committees representing  
15 Manitowoc County on matters of state-wide interest; and  
16

17 WHEREAS, the Personnel Committee recommends that the salary of County Board Supervisors  
18 be increased from \$220 per month to \$250 per month; that the salary of the County Board Chair be increased  
19 from \$333.33 per month to \$375 per month; and that an additional per diem of \$25 per day be paid to  
20 Supervisors and the County Board Chair when serving as a representative of Manitowoc County on certain  
21 committees on matters of state-wide interest;  
22

23 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
24 salary of County Board Supervisors will be \$250 per month and the salary of the County Board Chair will  
25 be \$375 per month; and  
26

27 ~~BE IT FURTHER RESOLVED that, subject to the approval of the County Board Chair, an additional~~  
28 ~~per diem of \$25 per day may be paid to a Supervisor if the Supervisor has been appointed by the County~~

Board Chairperson to serve on a committee to represent Manitowoc County on matters of state-wide interest;  
and

BE IT FURTHER RESOLVED that the salary set for County Board Supervisors and the County Board Chair will continue for ensuing terms unless changed by the County Board of Supervisors in accordance with Wisconsin law.

Dated this 16th day of August 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Based on 2006 FICA and WRS rates, increases wages and associated fringe benefits by the following amounts:

	2006	2007
Wages	\$9,140.00	\$9140.00
Per Diem	1,000.00	1,000.00
FICA	775.71	775.71
WRS	56.50	56.50
Total Estimated Cost	\$10,972.21	\$10,972.21

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 7 (2005/2006-71) Amending Zoning Map for Kory Deering, Ordinance 8 (2005/2006-72) Amending Zoning Map for Matt Harms, Ordinance 9 (2005/2006-73) Amending Zoning Map for Stanley Swetlik, Ordinance 10 (2005/2006-74) Amending Zoning Map for Jason Thiel, and Ordinance 11 (2005/2006-75) Amending Zoning Map for Earl Weber. Upon vote, the motion carried with 22 ayes and 3 noes. Supervisors Goeke, Henrickson and Rappe voted no; all other supervisors voted yes.

No. 2005/2006 - 71

**ORDINANCE AMENDING ZONING MAP  
(Kory Deering)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, a public hearing was held on July 25, 2005 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 and an examination of the facts attendant with the petition, recommends that the petition be approved for the reasons stated in the attached report;

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 SE¼, NW¼, Section 14, T18N-R22E, Town of Liberty:

Parcel no. 1, commencing at the Center of said Section 14; thence northerly approximately 500 feet; thence westerly approximately 250 feet which is the point of real beginning; thence continue westerly approximately 275 feet; thence northerly approximately 275 feet; thence

15 easterly approximately 275 feet; thence southerly approximately 275 feet to the point of real  
16 beginning, said parcel containing approximately 1.74 acres of land, shall be and is hereby  
17 rezoned from A3 Agriculture to A1 Agriculture; and  
18

19 Parcel no. 2, commencing at the Center of said Section 14; thence westerly approximately 720  
20 feet; thence northerly approximately 33 feet to the north r/w of Rusch Road which is the point  
21 of real beginning; thence continue northerly approximately 400 feet; thence westerly  
22 approximately 600 feet; thence southerly approximately 400 feet; thence easterly along the  
23 north r/w of Rusch Road approximately 600 feet to the point of real beginning, said parcel  
24 containing approximately 5.50 acres of land, shall be and is hereby rezoned from A2  
25 Agriculture to A3 Agriculture.

Dated this 16th day of August 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 72

**ORDINANCE AMENDING ZONING MAP  
(Matt Harms)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on July 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends that the petition be  
6 approved for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the NE¼, SE¼, Section 34, T17N-R21E, Town of Schleswig;  
12 commencing at the E¼ corner of said Section 34; thence southerly approximately 1600 feet to  
13 the north r/w of STH 32; thence westerly along the north r/w of STH 32 approximately 2000  
14 feet which is the point of real beginning; thence northerly approximately 221 feet; thence  
15 westerly approximately 117 feet; thence southerly approximately 245 feet; thence easterly along  
16 the north r/w of STH 32 approximately 117 feet to the point of real beginning, said parcel  
17 containing approximately .60 acres of land, shall be and is hereby rezoned from A1 Agriculture  
18 to R2 Residential.

Dated this 16th day of August 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 73

**ORDINANCE AMENDING ZONING MAP  
(Stanley Swetlik)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on July 25, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends that the petition be  
6 approved for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SW¼, NE¼, Section 8, T20N-R23E, Town of Kossuth;  
12 commencing at the Center of said Section 8; thence easterly approximately 660 feet which is  
13 the point of real beginning; thence continue easterly approximately 660 feet; thence northerly  
14 approximately 1320 feet; thence westerly approximately 660 feet; thence southerly  
15 approximately 1320 feet to the point of real beginning, said parcel containing approximately  
16 20.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to GA General  
17 Agriculture.

Dated this 16th day of August 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 74

**ORDINANCE AMENDING ZONING MAP  
(Jason Thiel)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on July 25, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends that the petition be  
6 approved for the reasons stated in the attached report;  
7

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

10 A parcel of land located in the SW¼, SE¼, Section 29, T21N-R23E, Town of Gibson; commencing  
11 at the south ¼ corner of said Section 29; thence northerly approximately 1320 feet; thence easterly  
12 approximately 660 feet which is the point of real beginning; thence continue easterly approximately  
13 330 feet; thence southerly approximately 660 feet; thence westerly approximately 330 feet; thence  
14 northerly approximately 660 feet to the point of real beginning, said parcel containing approximately  
15 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 16th day of August 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 75

**ORDINANCE AMENDING ZONING MAP  
(Earl Weber)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on July 25, 2005, at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends that the petition be  
6 approved for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the NW¼, NW¼, Section 5, T20N-R25E, Town of Two Rivers;  
12 commencing at the NW Corner of said Section 5; thence easterly approximately 33 feet to the  
13 east r/w of Ravine Drive which is the point of real beginning; thence continue easterly  
14 approximately 600 feet; thence southerly approximately 375 feet; thence westerly  
15 approximately 600 feet; thence northerly along the east r/w of Ravine Drive approximately 375  
16 feet to the point of real beginning, said parcel containing approximately 5.17 acres of land, shall  
17 be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 16th day of August 2005.

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 12 (2005/2006-76) Amending Manitowoc County Code §§ 14.02(3)(b) and 14.11(2)(b) (Parking Violations in County Parks). Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 76

**ORDINANCE AMENDING  
MANITOWOC COUNTY CODE §§ 14.02(3)(b) and 14.11(2)(b)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a number of fishermen have requested that they be allowed to enter the county park  
2 property at an earlier date than is presently allowed under the county's ordinances; and  
3

4 WHEREAS, the present forfeiture amount of \$3 for parking violations in county parks is inadequate  
5 to serve as a meaningful deterrent to violations and is insufficient to cover the costs associated with  
6 enforcement of the ordinance; and  
7

8 WHEREAS, a public hearing was held on July 25, 2005 at the Manitowoc County Office Complex,  
9 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 the testimony and an examination of the facts attendant with a petition for changes in the county's ordinances  
13 as they relate to parks, recommends that the petition be approved for the reasons stated in the attached report;  
14

15 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does  
16 ordain as follows:  
17

18 Manitowoc County Code Section 14.02(3)(b) is hereby amended as follows:  
19

20 14.02(3)(b) Closing Dates. It shall be unlawful for any vehicle to enter or be in any vehicle to enter  
21 or be in any of the County Parks except as provided herein between the dates of November 1, and ~~April 30~~  
22 March 31.  
23

24 Manitowoc County Code Section 14.11(2)(b) is hereby amended as follows:  
25

26 (b) Notwithstanding sub. (a) above, the forfeiture for a violation of the parking provisions of this  
27 Chapter shall be ~~three dollars (\$3)~~ \$25, per violation.

Dated this 16th day of August 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable. Changes in revenue resulting from an increase in the forfeiture amount will depend on the number of citations issued.

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench reported they toured the jail and they will have a joint meeting on August 18<sup>th</sup> with the Land Conservation Committee regarding a proposal to allow the use of rifles during the deer gun season in Manitowoc County.

Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 13 (2005/2006-77) Authorizing Out-of-State Travel for Jason Jost. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 77

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Jason Jost)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, terrorist threats and the potential for having to deal with weapons of mass destruction  
2 (WMD) are leading concerns of the Manitowoc County Sheriff's Department because one nuclear plant is  
3 located in the county and a second nuclear plant is located in close proximity; and  
4

5 WHEREAS, Sheriff's Department Sgt. Jason Jost is responsible for supervising field operations,  
6 including the deployment of personnel and equipment, in the event of a threat or incident involving a nuclear  
7 plant; and  
8

9 WHEREAS, providing the maximum degree of safety for the citizens of Manitowoc County begins  
10 with training officers to develop a well-planned response to a threat or an incident; and  
11

12 WHEREAS, the Center for Domestic Preparedness located in Anniston, Alabama is the U.S.  
13 Department of Homeland Security's only federally-chartered WMD training center specializing in training  
14 first responders in WMD response and is offering an Incident Command Training Course that will provide  
15 instruction on WMD, the incident command system, evaluating threats and probable targets, developing a  
16 local incident response plan, and other operational considerations and actions in the event of a WMD threat  
17 or incident; and  
18

19 WHEREAS, all training and course materials, round trip airfare, lodging, and meals for the Incident  
20 Command Training Course will be provided at no cost to the County and incidental expenses (estimated to  
21 be less than \$50) are already included in the Sheriff's Department budget;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
24 Sgt. Jason Jost to attend the WMD Incident Command Training Course in Anniston, Alabama on September  
25 6-10, 2005.

Dated this 16th day of August 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Training is completely funded and includes round trip airfare, lodging, meals, and training materials valued at approximately \$2,000. Incidental expenses for travel and meals outside the training course are estimated at less than \$50 and will be paid from funds already in the budget.

APPROVED: Dan Fischer, County Executive.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported since May 17<sup>th</sup> they had six meetings with a lot of input. They have referenced many written works in addition to county resources. They are deliberating on small wind towers of 170 feet or less and their next meetings will be on August 29 and September 9.

Miscellaneous: Chairperson Wagner moved, seconded by Supervisor Brey to adopt Resolution 14 (2005/2006-78) Accepting Discovery Farms Grant (Altria Group, Inc.). Upon vote, the motion carried unanimously.

No. 2005/2006 - 78

**RESOLUTION ACCEPTING DISCOVERY FARMS GRANT  
(Altria Group, 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 in Manitowoc County, Soaring Eagle Dairy and Saxon Homestead Farm,  
9 have been selected as UW Discovery Farms sites; 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; and  
21

22 WHEREAS, Manitowoc County has applied for and been awarded a \$25,000 grant from the Altria  
23 Groups, Inc. to support communication and education efforts associated with the Manitowoc County UW-  
24 Discovery Farms Project Area;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office may  
27 accept grant funds of up to \$25,000 from the Altria Group, Inc. to support communication and education  
28 efforts associated with the Manitowoc County UW-Discovery Farms Project Area; that the appropriate  
29 revenue and expenditure line items in the 2005 budget will be amended by the amount of the funds received;  
30 and that the Comptroller/Auditor is directed to record such information in the official books of the County  
31 for the year ending December 31, 2005 as may be required.

Dated this 16th day of August 2005.



Respectfully submitted by the Natural Resources & Education Committee.

Respectfully submitted by the Finance Committee.

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

APPROVED: Dan Fischer, County Executive.

Other Business: Chairperson Hansen announced the next County Board meeting will be September 13.

Supervisor Rasmussen moved to adjourn. Supervisor Janowski seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:05 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

September 13, 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 13th day of September 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:03 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: 21 members present; Barnes, Bauknecht, Behnke, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisors Braunel, Henrickson, Janowski and Rappe were excused.

On a motion by Supervisor Behnke and seconded by Supervisor Bauknecht, the August 16, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:07 P.M.

Tom Stanton, Human Services Director, introduced Linae Haefele and Nancy Randolph who are part of the Human Services team working on Coordinated Services for serving clients. Linae explained the program is an individualized package of services designed for the needs of juveniles with their parents as equal partners on a team that meet on a regular basis. Nancy Randolph talked about a significant reduction in expenses with a downward trend of placements since the alternate care placement was adopted three years ago. She asked supervisors to continue their support of the program.

No one else present wished to speak and public input was closed at 7:17 p.m.

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

Kevin Palmer, UW-Extension 4-H Youth Development Educator, reported there are 24 clubs in Manitowoc County with 676 members and 215 adult volunteers. Members of the Liberty Go Getters 4-H Club gave a presentation on their project of raising cella beetles that eat the invasive purple loose strife.

Chairperson Hansen presented retiring Judge Fred Hazlewood with a certificate of appreciation for 25 years of dedicated service as Circuit Court Judge of the 4<sup>th</sup> Judicial District. Judge Hazlewood stated he was honored by the thoughts of the community expressed in this commendation and it has been an honor and privilege to serve everyone.

Supervisor Markwardt reported he attended the WCA Board of Directors meeting on August 25 where they discussed Smart Growth, youth aids, IGT funding, and voting machines for handicapped citizens. On September 7, he attended a W-2 Steering Committee meeting and reported Manitowoc County currently has 158 refugees, 25 clients on the W-2 Program, 9 clients on the Refugee Cash Assistance Program, and the Job Center has two W-2 staff positions open at this time.

County Executive Dan Fischer announced he will not be running for re-election next year. He stated he appreciates the time he has had to work with everyone and has considered it an honor. He spoke on the proposed 2006 budget and explained many Department Directors have met their budget target. A position for Information Systems is being planned for 2006 without an increase in the tax levy because money from equipment funds will be allocated for the position. He stated health insurance could increase 17.8% with the current carrier, shared revenue will be about the same as last year, and the proposed budget will be completed by the end of the month. He talked about an ordinance before the Board this evening amending the County Code regarding private sewage systems. The annual fee for each private onsite wastewater treatment system in the state mandated maintenance program will be included on the owner's property tax bill. He asked supervisors to consider a \$10 per year fee replacing the proposed \$5 to cover most of the expenses for this program.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Mark Busse to complete Bob Carroll's term on the Joint Dispatch Board expiring August 2006. Supervisor Sloan moved, seconded by Supervisor Markwardt to approve the appointment. Upon vote, the motion carried unanimously.

Chairperson Hansen presented County Executive Dan Fischer's appointment of Supervisor Norb Vogt to complete a vacancy on the Long Term Support Planning Committee expiring with the County Board term. Supervisor Rasmussen moved, seconded by Supervisor Graunke, 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 he attended a Wisconsin Association of Local Health Departments and Boards on September 8 where they discussed influenza. At their regular meeting they discussed the flu vaccine; fees will increase by 5% with the new budget; beach testing has ended; and the number of WIC Program clients has increased.

Expo Board: Supervisor Behnke reported attendance was up for the 2005 Manitowoc County Fair and they are already planning for 2006 looking at issues such as parking.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Maresh, to adopt Resolution 1 (2005/2006-79) Authorizing Participation in United Way Campaign. Upon vote, the motion carried unanimously.

No. 2005/2006 - 79

### **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 and effective way to provide its employees with an opportunity to contribute to  
12 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, 2005, with payroll deductions to be made during the 2006 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 13th day of September 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey stated Finance will be meeting in the beginning of October to review the proposed 2006 Budget.

Health Care Center Committee: Supervisor Vogt reported 2006 proposed budget figures were met, DD surveyors visited and the inspection passed, and bills for the lightening damage have been paid internally but those expenses will be reimbursed by insurance.

Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 2 (2005/2006-80) Increasing Health Care Center Rates.

Supervisor Nate moved, seconded by Supervisor Vogt, amending fees beginning with line 16, "Super Skilled from \$195 to \$200," line 17, "Skilled Nursing Care from \$185 to \$190," line 18, "Intermediate Care Levels 1 & 2 from \$170 to \$173," and line 19, "Developmentally Disabled from \$180 to \$185." Upon discussion and vote, the amendment carried with 20 ayes and 1 no. Supervisor Goeke voted no; all other supervisors vote aye.

Upon discussion and vote on the main motion, as amended, the motion carried unanimously.

No. 2005/2006-80

Engrossed Copy)

## **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 October 12, 2004; 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 January 1, 2006:

14		
15	Super Skilled (ISN)	From \$185 per day to <del>\$195</del> per day <b>"200.00"</b>
16	Skilled Nursing Care	From \$175 per day to <del>\$185</del> per day <b>"190.00"</b>
17	Intermediate Care Levels 1&2	From \$158 per day to <del>\$170</del> per day <b>"173.00"</b>
18	Developmentally Disabled	From \$170.00 per day to <del>\$180.00</del> per day <b>"185.00"</b>
19	Special Care Dementia Sur Charge	\$9 per day

Dated this 13th day of September 2005.

Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: Increases revenue by an estimated \$93,075 for 2006. This amount will be incorporated into the proposed 2006 budget.

APPROVED: Dan Fischer, County Executive.

Highway Committee: Supervisor Sloan moved, seconded by Supervisor Behnke, to adopt Resolution 4 (2005/2006-81) Authorizing Quit Claim Deeds Transferring Land to City of Manitowoc (Memorial Drive Property). Upon vote, the motion carried unanimously.

No. 2005/2006 - 81

**RESOLUTION AUTHORIZING QUIT CLAIM DEEDS  
TRANSFERRING LAND TO CITY OF MANITOWOC  
(Memorial Drive Property)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns the following real estate located along Memorial Drive in the  
2 City of Manitowoc:

3  
4 Lots 1, 2, 3 and 4, Block 1 and Lots 1, 2, 3, 4, 5, 6 and 7, Block 6, all in Raine's Subdivision,  
5 according to the recorded plat thereof, City of Manitowoc, Manitowoc County, Wisconsin. Tax  
6 Parcel No. 575-001-000.

7  
8 All or part of Lots 1, 2 and 3 of Block 2, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 13 of Block 5 of  
9 Raine's Subdivision of Lots 6, 7 and 8 of the Subdivision of Government Lot No. 1, Section 20,  
10 T. 19 N, R. 24 E, City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

11  
12 Commencing at the Northeasterly corner of said Block 2 of Raine's Subdivision, being  
13 the point of beginning; thence southwesterly along the northwesterly line of Cleveland  
14 Avenue to the southeasterly corner of Lot 5, Block 5 of Raine's Subdivision; thence  
15 Northwesterly to the southwesterly corner of Lot 9, Block 5; thence northeasterly along  
16

17 the northwesterly line of said Lot 9, a distance of 12 feet; thence N 89° 47' E, a distance  
18 of 65.8 feet; thence on a line of a 684.28 foot radius curve to the left to its point of  
19 intersection with the northeasterly line of said Block 2; thence southeasterly along said  
20 line to the point of beginning. Tax Parcel No.: None (currently right-of-way).

21  
22 Lots 1,2, 3,4, 5, 6 and 7, Block 1, Lots 1,2, 3,4, 5, 6 and 7, Block 2, Lots 1, 2, 3, 4, 5, 6 and 7,  
23 Block 3, Lots 1, 2, 3, 4, 5, 6 and 7, Block 4, all in Jos. Miada's, J.C. Nelson and O. Torrison  
24 Company Subdivision, according to the recorded plat thereof, City of Manitowoc, Manitowoc  
25 County, Wisconsin. Tax Parcel No. 495-004-000;

26  
27 and

28  
29 WHEREAS, the City of Manitowoc has maintained the above-described parcels for many years and  
30 desires to continue to do so; and

31  
32 WHEREAS, the Highway Committee recommends that the County transfer the above-described  
33 property to the City for an amount equivalent to the cost of the 2005 street paving improvements against  
34 Manitowoc County property located along Herman Road, Tax Parcel Nos. 812-402-010 and 812-403-100,  
35 which will be levied against the Herman Road property in 2006;

36  
37 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors agrees  
38 to transfer the above-described property to the City of Manitowoc for the equivalent of the cost of the  
39 assessed street paving improvements as stated above and authorizes the County Executive, the County Clerk,  
40 and the Corporation Counsel to execute such documents as may be necessary to accomplish this property  
41 transfer.

Dated this 13th day of September 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None. Will increase revenues by an amount equal to additional expenses for street paving assessment in 2006.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported most areas of the 2006 proposed budget are on target and their next meeting will be September 27.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the Manitowoc County 4-H Leaders Association will be sponsoring an Arts and Crafts Fall Fun Fest on October 21 and the UW-Extension will be hosting a Family Fun Night in October.

Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 5 (2005/2006-82) Accepting FEMA Grant. The Clerk announced a friendly amendment to line 12, changing "46425.52940" to "46250.52940." Upon vote, the motion carried unanimously.

**RESOLUTION ACCEPTING FEMA GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the United Way of America allocates Federal Emergency Management Agency  
2 (FEMA) funding to counties in this district and has allocated \$800 to Manitowoc County for nutrition  
3 services provided for individuals under the age of 60; and  
4

5 WHEREAS, the Natural Resources and Education Committee recommends that the County Board  
6 amend the 2005 budget to allow for the increased revenue and to authorize a corresponding increase in  
7 expenditures resulting from the allocation as shown below:  
8

Revenue or Expense	Account Number	Description	Amount
Revenue	46250.43566.16	Home-Delivered meals	\$800
Expense	46250.52940	Contracted Food	\$800;

13  
14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
15 Aging Resource Center is authorized to accept the funds specified above, that the 2005 budget is amended  
16 by the amount of the funds received, and that the Comptroller/Auditor is directed to record such  
17 information in the official books of the County for the year ending December 31, 2005 as may be required.

Dated this 13th day of September 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increase revenue and expenditures by equal amounts.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 6 (2005/2006-83)  
Amending 2005 Budget (Aging Resource Center). Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2005 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 2005 Budget:  
6  
7  
8

9	Revenue or	Account		
10	<u>Expense</u>	<u>Number</u>	<u>Description</u>	<u>Amount</u>
11				
12	Revenue	46100.43566.01	Congregate Meal Program	80
13	Expense	46100.52940	Contracted Food	80
14				
15	Revenue	46250.43566.02	Home-delivered meals	66
16	Expense	46250.52940	Contracted Food	66
17				
18	Revenue	46325.43566.12	Health Prevention Services	(46)
19	Expense	46325.52108	Public Health Services	(46)
20				
21	Revenue	46325.43566.05	Title IIIB Grant	(1,320)
22	Expense	46325.51100	Personnel Services	(1,320)
23				
24	Revenue	46430.43566.14	Family Caregiver Support Grant	175
25	Expense	46430.52999	Contracted Services	175
26				

27 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
 28 2005 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record  
 29 such information as may be required in the official books of the County for the year ending December 31,  
 30 2005.

Dated this 13th day of September 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Decreases budgeted revenue and expenses by \$1,045.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 7 (2005/2006-84) Proclaiming National 4-H Week. Upon vote, the motion carried unanimously.

No. 2005/2006 - 84

### **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 665 members and 217 volunteers; and  
 8  
 9  
 10



11 WHEREAS, 4-H, as part of the Manitowoc County University of Wisconsin Extension, is a program  
12 where youth learn together in all kinds of activities, events, and projects; and  
13

14 WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for over one  
15 hundred years; and  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors declares  
18 October 2-8, 2005 as National 4-H Week in Manitowoc County and the people of this community are urged  
19 to take advantage of the opportunity to become more aware of this special program which gives youth the  
20 chance to learn together and on their own as part of Manitowoc County 4-H and to join us in recognizing the  
21 unique partnership between our county and our University System.

Dated this 13th day of September 2005.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported they will be scheduling a meeting in October.

Personnel Committee: Supervisor Vogt reported they will be meeting on September 27.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller to enact Ordinance 8 (2005/2006-85) Amending Manitowoc County Code Chapter 13 (Private Sewage System - Maintenance Program, Fees, and Penalties).

Supervisor Skubal moved, seconded by Supervisor Muench, to amend Line 30 from "fee of \$5" to "fee of \$10." Upon discussion and vote, the amendment carried with 19 ayes and 2 noes. Supervisors Dobbs and Bauknecht voted no; all other supervisors voted aye.

Supervisor Dobbs moved, seconded by Supervisor Kozolowski, to Amend line 30 from "fee of \$10", to "fee of \$13." Upon discussion and vote, the motion failed with 3 ayes and 18 noes. Supervisors Kozlowski, Dobbs and Bauknecht voted aye; all other supervisors voted no.

Upon discussion and vote on the main motion, as amended, the motion carried unanimously.

No. 2005/2006 - 85

(Engrossed Copy)

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 13  
(Private Sewage System - Maintenance Program, Fees, and Penalties)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the preservation of groundwater is of vital concern to the health and safety of the  
2 residents of Manitowoc County; and  
3

4 WHEREAS, defective and failing septic systems present a threat to the quality of groundwater; and  
5  
6  
7

8 WHEREAS, Manitowoc County has adopted a septic maintenance inspection program to assure that  
9 septic systems in the county are kept in good operating condition and comply with the requirements of state  
10 law, the state administrative code, and its local ordinances, but the maintenance program does not cover all  
11 septic systems that are located in the county; and  
12

13 WHEREAS, the State of Wisconsin has mandated that each county must include all existing septic  
14 systems into its maintenance program; and  
15

16 WHEREAS, the Planning and Park Commission has conducted a public hearing and recommends the  
17 adoption of certain changes to Manitowoc County Code Chapter 13 pertaining to private sewage systems;  
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. 13.03(20) is amended to read as follows:  
23

24 **(20)** “Private Sewage System” or “private onsite wastewater treatment system,” or “POWTS.” (a)  
25 A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field  
26 located on the same parcel as the structure;  
27

28 Manitowoc County Code sec. 13.08(3) is created to read as follows:  
29

30 **(3)** An annual maintenance program fee of ~~\$5~~ \$10 is required to be paid for each private onsite  
31 wastewater treatment system (POWTS) included in the maintenance program established by s. 13.09(1). The  
32 annual fee will be included on the owner’s property tax bill.  
33

34 Manitowoc County Code sec. 13.09 is repealed in its entirety and is recreated to read as follows:  
35

36 **13.09 Maintenance Program. (1)** A maintenance program for private onsite wastewater treatment  
37 systems (POWTS) that are located in unincorporated areas of Manitowoc County and outside of any sanitary  
38 district is hereby created.  
39

40 **(2)** The following POWTS are included in the maintenance program:  
41

42 (a) A new or replacement POWTS for which a sanitary permit was issued after October 25, 1983.  
43

44 (b) An existing POWTS when there is a conveyance, merger, partition, subdivision, or transfer of the  
45 property on which the POWTS is located or of the property on which a structure serviced by the POWTS  
46 is located.  
47

48 **(3)** An initial inspection must be made of any existing POWTS when it is placed into the maintenance  
49 program. The initial inspection of an existing POWTS must include:  
50

51 (a) A written report of observation and soil boring by a certified soil tester. The soil boring must  
52 extend 3 feet below the bottom of the absorption area and be sufficient to determine the presence of bedrock,  
53 groundwater, or seasonally saturated soils that would adversely affect the operation of the system. The  
54 Zoning Administrator may allow use of a previously filed soil test conducted in an area near the system to  
55 verify soil conditions.  
56

57 (b) A written evaluation of the POWTS and its components, including the following:  
58

1. Treatment tanks, including risers and covers.
2. Inlet and outlet baffles.
3. Vents and observation ports, including the presence of any ponding or surface discharge.
4. High water alarms.
5. The existence of any outfall pipe or any connection to a drain tile.
6. Absorption area, including the presence of any ponding or surface discharge.
7. The presence and cleanliness of any effluent filter.
8. Compliance with setback requirements.

(c) The initial inspection report must be filed with the Planning and Park Department within 30 days following the date on which the POWTS is included in the inspection program.

(d) A county inspection to verify the results of the initial inspection may be required. Any costs associated with the county inspection including, but not limited to, backhoe pits or pumping fees are the responsibility of the owner.

(e) If the POWTS is not in compliance, a code compliant POWTS must be installed within 1 year of date on which the POWTS is included in the inspection program.

**(4)** Each POWTS included in the maintenance program must be inspected once every three years. The inspector must provide the owner of the POWTS with a signed certificate of inspection on a form approved by the Planning and Park Department indicating whether the system is in code compliance and whether the combined sludge and scum volume equals 1/3 or more of the tank volume. If the combined sludge and scum volume equals 1/3 or more of the tank volume, the owner must have the tank pumped. The owner must, within 30 days from the date of inspection, provide the Planning and Park Department with the certificate of inspection signed by inspector and the owner, along with proof that any required pumping has been completed.

**(5)** The inspections required by subs. (3)(b) and (4) must be performed by one of the following:

(a) A licensed master plumber.

(b) A licensed master plumber-restricted service.

(c) A certified POWTS inspector.

(d) A certified septage servicing operator under ch. NR 114.

(e) A registered POWTS maintainer.

**(6)** An owner may request an extension of up to 12 months in which to complete any inspection or pumping required under this section. The request must be submitted in writing to the Planning and Park

Department. The request must indicate the circumstances, such as inclement weather, road weight restrictions, or site limitations, that necessitate the extension and the request must indicate the length of the requested extension. However, no extension may be granted because of the cost of the inspection or pumping. Any extension must be authorized by the Planning and Park Department in writing.

Manitowoc County Code sec. 13.10(1) is amended to read as follows:

**13.10 Enforcement. (1)** ~~Manitowoc County, through its designated agent which is the Manitowoc County Planning and Park Commission, under Wis. Stat. § 145.20(2)(f), as amended, shall investigate any violations of this private sewage system ordinance and shall issue orders to abate such violations. The procedure for enforcement of the ordinance shall generally follow the following procedure:~~ may investigate violations of this ordinance, issue orders to abate violations, and submit orders to the district attorney, corporation counsel, or attorney general for enforcement. Manitowoc County may also issue citations for violations of this ordinance. Enforcement of this ordinance should generally conform to the following procedure:

Manitowoc County Code sec. 13.13 is repealed in its entirety and recreated to read as follows:

**13.13 Violations. (1)** It is unlawful to violate any provision of this ordinance or fail to comply with any its requirements.

**(2)** It is unlawful to alter, construct, repair, or cause work to be performed on a POWTS in violation of any certificate, directive, or permit issued under the provisions of this ordinance.

**(3)** It is unlawful to interfere, resist, or obstruct the Code Administrator or any other person in the discharge of duties authorized under the provisions of this ordinance.

**(4)** A person who violates a provision of this ordinance shall, upon conviction, forfeit not less than \$100 nor more than \$2,000 for each offense, together with the costs of prosecution for each offense. Each day that a violation exists or continues constitutes a separate offense. A person who is in default of payment of a forfeiture and costs shall be imprisoned in the County Jail until the forfeiture and costs are paid, but shall not be imprisoned for more than 30 days for default of payment of the forfeiture and costs for any given violation.

**(5)** A violation of this ordinance is deemed a public nuisance. The creation of such a nuisance may be enjoined and the maintenance of such a nuisance may be abated by action at suit of the County, the State, or any citizen thereof.

This Ordinance is effective upon adoption and publication as required by law.

Dated this 13th day of September 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable. Revenues and expenses will depend on the number of initial inspections and maintenance inspections performed.

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Bundy, to adopt Resolution 9 (2005/2006-86) Authorizing Out-Of-State Travel for Nancy H. Crowley. Upon vote, the motion carried with 20 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 86

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Nancy H. Crowley)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Emergency Management Director Nancy H. Crowley has been  
2 appointed to the National Radiological Emergency Preparedness (NREP) Conference Steering Committee;  
3 and

4  
5 WHEREAS, the Steering Committee is meeting at the site of the 2006 NREP Conference in St. Louis,  
6 Missouri on November 3-4, 2005; and

7  
8 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) to attend the meeting will  
9 be borne by the Nuclear Management Company (NMC);

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 Nancy H. Crowley to attend the steering committee meeting in St. Louis, Missouri on November 3 and 4,  
13 2005.

Dated this 13th day of September 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. County will be fully reimbursed by NMC.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Goeke, to adopt Resolution 9a (2005/2006-87) Authorizing Out-of-State Travel for Kay Beilke. Upon vote, the motion carried with 20 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 87

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Kay Beilke)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Joint Dispatch Center Administrator Kay Beilke has an opportunity  
2 to attend the Geographic Information Systems (GIS) Conference that will be held in Greensboro, North  
3 Carolina on October 25-27, 2005; and

4  
5 WHEREAS, this conference will provide educational workshops, technical and operational updates,  
6 and a comprehensive foundation of the latest GIS standards related to enhanced 9-1-1; and

8 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) will be fully reimbursed  
9 by the Nuclear Management Company (NMC);

10  
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 Kay Beilke to attend the GIS Conference that will be held in Greensboro, North Carolina on October 25-27,  
13 2005.

Dated this 13th day of September 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Conference expenses will be fully reimbursed to County by NMC.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Goeke, to adopt Resolution 9b (2005/2006-88) Authorizing Out-Of-State Travel for Nancy H. Crowley to Mississippi. Upon vote, the motion carried unanimously.

No. 2005/2006 - 88

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL**  
**(Nancy H. Crowley - Mississippi)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the State of Wisconsin is a party to the Emergency Management Assistance Compact  
2 (EMAC), which is a mutual aid agreement between the states to provide assistance during disasters; and  
3

4 WHEREAS, Wisconsin Emergency Management is following EMAC procedures in providing  
5 assistance to the states impacted by Hurricane Katrina and has asked that Manitowoc County Emergency  
6 Management Director Nancy H. Crowley be deployed to the State of Mississippi to assist in the response to  
7 Hurricane Katrina and the typical EMAC deployment is for 14 days with a day of travel on each end; and  
8

9 WHEREAS, there is a formal agreement between the States of Wisconsin and Mississippi that ensures  
10 that Mississippi will receive the assistance that it requests and only the assistance that it requests; that allows  
11 for the accountability of the people, equipment, and supplies requested; that provides that travel costs,  
12 lodging, per diem, salary, fringe benefits, and other allowable costs in providing assistance will be  
13 reimbursed to Manitowoc County through EMAC; and that adequately addresses all relevant legal issues,  
14 such as certification, licensing, liability and immunity, and workers' compensation;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
17 Nancy H. Crowley to travel to the State of Mississippi as part of the Wisconsin Emergency Management  
18 EMAC response to Hurricane Katrina.

Dated this 13th day of September 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. County will be fully reimbursed for its expenses.

APPROVED: Dan Fischer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported they reviewed the S. 85.21 semi-annual report and are working with Lakeshore Technical College on the possibility of transporting students to the school.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they met on September 9 and are closing in on issues with regard to small wind towers. Their next meeting will be September 26.

Miscellaneous: Chairperson Hansen moved, seconded by Supervisor Rasmussen to adopt Resolution 10 (2005/2006-89) Congratulating Fred Hazlewood on his Retirement as Circuit Court Judge. Upon vote, the motion carried unanimously.

No. 2005/2006 - 89

**RESOLUTION CONGRATULATING FRED HAZLEWOOD  
ON HIS RETIREMENT AS CIRCUIT COURT JUDGE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Fred H. Hazlewood retired as Circuit Court Judge of the Fourth Judicial District on  
2 Friday, August 1, 2005; and  
3

4 WHEREAS, Fred H. Hazlewood was appointed as Circuit Court Judge for Manitowoc County by  
5 Governor Lee Dreyfus in 1980 and was elected by the voters of Manitowoc County to six-year terms as  
6 Circuit Court Judge of the Fourth Judicial District in 1981, 1987, 1993, and 1999; and  
7

8 WHEREAS, Fred H. Hazlewood has served on the Benchbook Committee, the Planning and Policy  
9 Advisory Committee, and the Juvenile Jury Instructions Committee and has guided local efforts to streamline  
10 and improve the judicial process; and  
11

12 WHEREAS, Fred H. Hazlewood has admirably served the community by bringing his knowledge,  
13 wisdom, skill, faith, and vision to the bench; has inspired those who have appeared before him to strive to  
14 achieve their best; and has dedicated himself and his life to the fair and compassionate administration of  
15 justice;  
16

17 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
18 Honorable Fred H. Hazlewood is hereby commended for his honorable service to the people of Manitowoc  
19 County and is hereby congratulated on his retirement as Circuit Court Judge of the Fourth Judicial District;  
20 and  
21

22 BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Honorable Fred H.  
23 Hazlewood with the thanks and commendation of this body.

Dated this 13th day of September 2005.

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

APPROVED: Dan Fischer, County Executive.

Other Business: Supervisor Markwardt reported that WCA announced they will reimburse mileage at the new temporary IRS rate of \$0.485 effective September through December 2005.

Supervisor Brey moved to adjourn. Supervisor Muench seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:52 P.M.

Respectfully submitted,

Char Peterson, County Clerk



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

October 11, 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 11th day of October 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:04 P.M.

Supervisor Joe Janowski 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, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Sloan, Skubal, Vogt and Wagner. Supervisor Behnke was excused.

On a motion by Supervisor Brey and seconded by Supervisor Nate, the September 13, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared Public Input open at 7:07 P.M.

Dave Pozorski, Chairperson of the Silver Lake Park Restoration Committee, presented an overview of the history of Silver Lake Park and the restoration projects that have been going on since 2002. He stated a long term management plan has been developed with the creation of a Silver Lake Park Oversight Committee to ensure continued responsible management practices.

Linda Gratz, Director of CESA 7 Head Start Program, explained Head Start is celebrating its 40<sup>th</sup> anniversary. The Program that began in 1965 is a child and family development program providing services to low income children and families, as well as children with special needs and their families. Services include education, health, nutrition, special services for diagnosed special needs, and family and parent involvement.

Chairperson Hansen suspended Public Input at 7:46 p.m.

County Executive Dan Fischer presented Proclamations to Faye Jaekel of Manitowoc County Veteran's Service Office, Bill Krizek, Calumet County Veterans Service Officer, and volunteer Bob Hanson for their dedication and effort to serve the veterans of Manitowoc County during the leave of absence by Manitowoc County's Veteran Service Officer.

Public Input was resumed at 7:50 p.m. No one else present wished to speak and public input was closed.

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

Chairperson Hansen presented Linda Gratz, Director of CESA 7 Head Start Program, with a Proclamation honoring Head Start for 40 years of service to area families and children.

Chairperson Hansen presented Inspector Rob Herman, with a Proclamation for Crime Prevention Month. Inspector Herman invited everyone to the Crime Prevention activities at the Expo this Saturday.

Supervisor Vogt reported he attended WCA Conference Education Seminars that included workshops with subjects on counties working together, developmental disability policies, controlling health care costs, levy limits and arbitration.

Supervisor Markwardt reported he attended the WCA annual business meeting where 68 counties were represented. All 37 resolutions presented were adopted by the Resolution Committee. He moderated a workshop where they listened to presentations on refining skills as County Board Supervisors. He also attended a Bay Lakes Planning Commission meeting on September 9 to discuss Comprehensive Planning and Coastal Management grants received by Cleveland and Centerville, a nutrient management GIS mapping project, administrative services to the City of Two Rivers for its Eggers Industry project, and an environmental review for the City of Two Rivers Community House.

Supervisor Skubal reported the Utility Tax received by Manitowoc County is declining in 2005 and there has been no explanation for the reduction in the revenue. The dues have remained at \$2104. He explained the Governor vetoed the amendment to the budget where Manitowoc County could have received \$1.5 million in 2007 because there are limited policy justifications for these changes. Since distribution formula changes do not begin until 2009, the Governor indicated these issues will be more appropriately addressed in the next state budget cycle.

Dan Fischer, County Executive, presented the 2005 Executive's Proposed Annual Budget and stated departments met their targets. We were given a levy increase of 2 percent that also must cover library and bridge aids which never was included in the past. The Towns increased their bridge expenses by over \$100,000 which we have no control over and we are now asking the Board to approve a resolution for the borrowing of \$168,270 to cover these costs. A major challenge departments face include a 16.88% increase in health insurance premiums for which there is a budget proposal of a 10 percent increase in employee contribution with a 3 percent wage increase. If we cannot negotiate these changes, we will be looking at closing down various operations for a number of hours. The biggest revenue challenge for our Sheriff will be the possibility of the state reducing the number of state prisoners being housed in Manitowoc County and not filling two positions upon retirement. He answered supervisors' questions.

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

Board of Health: Supervisor Barnes moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2005/2006-90) Adopting Health Department Fee Schedule. The Clerk announced a friendly amendment to Appendix A. The word "Pool" was added to "Pre-Inspection-Restaurant/Hotel/Motel/Pool-Change of Operator" and to "Pre-Inspection-Restaurant/Hotel/Motel/Pool-New/Extensive Remodel." Upon discussion and vote, the motion carried with 23 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors voted aye.

No. 2005/2006 - 90

#### **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 (07/01/2006 - 06/30/2007) 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 approves  
9 the proposed Health Department Fee Schedule (07/01/2006 - 06/30/2007).

Dated this 11th day of October 2005.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Barnes reported they will meet Thursday, October 13 and reminded everyone to get their flu shot.

Economic Development Corporation: Supervisor Maresh reported an invitation was sent to everyone for the official "Road Map to Success" event taking place on October 25 with registration beginning at 3:00 p.m. She answered supervisors' questions.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 2 (2005/2006-91) Authorizing Manitowoc County to Borrow \$168,270 by Issuing a General Obligation Promissory Note Pursuant to Wis. Stat. § 67.12(12) and Authorizing the Sale of the Note. Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2005/2006 - 91

**RESOLUTION AUTHORIZING MANITOWOC COUNTY TO BORROW  
\$168,270 BY ISSUING A GENERAL OBLIGATION PROMISSORY NOTE  
PURSUANT TO WIS. STAT. § 67.12(12) AND AUTHORIZING THE SALE OF  
THE NOTE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS Manitowoc County, Wisconsin (sometimes hereinafter called the "County") is presently  
2 in need of the sum of One Hundred Sixty-Eight Thousand Two Hundred Seventy Dollars (\$168,270) for  
3 public purposes, including paying part of the costs of highway improvement projects; and  
4

5 WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County  
6 that the monies needed for such purposes be borrowed by issuing a general obligation promissory note  
7 pursuant to the provisions of Wis. Stat. § 67.12(12) upon the terms and conditions hereinafter provided;  
8

9 NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Manitowoc County,  
10 Wisconsin, that:  
11

12 Section 1. Sale of Note. The County shall sell and deliver its \$168,270 General Obligation  
13 Promissory Note (the "Note"), issued for the purposes above stated, to Associated Bank (the "Purchaser")  
14 for the purchase price of \$168,270.  
15

16       Section 2. The Note. The Chairperson and County Clerk shall make, execute, and deliver the Note  
17 to the Purchaser for and on behalf of the County. The Note shall be a negotiable, general obligation  
18 promissory note of the County, registered as to both principal and interest, numbered R-1 and dated  
19 November 1, 2005. The Note shall mature on November 2, 2006.

20  
21       Interest on the Note, in the amount provided below, shall be payable on the maturity date of the Note.  
22 The Note shall bear interest at a rate per annum such that the interest due on the Note at maturity is \$6,730.

23  
24       The Note shall not be subject to call and payment prior to maturity.

25  
26       Section 3. Form of Note. The Note shall be in substantially the form attached hereto as Exhibit A and  
27 incorporated herein by this reference.

28  
29       Section 4. Tax Provisions.

30  
31       (a) Direct, Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the  
32 Note as the same become due, the full faith, credit, and resources of the County are hereby irrevocably  
33 pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual,  
34 irrepealable tax in the year 2005 for payment of principal of and interest on the Note in the year 2006 in the  
35 amount of \$175,000.

36  
37       (b) Tax Collection. The County shall be and continue without power to repeal such levy or obstruct  
38 the collection of said tax until all such payments have been made or provided for. After the issuance of the  
39 Note, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes  
40 are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the  
41 amount of any surplus money in the Debt Service Account created in Section 5(a) hereof.

42  
43       (c) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax  
44 levy to meet principal or interest payments, or both, on said Note when due, the requisite amounts shall be  
45 paid from other funds of the County then available, which sums shall be replaced upon the collection of the  
46 taxes herein levied.

47  
48       Section 5. Debt Service Fund and Account.

49  
50       (a) Creation and Deposits. There be and there hereby is established in the treasury of the County, if  
51 one has not already been created, a debt service fund, separate and distinct from every other fund, which shall  
52 be maintained in accordance with generally accepted accounting principles. Sinking funds established for  
53 obligations previously issued by the County may be considered as separate and distinct accounts within the  
54 debt service fund.

55  
56       Within the debt service fund, there be and there hereby is established a separate and distinct account  
57 designated as the "Debt Service Account for \$168,270 'General Obligation Promissory Note,' dated  
58 November 1, 2005" (the "Debt Service Account") and such account shall be maintained until the  
59 indebtedness evidenced by the Note is fully paid or otherwise extinguished. The County Treasurer shall  
60 deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery  
61 of and payment for the Note; (ii) the taxes herein levied for the specific purpose of meeting principal of and  
62 interest on the Note when due; (iii) such other sums as may be necessary at any time to pay principal of and  
63 interest on the Note when due; (iv) any premium which may be received by the County above the par value  
64 of the Note and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in  
65 Section 6 hereof; and (vi) such further deposits as may be required by Wis. Stat. § 67.11.

67 (b) Use and Investment. No money shall be withdrawn from the Debt Service Account and  
68 appropriated for any purpose other than the payment of principal of and interest on the Note until all such  
69 principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment  
70 of principal of and interest on the Note prior to the scheduled receipt of taxes from the next succeeding tax  
71 collection may be invested in direct obligations of the United States of America maturing in time to make  
72 such payments when they are due or in other investments permitted by law; and (ii) any funds over and above  
73 the amount of such principal and interest payments on the Note may be used to reduce the next succeeding  
74 tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject  
75 to Wis. Stat. § 67.11(2)(a) in interest-bearing obligations of the United States of America, in other  
76 obligations of the County, or in other investments permitted by law, which investments shall continue to be  
77 a part of the Debt Service Account.

78  
79 (c) Remaining Monies. When the Note has been paid in full and canceled, and all permitted  
80 investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general  
81 fund of the County, unless the County Board of Supervisors directs otherwise.

82  
83 Section 6. Proceeds of the Note. All monies received by the County upon the delivery of the Note  
84 to the Purchaser thereof, except for accrued interest and premium, if any, shall be deposited by the County  
85 Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct  
86 from all other funds of the County and shall be used for no purpose other than the purpose for which the Note  
87 is issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the  
88 general fund of the County or of any special revenue fund of the County that is supported by property taxes.  
89 Monies in the Borrowed Money Fund may be temporarily invested as provided in Wis. Stat. § 66.0603(1m).  
90 Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund  
91 after the purpose for which the Note has been issued has been accomplished, and, at any time, any monies  
92 as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in  
93 the Debt Service Account.

94  
95 Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but  
96 no such investment shall be made in such a manner as would cause the Note to be an "arbitrage bond" within  
97 the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the  
98 Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the  
99 County, charged with the responsibility for issuing the Note, shall certify as to facts, estimates,  
100 circumstances, and reasonable expectations in existence on the date of closing which will permit the  
101 conclusion that the Note is not an "arbitrage bond," within the meaning of the Code or Regulations.

102  
103 Section 8. Persons Treated as Owners; Transfer of Note. The County Clerk shall keep books for the  
104 registration and for the transfer of the Note. The person in whose name the Note shall be registered shall be  
105 deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or  
106 interest on the Note shall be made only to the registered owner thereof. All such payments shall be valid and  
107 effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

108  
109 The Note may be transferred by the registered owner thereof by surrender of the Note at the office of  
110 the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the  
111 registered owner or the registered owner's attorney duly authorized in writing. Upon such transfer, the  
112 Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new  
113 Note or Notes of a like aggregate principal amount, series, and maturity, and the County Clerk shall record  
114 the name of each transferee in the registration book. No registration shall be made to bearer. The County  
115 Clerk shall cancel any Note surrendered for transfer.

117 The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized  
118 to execute any new Note or Notes necessary to effect any such transfer.  
119

120 The fifteenth day of each calendar month next preceding each interest payment date shall be the record  
121 dates for the Note. Payment of interest on the Note on any interest payment date shall be made to the  
122 registered owners of the Note as they appear on the registration book of the County at the close of business  
123 on the corresponding record date.  
124

125 Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the  
126 projects financed by the Note and their ownership, management, and use will not cause the Note to be a  
127 "private activity bond" within the meaning of Section 141 of the Code. The County further covenants that  
128 it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of  
129 the interest on the Note including, if applicable, the rebate requirements of Section 148(f) of the Code. The  
130 County further covenants that it will not take any action, omit to take any action, or permit the taking or  
131 omission of any action within its control (including, without limitation, making or permitting any use of the  
132 proceeds of the Note) if taking, permitting, or omitting to take such action would cause the Note to be an  
133 arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest  
134 on the Note to be included in the gross income of the recipients thereof for federal income tax purposes. The  
135 County Clerk or other officer of the County charged with the responsibility of issuing the Note shall provide  
136 an appropriate certificate of the County certifying that the County can and covenanting that it will comply  
137 with the provisions of the Code and Regulations.  
138

139 (b) The County also covenants to use its best efforts to meet the requirements and restrictions of  
140 any different or additional federal legislation which may be made applicable to the Note provided that in  
141 meeting such requirements the County will do so only to the extent consistent with the proceedings  
142 authorizing the Note and the laws of Wisconsin and to the extent that there is a reasonable period of time in  
143 which to comply.  
144

145 Section 10. Designation as Qualified Tax-Exempt Obligation. The Note is hereby designated as  
146 "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986, as  
147 amended, relating to the ability of financial institutions to deduct from income for federal income tax  
148 purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.  
149

150 Section 11. Records. The County Clerk shall provide and keep a separate record book and shall  
151 record a full and correct statement of every step or proceeding had or taken in the course of authorizing and  
152 issuing the Note.  
153

154 Section 12. Closing. The Chairperson and County Clerk of the County are hereby authorized and  
155 directed to execute and deliver the Note to the Purchaser thereof upon receipt of the borrowed funds, accrued  
156 interest to date of delivery, and premium, if any. The Chairperson and County Clerk may execute the Note  
157 by manual or facsimile signature, but at least one of said officers shall sign the Note manually.  
158

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

Dated this 11th day of October 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Requires a property tax levy of \$175,000 to repay principal of \$168,270 and interest of \$6,730, which are included in the County Executive's proposed 2006 budget.

APPROVED: Dan Fischer, County Executive.

EXHIBIT A

UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
MANITOWOC COUNTY

GENERAL OBLIGATION PROMISSORY NOTE

Number	Maturity Date	Date of Original Issue	Principal Amount
R-1	November 2, 2006	November 1, 2005	\$168,270

FOR VALUE RECEIVED, Manitowoc County, Wisconsin, promises to pay to \_\_\_\_\_, or registered assigns, the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) on the maturity date specified above, together with interest thereon, payable at maturity, in the amount of \$6,730.

The Note shall not be subject to call and payment prior to maturity.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America, and for the prompt payment of this Note with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit, and resources of Manitowoc County, Wisconsin, are hereby irrevocably pledged. The principal of this Note shall be payable only upon presentation and surrender of this Note at the office of the County Treasurer. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the County Treasurer to the person in whose name this Note is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Note is transferable only upon the books of the County kept for that purpose at the office of the County Clerk, by the registered owner in person or the registered owner's duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the County Clerk duly executed by the registered owner or the registered owner's duly authorized attorney. Thereupon a new Note or Notes of the same aggregate principal amount, series, and maturity shall be issued to the transferee in exchange therefor. The County may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Note is issued pursuant to the provisions of Wis. Stat. § 67.12(12), for public purposes, including paying part of the costs of highway improvement projects, and is authorized by a resolution of the County Board of Supervisors of the County, duly adopted by said County Board of Supervisors at its meeting duly convened on October 11, 2005, which resolution is recorded in the official book of its minutes for said date.

This Note has been designated by the County as a “qualified tax-exempt obligation” for purposes of Section 265 of the Internal Revenue Code of 1986, as amended.

It is hereby certified and recited that all conditions, things, and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed, and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others authorized simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that the County has levied a direct, annual irrevocable tax sufficient to pay this Note, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the County Board of Supervisors of Manitowoc County, Wisconsin, has caused this Note to be signed on behalf of said County by its duly qualified and acting Chairperson and County Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

MANITOWOC COUNTY, WISCONSIN

By : Char Peterson, County Clerk

Paul B. Hansen, Chairperson

Supervisor Brey stated Finance will be meeting on October 20 and October 26 to review the proposed department budgets and the public is invited to attend.

Health Care Center Committee: Supervisor Vogt reported staff changes were approved at the Health Care Center to provide additional time for the Administrator to assume his duties as the Division of Health and Family Services Coordinator. The State visited the facility for the annual nursing home survey and indicated a potential citing.

Highway Committee: Supervisor Sloan reported they will be finishing road projects in the next two or three weeks and taxiways are being paved at the Airport and will be completed later this month.

Human Services Board: Supervisor Bundy moved, seconded by Supervisor Muench, to adopt Resolution 3 (2005/2006-92) Honoring Head Start for 40 Years of Service to Area Families and Children. Upon vote, the motion carried unanimously.

No. 2005/2006 - 92

**RESOLUTION HONORING HEAD START FOR 40 YEARS  
OF SERVICE TO AREA FAMILIES AND CHILDREN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:



1 WHEREAS, Head Start is a federally sponsored program that serves children and families with low  
2 incomes, as well as children who have special needs, and that provides an array of educational and family  
3 strengthening services geared to the developmental needs of young children; and  
4

5 WHEREAS, Head Start has proven to be one of the most effective and valued services ever created  
6 by the federal government; and  
7

8 WHEREAS, the Head Start Program in Manitowoc County began in the summer of 1965 as a  
9 cooperative effort between the Reedsville Public School District and the Manitowoc County Social Services  
10 Department, now known as the Manitowoc County Human Services Department, and has grown to serve  
11 younger children and their families through the addition of the Early Head Start Program; and  
12

13 WHEREAS, Head Start and Early Head Start have affiliated with the Wisconsin Cooperative  
14 Educational Services Agency (CESA) #7 and are effective, important, and valuable programs that have  
15 improved the lives of hundreds of children and their families in Manitowoc and Brown Counties;  
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
18 congratulates the CESA #7 Head Start and Early Head Start Programs on their 40th anniversary; and  
19

20 BE IT FURTHER RESOLVED that CESA #7 will be provided with a copy of this proclamation in  
21 appreciation for the Head Start and Early Head Start services that it provides to the families and children of  
22 Manitowoc County.

Dated this 11th day of October 2005.

Respectfully submitted by the Human Services Board.

APPROVED: Dan Fischer, County Executive.

Supervisor Bundy commended the Human Services staff for their hard work on the 2006 proposed budget presentation at their meeting.

Legislative Review Committee: Supervisor Markwardt reported they discussed the 2% levy increase and new growth in districts, the impact of bridge aid and library levies, medicaid reimbursement rates, federal and state aid for refugees and Tabor. They will be meeting every other month on the first Monday and their next meeting will be December 5. He answered supervisors questions.

Personnel Committee: Supervisor Vogt reported they discussed the IRS mileage rate increase effective September 1, 2005 through December 31, 2005; approved the Desktop Technician position in the Information Systems Office; approved the .28 FTE SVRS Specialist position in the County Clerk's Office for the federally mandated Statewide Voter Registration System; and the County will stay with Blue Cross/Blue Shield as their carrier for 2006 with a projected 16.88 percent increase in premiums.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 4 (2005/2006-93) Amending Represented and Non-Represented Employee Policy and Procedure Manuals. Discussion followed.

Supervisor Brey moved, seconded by Supervisor Rasmussen, amending the following three Sections: Section 26.02 - line 5, delete: "Unless specifically authorized, the use of a motorcycle, moped,,.....is reasonably necessary to perform a particular work function." AND Section 26.05 - Paragraph 2, delete: "Unless specifically authorized, the use of a motorcycle, moped.....is reasonably necessary to perform a particular

function.” AND Section 26.07 - line 4, delete: “Because the use of motorcycles, bicycles, mopeds,....is not allowed for these means of transportation.” Upon discussion and vote, the motion carried with 14 ayes and 10 noes. Supervisors Maresh, Barnes, Braunel, Skubal, Kozlowski, Vogt, Rappe, Goeke, Janowski and Markwardt voted no; all other supervisors vote aye.

Upon discussion and vote on the main motion, as amended, the motion carried with 19 ayes and 5 noes. Supervisors Maresh, Barnes, Braunel, Skubal and Markwardt voted no; all other supervisors voted aye.

No. 2005/2006 - 93

**RESOLUTION AMENDING REPRESENTED AND NON-REPRESENTED  
EMPLOYEE POLICY AND PROCEDURE MANUALS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted Represented and Non-Represented Personnel and Policy  
2 Manuals to ensure fair and equal treatment of County employees and compliance with Federal and State  
3 employment laws; and  
4

5 WHEREAS, both the Represented and Non-Represented Personnel and Policy Manual contain a  
6 Travel Policy which defines the terms and conditions of authorized travel and eligibility for reimbursement  
7 of reasonable and necessary travel expenses actually incurred in the performance of official duties; and  
8

9 WHEREAS, the Personnel Committee recommends that the County prohibit the use of motorcycles,  
10 bicycles, mopeds, all terrain vehicles, snowmobiles, personal watercraft, and similar methods of  
11 transportation in order to control the County’s exposure to liability resulting from employee travel; and  
12

13 WHEREAS, a copy of the proposed revisions to the Travel Policy has been provided to the County  
14 Board; and  
15

16 WHEREAS, the proposed policy allows for exceptions on a case by case basis when necessary to  
17 perform specific work tasks; and  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Travel Policy contained in the Represented and  
20 Non-Represented Employee Policy and Procedure Manuals is amended to include the proposed revisions.

Dated this 11th day of October 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 5 (2005/2006-94) Expressing Appreciation for Staff of the Veterans Service Office. Upon vote, the motion carried unanimously.

**RESOLUTION EXPRESSING APPRECIATION  
FOR STAFF OF THE VETERANS SERVICE OFFICE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County's Veterans Service Office provides valuable services to the veterans  
2 of Manitowoc County; and  
3

4 WHEREAS, the County Veterans Services Officer has been on an approved leave of absence since  
5 June 10, 2005; and  
6

7 WHEREAS, Bill Krizek, Faye Jaeckel, and Bob Hanson have admirably performed the duties and  
8 responsibilities necessary to ensure that service to Manitowoc County veterans has been maintained and that  
9 each veteran's needs have been met;  
10

11 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that it  
12 expresses its sincere appreciation for the service provided to Manitowoc County veterans by Bill Krizek,  
13 Faye Jaeckel, and Bob Hanson, and  
14

15 BE IT FURTHER RESOLVED that a copy of this resolution is to be presented to Bill Krizek, Faye  
16 Jaeckel, and Bob Hanson.

Dated this 11th day of October 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Mueller, to adopt  
Resolution 6 (2005/2006-95) Adopting Planning and Park Commission Report Denying Zoning Amendment  
Petition for William Kappelman. Upon vote, the motion carried unanimously.

**RESOLUTION ADOPTING PLANNING AND PARK COMMISSION REPORT  
DENYING ZONING AMENDMENT PETITION  
(William Kappelman)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Steve and Debra Reynolds, buyers, on August 7, 2005, to  
2 rezone approximately 1.12 acres of land, owned by William Kappelman, located in the NW¼, SW¼, Section  
3 19, T20N-R24E, Town of Kossuth, 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 September 12, 2005 at 10:00 a.m. at the Manitowoc County  
9 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 Steven Reynolds and William Kappelman.

Dated this 11th day of October 2005.

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 (2005/2006-96) Amending Zoning Map for Sidney and Jean Becker, Ordinance 8 (2005/2006-97) Amending Zoning Map for Leon Koch, Ordinance 9 (2005/2006-98) Amending Zoning Map for Harold Koerner, and Ordinance 10 (2005/2006-99) Amending Zoning Map for Normand Brisson. Upon vote, the motion carried with 22 ayes and 2 noes. Supervisors Rappe and Goeke voted no; all other supervisors vote aye.

No. 2005/2006 - 96

**ORDINANCE AMENDING ZONING MAP  
(Sidney and Jean Becker)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on September 12, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;

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

10  
11 A parcel of land located in the NE¼, NW¼, Section 9, T17N-R22E, Town of Meeme,  
12 commencing at the N¼ corner of said Section 9; thence westerly approximately 858 feet; thence  
13 southerly approximately 33 feet to the south r/w of Point Creek Road which is the point of real  
14 beginning; thence continue southerly approximately 471.4 feet; thence westerly approximately  
15 462 feet; thence northerly approximately 471.4 feet; thence easterly along the south r/w of Point

16  
17 Creek Road approximately 462 feet to the point of real beginning, said parcel containing  
18 approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
19 Agriculture.

Dated this 11th day of October 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 97

**ORDINANCE AMENDING ZONING MAP  
(Leonard Koch)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on September 12, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SW¼, NE¼, Section 25, T19N-R22E, Town of Cato,  
12 commencing at the center of said Section 25; thence northerly approximately 775 feet; thence  
13 easterly approximately 475 feet which is the point of real beginning; thence northerly  
14 approximately 475 feet; thence easterly approximately 475 feet; thence southerly approximately  
15 475 feet; thence westerly approximately 475 feet to the point of real beginning, said parcel  
16 containing approximately 5.18 acres of land, shall be and is hereby rezoned from A3  
17 Agriculture to A2 Agriculture.  
18

19 A parcel of land located in the NW¼, NE¼, Section 25, T19N-R22E, Town of Cato,  
20 commencing at the N¼ corner of said Section 25; thence southerly approximately 33 feet;  
21 thence easterly approximately 33 feet to the south r/w of CTH JJ which is the point of real  
22 beginning; thence continue easterly along the south r/w of CTH JJ approximately 158 feet;  
23 thence southerly approximately 654 feet; thence northwesterly approximately 219 feet; thence  
24 northerly along the east r/w of Norstad Road approximately 430 feet to the point of real  
25 beginning, said parcel containing approximately 1.97 acres of land, shall be and is hereby  
26 rezoned from A2 Agriculture to A3 Agriculture.  
27

28 A parcel of land located in the SW¼, SE¼, Section 24, T19N-R22E, Town of Cato,  
29 commencing at the S¼ corner of said Section 24; thence northeasterly along the south r/w of  
30 CTH JJ approximately 200 feet which is the point of real beginning; thence continue  
31 northeasterly along the south r/w of CTH JJ approximately 750 feet; thence southerly  
32

33 approximately 344 feet; thence westerly approximately 775 feet; thence northerly  
34 approximately 50 feet to the point of real beginning, said parcel containing approximately 3.49  
35 acres of land, shall be and is hereby rezoned from A2 Agriculture to A3 Agriculture.

Dated this 11th day of October 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 98

**ORDINANCE AMENDING ZONING MAP  
(Harold Koerner)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on September 12, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SE¼, SE¼, Section 7, T19N-R23E, Town of Manitowoc Rapids,  
12 commencing at the SE corner of said Section 7; thence westerly approximately 955 feet; thence  
13 northerly approximately 33 feet to the north r/w of Hilltop Road which is the point of real  
14 beginning; thence continue northerly approximately 600 feet; thence westerly approximately  
15

16 365 feet; thence southerly approximately 600 feet; thence easterly along the north r/w of Hilltop  
17 Road approximately 365 feet to the point of real beginning, said parcel containing  
18 approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
19 Agriculture.

Dated this 11th day of October 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 99

**ORDINANCE AMENDING ZONING MAP  
(Normand Brisson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on September 12, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SW¼, SE¼, Section 11, T17N-R22E, Town of Meeme,  
12 commencing at the S¼ corner of said Section 11; thence easterly approximately 350 feet along  
13 the centerline of CTH X; thence northerly approximately 33 feet to the north r/w of CTH X  
14 which is the point of real beginning; thence easterly approximately 250 feet; thence northerly  
15 approximately 250 feet; thence westerly approximately 250 feet; thence southerly along the east  
16 r/w of STH 42 approximately 250 feet to the point of real beginning, said parcel containing  
17 approximately 1.43 acres of land, shall be and is hereby rezoned from A2 Agriculture to A1  
18 Agriculture.

Dated this 11th day of October 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench announced Emergency Management will be setting up a meeting on October 25 with the engineer regarding their communication towers study and everyone is welcome to attend.

Supervisor Muench moved, seconded by Supervisor Janowski, to adopt Resolution 11 (2005/2006-100) Accepting Training Award (Continuity of Operations/Continuity of Government). Upon vote, the motion carried unanimously.

No. 2005/2006 - 100

**RESOLUTION ACCEPTING TRAINING AWARD  
(Continuity of Operations/Continuity of Government)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Emergency Management is making a \$7,952 FY 2005 training award  
2 available to Manitowoc County for the accomplishment of a (COOP/COG) tabletop exercise on February  
3 9, 2006; and  
4

5 WHEREAS, this and any future training awards will enhance the county's ability to effectively  
6 provide continuity of county services in the event of a disaster;  
7  
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
10 the Manitowoc County Emergency Management Department to apply for and accept the available funds and  
11 directs the Comptroller/Auditor to record such information in the official books of the County for the years  
12 ending December 31, 2005 and December 31, 2006 as may be required.

Dated this 11th day of October 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and associated expenses by up to \$7,952.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Goeke, to enact Ordinance 11a (2005/2006-101) Amending Manitowoc County Code § 4.13 Pertaining to Sheriff's Department Fees. Upon vote, the motion carried unanimously.

No. 2005/2006 - 101

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 4.13  
PERTAINING TO SHERIFF'S DEPARTMENT FEES**

1 WHEREAS, certain fees for the Manitowoc County Sheriff's Department that have been set by  
2 resolution or ordinance need to be adjusted to reflect the increased costs of providing services; and  
3

4 WHEREAS, the Public Safety Committee has reviewed the proposed fee increases and recommends  
5 that they be incorporated into an ordinance;  
6

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

10 Manitowoc County Code sec. 4.13(3g)(a) pertaining to Huber inmate charges is amended effective  
11 January 1, 2006 as follows:  
12

13 (a) Every inmate of the Manitowoc County Jail who is granted privileges under Wis. Stat. § 303.08  
14 and who is gainfully employed for wages or salary, gainfully self-employed, or receiving unemployment  
15 insurance or employment training benefits while in custody in the jail shall be liable for charges not to  
16 exceed the full per person maintenance and cost of the prisoner's board in the jail. The Sheriff shall charge  
17 a fee of ~~\$15.00~~ \$18 per day, tax included, for board to each such inmate.  
18

19 Manitowoc County Code sec. 4.13(3m)(b) pertaining to electronic monitoring program fees is  
20 amended effective January 1, 2006 as follows:  
21

22 (b) The Sheriff is authorized to charge a one-time processing fee of \$40, tax included, for each period  
23 of time that a prisoner participates in the electronic monitoring program; a daily fee of ~~\$15~~ \$18 per day, tax  
24 included, for each day that a prisoner participates in the electronic monitoring program; the actual cost of  
25 any alert notification resulting from the violation of program conditions; and the actual cost of any damage  
26 to electronic monitoring program equipment caused by a prisoner.  
27

28 Manitowoc County Code sec. 4.13(3p ) is created effective January 1, 2006 to read as follows:  
29



30 The Sheriff is authorized to charge a process service fee of \$35 for each person served, plus \$25 for  
31 each attempted service. In the event that a process server is able to serve more than one person at the same  
32 address on the same date and at the same time, the fee for the second and each additional service will be \$35.

Dated this 11th day of October 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Increases revenue by \$54,260, which has been included in the County Executive's proposed 2006 budget.

APPROVED: Dan Fischer, County Executive.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they will be revisiting the issues of setbacks and noise related to small wind towers at their October 24 meeting.

Miscellaneous: Chairperson Vogt moved, seconded by Supervisor Sloan to adopt Resolution 12 (2005/2006-102) Amending Represented and Non-Represented Employee Policy and Procedure Manuals Relating to Conference Room Policy. Upon vote, the motion carried unanimously.

No. 2005/2006 - 102

**RESOLUTION AMENDING REPRESENTED AND NON-REPRESENTED  
EMPLOYEE POLICY AND PROCEDURE MANUALS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted Represented and Non-Represented Personnel and Policy  
2 Manuals to ensure fair and equal treatment of County employees and compliance with Federal and State  
3 employment laws; and  
4

5 WHEREAS, Manitowoc County has limited physical resources and it is necessary to assure that  
6 adequate conference and meeting rooms are available to perform county and other government-related  
7 business; and  
8

9 WHEREAS, a Conference Room Usage Policy will assist the county in controlling the County's  
10 exposure to liability resulting from conference and meeting room usage; and  
11

12  
13 WHEREAS, a copy of the proposed Conference Room Usage Policy has been provided to the County  
14 Board;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the Represented and Non-Represented Employee  
17 Policy and Procedure Manuals be amended to include the proposed Conference Room Usage Policy.

Dated this 11th day of October 2005.

Respectfully submitted by the Public Works Committee.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:       None.

APPROVED:            Dan Fischer, County Executive.

Other Business: Chairperson Hansen announced the Annual Meeting and Public Hearing on the Proposed 2006 Budget will be November 7 with the Adoption of the 2006 Budget on November 15, 2005.

Supervisor Janowski moved to adjourn. Supervisor Graunke seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:08 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

November 7, 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 7th day of November 2005, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:04 P.M.

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

Roll call: 21 members present; Barnes, Bauknecht, Behnke, Braunel, Bundy, Gauger, Goeke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Vogt and Wagner. Supervisors Brey, Graunke and Sloan were excused. Supervisor Dobbs was absent.

On a motion by Supervisor Nate and seconded by Supervisor Skubal, the October 11, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input on the 2006 Executive's Proposed Annual Budget open at 7:07 P.M.

Russ Steeber, Kellnersville, addressed the Board on the proposed budget asking if car allowance expenses for the Highway Department and Sheriff Department were listed as separate line items.

Chairperson Hansen declared public input on the budget closed at 7:11 p.m.

Chairperson Hansen declared public input open on non-budget issues at 7:11 p.m.

Jay Mundinger, Emerging Energies partner, spoke on their request for a conditional use permit to erect wind turbines that had been postponed despite their application being submitted prior to the creation of a moratorium.

No one else present wished to speak and public input was closed at 7:14 p.m.

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

Board of Health: Supervisor Barnes moved, seconded by Supervisor Rasmussen, to enact Ordinance 1 (2005/2006-103) Amending Manitowoc County Code Sec. 7.12(18) (Restaurant Plan Requirement). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 7.12(18)**  
**(Restaurant Plan Requirement)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Health Department is responsible for the inspection and licensing of restaurants; and

2  
3 WHEREAS, a restaurant license cannot be granted unless the Health Department determines that all  
4 applicable codes have been met; and

5  
6 WHEREAS, the Board of Health recommends that the plans to construct or alter a restaurant be  
7 reviewed by the Health Department prior to construction to make certain that all applicable codes will be  
8 followed;

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(18) is created to read as follows:

14  
15 (18) RESTAURANT PLAN REQUIREMENT. (a) No person may construct or alter a restaurant  
16 without submitting a plan to or requesting a waiver of the plan requirement from the Health Department.  
17 The plan or waiver request must describe the amount and character of the proposed work. The plan must  
18 include a floor plan; equipment plan and specifications; wall, floor, and ceiling finishes; and a food service  
19 kitchen ventilation plan. The Health Department may grant a waiver of the plan requirement for minor  
20 alterations to a restaurant, such as the replacement of equipment.

21  
22 (b) No person may add to, delete from, or otherwise modify an approved plan unless the proposed  
23 addition, deletion, or modification has been submitted to and approved by the Health Department.

24  
25 (c) No person may construct or alter a restaurant without a plan or a waiver request that has been  
26 approved by the Health Department.

27  
28 (d) No person may construct or alter a restaurant in any manner that deviates from a plan that has been  
29 approved by the Health Department.

30  
31 (e) A plan review fee must be paid at the time a plan is submitted. No fee is required for a waiver  
32 request.

33  
34 (f) This subsection is effective July 1, 2006.

Dated this 7th day of November 2005.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable. The amount of revenue and expenses will depend on the number  
of plans or waiver requests submitted for review.

APPROVED: Dan Fischer, County Executive.

Supervisor Barnes reminded supervisors October was Breast Cancer Awareness Month and the Post Office has a stamp available where 8 cents from the sale of each stamp would go to a research fund for breast cancer. He reported the Great American Smokeout is in November and they will be discussing smoking in restaurants and bars at their next meeting.

Economic Development Corporation: Supervisor Maresh reported they presented the Economic Development Corporation's strategic plan, "Road Map to Success," on October 25.

Expo Board: Supervisor Behnke reported they are working on the entertainment acts for the 2006 County Fair; the first flea market will be this Saturday and they are looking for volunteers to help with the event.

Finance Committee: Supervisor Rasmussen moved, seconded by Supervisor Muench, to adopt Resolution 2 (2005/2006-104) Approving Revolving Loan Fund Loan (Twin Fountains LLC). Todd Reckelberg explained the Revolving Loan Fund Grant is money provided by the State to the County for the purpose of loaning out for business expansion. Upon vote, motion carried unanimously.

No. 2005/2006 - 104

**RESOLUTION APPROVING REVOLVING LOAN FUND LOAN  
(Twin Fountains LLC)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County applied for and received a number of grants from the Department of  
2 Commerce under the Community Development Block Grant – Economic Development program and the  
3 funds received under this program were distributed to businesses as low interest loans to purchase equipment  
4 and inventory and to serve as collateral for working capital; and  
5

6 WHEREAS, the repayment of these loans is being used to collateralize a County Revolving Loan Fund  
7 program pursuant to the terms and conditions of the original grant applications; and  
8

9 WHEREAS, the County has established a Loan Review Board to review and make recommendations  
10 regarding applications for business loans from the Revolving Loan Fund; and  
11

12 WHEREAS, Twin Fountains LLC has submitted a complete application for a loan in the amount of  
13 \$75,000 from the Revolving Loan Fund; and  
14

15 WHEREAS, the Loan Review Board has reviewed the application; the Loan Review Board has  
16 investigated and reviewed the application and has recommended to the Finance Committee that the loan be  
17 approved subject to the terms contained in the Revolving Loan Fund Agreement; and  
18

19 WHEREAS, the Finance Committee, after review and study of the application and the Loan Review  
20 Board's recommendation, recommends that the County Board approve the loan;  
21

22 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
23 a loan from the Revolving Loan Fund to Twin Fountains LLC in the amount of \$75,000 on the terms  
24 contained in the Revolving Loan Fund Agreement, a copy of which has been provided to the County Board;  
25 and  
26

27 BE IT FURTHER RESOLVED that the Comptroller, Corporation Counsel, and such other County  
28 officials as may be appropriate are directed to prepare, file, and sign the appropriate documentation and paper  
29 necessary to effect this loan and to protect the Revolving Loan Fund.

Dated this 7th day of November 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Supervisor Rasmussen moved, seconded by Supervisor Maresh, to adopt Resolution 3 (2005/2006-105) Canceling County Checks not Presented Within Two Years of Issuance. Upon vote, the motion carried unanimously.

No. 2005/2006 - 105

**RESOLUTION CANCELING COUNTY CHECKS  
NOT PRESENTED WITHIN TWO YEARS OF ISSUANCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a few of the many thousand payroll and general checks issued by Manitowoc County are  
2 not presented for payment within two years of their date of issuance and the County Treasurer is required  
3 to account for these uncashed checks in the reserve to the County's checking account, and  
4

5 WHEREAS, Wis. Stat. § 59.64(4e) provides that the County Board may, at its annual meeting, cancel  
6 checks which have not been presented for payment within two years of their issuance;  
7

8 NOW, THEREFORE, BE IT RESOLVED that those checks shown on the attached lists which were  
9 issued by Manitowoc County prior to October 31, 2003 and were not presented for payment within two years  
10 of their issuance are hereby canceled and without value; and  
11

12 BE IT FURTHER RESOLVED that the payee of each such cancelled check may make application to  
13 the County Board Chair and County Clerk to have a new check issued for the original amount, without  
14 interest, and that the Treasurer shall issue such a check within sixty days of written notice of approval of such  
15 application by the County Board Chair and County Clerk.

Dated this 7th day of November 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:	Increases available cash balance in Acct.#100-001 by:	\$4,462.55
	Increases available cash balance in Acct.#160-485 by:	78.87
	<u>Increases available cash balance in Acct.#126-770 by:</u>	<u>382.88</u>
	Total increase in available cash balance:	\$4,924.30

APPROVED: Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 4 (2005/2006-106) Supporting LRB 3832 Regarding Sharing Federal IGT Funds. Supervisor Markwardt requested a friendly amendment asking that a certified copy of the resolution be sent to the Wisconsin Counties Association and there was no objection. Upon vote, the motion carried unanimously.

**RESOLUTION SUPPORTING LRB 3832 REGARDING SHARING FEDERAL IGT FUNDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc Health Care Center and other nursing homes operated by local  
2 governments in Wisconsin sustain losses because of insufficient reimbursement rates under the Medical  
3 Assistance (Medicaid) program; and

4  
5 WHEREAS, the Federal Government provides each state with Intergovernmental Transfer (IGT)  
6 payments based on the losses sustained by local government-operated nursing homes; and

7  
8 WHEREAS, the State of Wisconsin passes on only part of the IGT funds to the local governments that  
9 operate nursing homes and that have sustained the losses caused by inadequate Medicaid reimbursement; and

10  
11 WHEREAS, Representative Daniel LeMahieu has asked the Legislative Reference Bureau to prepare  
12 draft legislation (LRB 3832) that would permanently require that the State provide counties with any Federal  
13 IGT funds that exceed the amounts budgeted by the State as revenue; and

14  
15 WHEREAS, LRB 3832 would effect a more equitable sharing of the Federal IGT payments  
16 between the State and the local governments that operate nursing homes and that have actually sustained  
17 economic losses as the result of insufficient Medicaid reimbursement;

18  
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors strongly  
20 supports LRB 3832; and

21  
22 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
23 the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin  
24 Assembly, and each legislator in the Wisconsin Senate and Assembly who represents constituents from  
25 Manitowoc County.

Dated this 7th day of November 2005.

Respectfully submitted by the Health Care Center Committee.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy moved, seconded by Supervisor Henrickson, to adopt Resolution  
5 (2005/2006-107) Authorizing Appeal for Exemption from Certain State Mandates (Purchase of Service  
Contract Fund Reports and Audits). Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING APPEAL FOR  
EXEMPTION FROM CERTAIN STATE MANDATES  
(Purchase of Service Contract Financial Reports and Audits)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the State of Wisconsin mandates that the Human Services Department must obtain an  
2 annual financial and compliance audit from each purchase of services contract vendor that is paid \$25,000  
3 or more in a year; and

4 WHEREAS, the State of Wisconsin permits vendors to include the cost of an annual audit in the rate  
5 for services that is charged to the county; and  
6

7 WHEREAS, the Human Services Department presently contracts with 18 vendors that are paid  
8 between \$25,000 and \$75,000 per year and must pay approximately \$72,000 for mandated audits; and  
9

10 WHEREAS, the Human Services Board believes that the funds presently expended on audits for these  
11 vendors would be better spent in providing services to the public and that the Human Services Department  
12 is able to adequately monitor the financial performance of purchase of service vendors without the mandated  
13 audits;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
16 authorizes the Comptroller/Auditor to file an appeal with the Department of Revenue under Wis. Stat. §  
17 66.0143 requesting a waiver from any state mandate for annual financial reporting and auditing requirements  
18 imposed under Wis. Stat. § 46.036 with respect to purchase of services contracts through the Human Services  
19 Department that are \$75,000 or less, with the understanding that the Human Services Department will retain  
20 the right to request audits or obtain alternate forms of financial documentation from vendors; and  
21

22 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution  
23 to each legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc  
24 County and to the Wisconsin Counties Association.

Dated this 7th day of November 2005.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Approximately \$72,000 savings to be used for client programming.

APPROVED: Dan Fischer, County Executive.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved,  
seconded by Supervisor Rappe, to adopt Resolution 6 (2005/2006-108) Authorizing Gypsy Moth Suppression  
Program. Upon vote, the motion carried unanimously.

No. 2005/2006 - 108

## **RESOLUTION AUTHORIZING GYPSY MOTH SUPPRESSION PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Natural Resources projects that Manitowoc County will  
2 experience an extensive defoliation of trees in upcoming years due to the invasion of the gypsy moth; and  
3

4 WHEREAS, the DNR has established a voluntary program that involves counties and landowners in  
5 a state-organized aerial insecticide treatment program to suppress the gypsy moth population; and  
6

7 WHEREAS, counties are encouraged to cooperate with and may enter into agreements with  
8 municipalities to perform any or all of the tasks associated with the gypsy moth suppression program; and  
9

10 WHEREAS, the City of Manitowoc has identified an area covering at least 100 acres within the city  
11 that could benefit from participation in the gypsy moth suppression program, is interested in participating  
12 in the program, and would like to enter into an agreement with the County to do so; and  
13



14 WHEREAS, participation in the gypsy moth suppression program through an agreement with the City  
15 will not have any impact on the County tax levy because the county will collect the local share for any costs  
16 associated with the program prior to incurring any related expenses;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
19 County's participation in the gypsy moth suppression program; appoints the Director of the Soil and Water  
20 Conservation Department as the County Coordinator for the program; and authorizes the Director, subject  
21 to the approval of the Land Conservation Committee and the County Executive, to enter into an agreement  
22 with the City of Manitowoc to implement the program, provided that the County's participation in the  
23 program will have no tax levy impact; and  
24

25 BE IT FURTHER RESOLVED that the budget is amended by the amount of any revenues, including  
26 funds collected as a local share, and any expenses related to the program and that the Comptroller/Auditor  
27 is directed to record such information in the official books of the County as may be required.

Dated this 7th day of November 2005.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Nate, to enact Ordinance 7 (2005/2006-109) Amending Manitowoc County Code §§ 1.04, 2.02, and 2.04 Pertaining to Aging and Disability Resource Center. Upon vote, the motion carried unanimously.

No. 2005/2006 - 109

**ORDINANCE AMENDING MANITOWOC COUNTY CODE §§ 1.04, 2.02, AND 2.04  
PERTAINING TO AGING AND DISABILITY RESOURCE CENTER**

1 WHEREAS, Manitowoc County applied for and has been awarded a grant by the Wisconsin  
2 Department of Health and Family Services, Division of Disability and Elder Services, to develop and  
3 implement an Aging and Disability Resource Center (ADRC); and  
4

5 WHEREAS, the Aging and Disability Resource Center will replace the Aging Resource Center on July  
6 1, 2006; and  
7

8 WHEREAS, the development and implementation of an Aging and Disability Resource Center  
9 requires the creation of a governing board for the Aging and Disability Resource Center, and the ADRC  
10 Board will replace the Commission on Aging on July 1, 2006; and  
11

12 WHEREAS, policy and program oversight for the ADRC will be transferred from the Natural  
13 Resource and Education Committee to the ADRC Board on July 1, 2006;  
14

15 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
16 follows:  
17

18 Manitowoc County Code sec. 2.04(1)(bm) is created effective November 15, 2005 to read as follows:  
19  
20

(bm) Aging and Disability Resource Center (ADRC) Board. 1. The Aging and Disability Resource Center (ADRC) Board is created for the purpose of performing policy formulation and program oversight responsibilities with respect to the Aging and Disability Resource Center. The Board will develop a mission statement consistent with the goals of the statewide long term care system; obtain input from consumers, providers, and local constituents; determine the structure, policies, and procedures for the ADRC subject to state guidelines and the approval of the county board and the county executive; review and act on all resolutions and ordinances affecting the ADRC before they are submitted to the county board; develop and monitor implementation of an operational plan; and review and make recommendations to the county executive and county board with respect to the budget.

2. The Board will have 10 members. Each member will be appointed to a 3-year term, except that the initial appointments to the board may be for shorter terms so that, as nearly as possible, one-third of the terms will expire each year. Five of the members will be the county board supervisors who are on the Natural Resources and Education Committee. The remaining five members must be persons who are elderly, have a physical or developmental disability, have a mental illness or substance abuse disorder, or are a family member, guardian, or advocate for such a person, and should reflect the ethnic and economic diversity of the ADRC service area.

Manitowoc County Code sec. 1.04(3)(f) is repealed effective June 30, 2006 and is recreated effective July 1, 2006, to read as follows:

(f) Natural Resources and Education Committee. The Natural Resources and Education Committee has policy oversight authority for the UW Extension Office and the Soil Conservation Office and may recommend policies for supporting agriculture and conservation. The committee may, within the limits of the budget authorized by the county board, approve the purchase of capital equipment; acquire gifts; authorize applications for state aid; enter into contracts with landowners; and sponsor educational programs in the areas of agribusiness, agriculture, community resource development, family living education, and 4H-youth development.

Manitowoc County Code sec. 2.04(1)(b) pertaining to the Commission on Aging is repealed effective June 30, 2006.

Manitowoc County Code sec. 2.02(1) pertaining to the Aging Resource Center is repealed effective June 30, 2006 and is recreated effective July 1, 2006 to read as follows:

(1) Aging and Disability Resource Center. The Aging and Disability Resource Center (ADRC) is responsible for the operation of county programs and will provide services to the general public with respect to matters related to aging and disability. It will provide outreach and expertise to persons who are elderly and to persons who are adults with physical disabilities or adults with developmental disabilities during its first year of operation. It will provide outreach and expertise to persons who are elderly, adults with physical disabilities, adults with developmental disabilities, and adults with mental illness by July 1, 2009.

Dated this 7th day of November 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported they discussed SB 4, as amended, that could allow county boards to downsize between the census. Supervisor Markwardt moved, seconded by Supervisor Henrickson, to authorize the County Board Chairperson to send a letter to the Governor urging him to veto SB 4. Chairperson Hansen asked for unanimous consent, there was no objection, and the motion carried. He announced their next meeting will be Dec. 5.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 8 (2005/2006-110) Amending Zoning Map for Andy Foytik, Ordinance 9 (2005/2006-111) Amending Zoning Map for Karen Mahler, and Ordinance 10 (2005/2006-112) Amending Zoning Map for Kenneth Prah. Upon vote, the motion carried with 19 ayes and 2 noes. Supervisors Goeke and Rappe voted no; all other supervisors voted aye.

No. 2005/2006 - 110

**ORDINANCE AMENDING ZONING MAP  
(Andy Foytik)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on October 17, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SE¼, NW¼, Section 15, T20N-R21E, Town of Maple Grove,  
12 commencing at the center of said Section 15; thence westerly approximately 600 feet; thence  
13 northerly approximately 375 feet which is the point of real beginning; thence continue northerly  
14 approximately 300 feet; thence westerly approximately 500 feet; thence southerly  
15 approximately 300 feet; thence easterly approximately 500 feet to the point of real beginning,  
16 said parcel containing approximately 3.44 acres of land, shall be and is hereby rezoned from  
17 A3 Agriculture to A1 Agriculture.

Dated this 7th day of November 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 111

**ORDINANCE AMENDING ZONING MAP  
(Karen Mahler)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on October 17, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the NE¼, NE¼, Section 31, T17N-R22E, Town of Meeme,  
12 commencing at the NE Corner of said Section 31; thence southerly approximately 800 feet  
13 along the centerline of Pigeon River Road; thence westerly approximately 500 feet which is the  
14 point of real beginning; thence southerly approximately 500 feet; thence westerly  
15 approximately 436 feet; thence northerly approximately 500 feet; thence easterly approximately  
16 436 feet to the point of real beginning, said parcel containing approximately 5.0 acres of land,  
17 shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 7th day of November 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 112

**ORDINANCE AMENDING ZONING MAP  
(Kenneth Prah)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on October 17, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, NW¼, Section 24, T17N-R21E, Town of Schleswig,  
12 commencing at the NE Corner of said Section 24; thence westerly approximately 56 feet;  
13 thence southerly approximately 65 feet to the west r/w of Rokilio Road which is the point of  
14 real beginning; thence continue southerly along the west r/w of Rokilio Road approximately  
15 313 feet; thence westerly approximately 337 feet; thence northerly approximately 322 feet to  
16 the south r/w of CTH XX; thence easterly along the south r/w of CTH XX approximately 337  
17 feet to the point of real beginning, said parcel containing approximately 3.28 acres of land, shall  
18 be and is hereby rezoned from ES Estate Residential to SE Small Estate Residential.

Dated this 7th day of November 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 Janowski, to adopt Resolution 11 (2005/2006-113) Accepting Watercraft Grant Funds. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 113

### **RESOLUTION ACCEPTING WATERCRAFT GRANT FUNDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Nuclear Management Corporation, Wisconsin Public Service Corporation,  
2 Manitowoc County Sheriff's Department, and Department of Homeland Security have cooperated in  
3 developing a Buffer Zone Protection Plan to reduce the risk of a terrorist attack at the Point Beach Nuclear  
4 Plant through awareness, prevention, preparedness, and response; and  
5

6 WHEREAS, additional protection for the plant requires the ability to provide a response on the waters  
7 of Lake Michigan that the Sheriff's Department is currently unable to provide; and  
8

9 WHEREAS, the Sheriff's Department has applied for and been awarded a grant from United States  
10 Department of Homeland Security to purchase a 19-foot Boston Whaler Justice law enforcement-equipped  
11 boat with a 225-horsepower outboard motor and trailer;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the Sheriff's Department to accept such grant funds as may be awarded for the purchase of the boat, motor,  
15 and trailer; and  
16

17 BE IT FURTHER RESOLVED that the appropriate revenue and expenditure line items in the 2005  
18 budget are amended by the amount of the grant funds received and that the Comptroller/Auditor is directed  
19 to record such information in the official books of the County for the year ending December 31, 2005 as may  
20 be required.

Dated this 7th day of November 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21400.43520.03) and expenditures (21400.58100) by equal amounts (\$50,000).

APPROVED: Dan Fischer, County Executive.

Supervisor Muench announced their next meeting will be December 6.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they have concluded their discussions on small wind systems and the committee will be making a presentation to the Planning and

Park Commission on December 5. Their next meeting will be November 10 to begin discussions on large wind systems.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 12 (2005/2006-114) Approving Town of Centerville Zoning Ordinance for Scot Nowak. Upon vote, the motion carried with 19 ayes and 2 noes. Supervisors Goeke and Rappe voted no; all other supervisors voted aye.

No. 2005/2006 - 114

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE  
(Scot Nowak)**

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 Scot Nowak on  
13 October 11, 2005.

Dated this 7th day of November 2005.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Maresh moved to adjourn. Supervisor Bauknecht seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:52 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

November 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 November 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 Jim Brey 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, Braudel, 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 Behnke and seconded by Supervisor Bauknecht, the November 7, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input open at 7:05 p.m.

Dean Mary Beth Emmerichs, UW-Manitowoc, reported there are 643 students on campus this semester. Some of the activities over the past year included student organizations working on ways to conserve energy, the performance of Dracula, and a big band music event. She wanted the County to know how thankful they are for their beautiful facility.

Michael Slattery, Maribel, presented a proposal to have a referendum on the April 2006 ballot that states: "Should the United State begin an immediate withdrawal of its troops from Iraq, starting with the National Guard and Reserves?" He stated that this is a citizen action to influence policy making decisions. He asked the Board to decide by January 1, 2006 on the referendum for the April ballot.

Marsha Lemberger, Two Rivers, stated it is time people speak out in this County and was in agreement with Michael Slattery.

Sue Karman indicated her support on the proposal for Mr. Slattery's referendum.

Nancy Slattery, Maribel, asked the County Board to allow citizens in Manitowoc County to vote on the proposed referendum.

Ronald Kossik, Manitowoc, stated he is a member of the Lakeshore Peacemakers and will be initiating a petition drive in the cities of Manitowoc and Two Rivers to have the afore mentioned proposed referendum question put on the April ballot.

Jim Sustman, Mishicot, voiced support on the proposal for a referendum.

Darlene Wellner, Mishicot, stated her support on the proposal for a referendum.

Linda Hunter, Manitowoc, supported the proposal for a referendum.

Robert Kaiser, Manitowoc, supported the proposal for a referendum. He stated he met with the Board from the Town of Manitowoc asking them to allow this referendum as well.

Patty Marquardt, Manitowoc, supported Michael Slattery's presentation and stated she will be collecting signatures in the City of Manitowoc.

Mary Thiesen, Manitowoc, indicated her support on the proposal for a referendum.

Mary Ann Teshima, Manitowoc, supported the proposal for a referendum.

Kathy Fishbeck, Manitowoc, stated her support on the proposal for a referendum.

Chairperson Hansen stated this is being referred to the Legislative Review Committee for consideration with a report to the County Board.

Amy Wergin, Manitowoc, stated that tobacco is the number one cause of preventable death in Manitowoc County. The Tobacco Control Coalition and Manitowoc County Health Department will be sponsoring an educational forum on Asthma and Secondhand Smoke on November 17 at the Capitol Civic Center and she invited everyone to attend the presentation.

Laurie Sales, an employee at the Manitowoc County Joint Dispatch Center, expressed concern over the proposal to replace three dispatch positions with supervisory positions. She asked the Board not to approve this but to find a more workable solution for the issue and suggested the possibility of lead workers in place of supervisory staff.

No one else present wished to speak and public input was closed at 7:30 p.m.

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

Chairperson Hansen and Assistant County Executive Lauren Reed presented a proposal for a new county seal. Chairperson Hansen stated one year ago a group of citizens met to discuss whether the County Seal still represented who we are as Manitowoc County. The original seal had been designed by Steve Petreshock in 1976. There were fourteen entries by eight local artists that were looked at by a panel of judges. Lauren Reed explained the committee took various elements from each of the entries and John Peroutka of Look Creative, LLC, used this groundwork to design a seal. Kerry Trask, a historian and member of the Redesign Project Committee, explained the proposed new seal reflects who we are, who we were, and what we aspire to become. Chairperson Hansen asked supervisors to think about the proposed new seal and a decision will be made next month. They answered supervisors' questions.

Supervisor Markwardt reported he attended a WCA Board of Directors meeting on October 28 where they discussed the Liability Shield Law that the Governor signed. He read a letter from WCA Legislative Director Craig Thompson advocating the state assuming responsibility for the mandated human service mandates and court system.



#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointment of Jim Morrow to the Ethics Board for a three year term expiring December 2008. Supervisor Sloan moved, seconded by Supervisor Markwardt, 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 appointments of Supervisor Kevin Behnke, Marie Kohlbeck, Dan Newberg, Dan Schaut and Jerome Vetting to the Expo Board for three year terms expiring December 31, 2008. Supervisor Mueller moved, seconded by Supervisor Vogt, to approve the appointments. 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 Maura Yost to the Human Services Board for a three year term expiring December 31, 2008. Supervisor Janowski moved, seconded by Supervisor Maresh, 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 appointments of Nancy Crowley, Jim Blaha and alternate Amy Wergin, Randy Neils, Chris Meyer and Gerald Wiesner to the Local Emergency Planning Committee for two year terms expiring December 2007. Supervisor Henrickson moved, seconded by Supervisor Graunke, to approve the appointments. 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 Kent Reeves to the Veterans Service Commission for a three year term expiring December 2008. Supervisor Vogt moved, seconded by Supervisor Bauknecht, 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 appointments of Paul Blashka, David Greenwood, Darlene Hoffman, Tony Scherer and Sheila Schetter to the Wisconsin Works Steering Committee for three year terms expiring December 31, 2008. Supervisor Markwardt moved, seconded by Supervisor Graunke, to approve the appointments. Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Julie Grinde, Carol Wagner, Kerry Trask and James VandenBoom to the Manitowoc-Calumet Library System Board of Trustees for three year terms expiring January 2009. Supervisor Graunke moved, seconded by Supervisor Maresh, to approve the appointments. 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 reported he attended a Wisconsin Association of Health Departments and Boards meeting on November 10 where they discussed smoking and The Great American Smokeout that will be on November 18.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to enact Ordinance 6 (2005/2006-115) Amending Manitowoc County Code §§ 4.13(2), 8.18, 8.21, and 13.08(1) (Planning and Park Fees, Enforcement, and Penalties). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING  
MANITOWOC COUNTY CODE §§ 4.13(2), 8.18, 8.21, and 13.08(1)  
(Planning and Park Fees, Enforcement, And Penalties)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the fees charged by the Planning and Park Department are set by county ordinance; and

2  
3 WHEREAS, a petition has been filed seeking an increase in certain fees and penalties related to the  
4 operation of the Planning and Park Department; and

5  
6 WHEREAS, a public hearing was held on October 17, 2005 at 10:00 a.m. at the Manitowoc County  
7 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

8  
9 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
10 testimony and an examination of the facts attendant with the petition, recommends that the petition be  
11 approved;

12  
13 NOW, THEREFORE, the board of supervisors of the county of Manitowoc, Wisconsin does ordain  
14 as follows:

15  
16 Manitowoc County Code sec. 4.13(2) is repealed and recreated to read as follows:

17  
18 **(2) Application Fees for Planning and Park Commission.**

19  
20 (a) The fee for filing a petition for a zoning amendment is \$350.

21  
22 (b) The fee for filing a request for a conditional use permit is \$350.

23  
24 (c) The fee for filing an appeal from a Code Administrator's decision, a map interpretation request,  
25 or a variance request is \$350.

26  
27 (d) The fee for a Certified Survey review is \$25.

28  
29 (e) The application fee for a Certified Survey Map appeal or a Certified Survey Map variance request  
30 is \$75.

31  
32 (f) The fee for a development plan review is \$150.

33  
34 (g) The fee for a subdivision plat review is \$200.

35  
36 (h) The fee for a zoning permit for a single family home, mobile home, cottage, or addition is \$75.

37  
38 (i) The fee for a zoning permit for any structure other than a single family home, mobile home, cottage,  
39 or addition is \$25.

40  
41 (j) The fee for a culvert permit is \$100.

42  
43 Manitowoc County Code sec. 8.18(1) is repealed and recreated to read as follows:

(1) The county may enforce this ordinance by issuing a citation for a violation of this ordinance or by bringing a legal action seeking an injunction, restraining order, or other court order to compel compliance. The county is not required to issue a citation or to prosecute a forfeiture action before bringing any other legal action.

Manitowoc County Code sec. 8.21 is repealed and recreated to read as follows:

#### 8.21 Violations and Penalties.

(1) It is unlawful for a person to violate any provision of this ordinance or the terms or conditions of any permit issued pursuant to this ordinance.

(2) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or otherwise resist any order issued pursuant to this ordinance.

(3) A separate offense is deemed committed on each day that a violation occurs or continues.

(4) A person must, within 30 days of conviction, finding of default, or stipulation of a violation of this ordinance, remove or discontinue the use of any building, structure, or part of a building or structure that violates a provision of this ordinance or the terms or conditions of any permit issued pursuant to this ordinance. If a person fails to remove such a building, structure, or part of a building or structure, the county may remove or cause the removal of the building, structure, or part of the building or structure. The cost of removal will become a lien upon the property and may be collected in the same manner as property taxes.

(5) A person will, upon conviction for any violation of this ordinance, forfeit not less than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for each violation. A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of income and all assets may be considered regardless of whether the income and assets are subject to garnishment, lien, or attachment by creditors.

(6) The failure of any employee, official, or officer of the County to perform any official duty imposed by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code unless a penalty is specially provided.

Manitowoc County Code sec. 13.08(1) is repealed and recreated to read as follows:

(1) (a) A sanitary permit fee must be paid at the time that an application, with plans and specifications, is submitted, and a permit will not be issued until the fee has been paid.

(b) The fee for a gravity conventional system is \$275.

(c) The fee for an alternate, in-ground pressure, or mound system is \$425.

(d) The fee for a holding tank is \$350.

(e) The fee for a large scale system is \$550.

EFFECTIVE DATE: These amendments will become effective on January 1, 2006.

Dated this 15th day of November 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Project revenue increase of \$12,500 is included in the proposed 2006 budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal reported the Hearing on small wind towers will be December 5 at the Manitowoc County Office Complex.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Nate, to adopt Resolution 1 (2005/2006-116) Adopting 2006 Budget and Property Tax Levy. Discussion followed. Supervisor Brey reported the proposed tax rate is \$5.95 and the Contingency Fund balance is \$220,885.

Supervisor Graunke moved, seconded by Supervisor Brey, to divide the question so that the Health Department portion of the budget is considered separately. Upon vote, the motion carried unanimously. Discussion followed.

Supervisors voted on the Health Department portion of the budget. Upon vote, the motion carried with 24 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors voted aye. Discussion followed.

Supervisors voted to adopt the remainder of the 2006 Budget and Property Tax Levy, as amended by the Finance Committee. Upon vote, the motion carried with 22 ayes and 3 nays. Supervisors Sloan, Goeke and Dobbs voted no; all other supervisors voted aye.

No. 2005/2006 - 116

## **RESOLUTION ADOPTING 2006 BUDGET AND PROPERTY TAX LEVY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive's Proposed 2006 Annual Budget has been made  
2 available to each county supervisor and to the general public; and  
3

4 WHEREAS, the Proposed 2006 Annual Budget was presented and explained to the County Board at  
5 its meeting on October 11, 2005; and  
6

7 WHEREAS, formal publication of a budget summary and announcement of a public hearing was made  
8 on October 23, 2005 in the Manitowoc Herald Times Reporter in accordance with Wis. Stat. § 65.90 and  
9 Wis. Stat. Ch. 985; and  
10

11 WHEREAS, a public hearing on the Proposed 2006 Annual Budget was held beginning at 7:05 p.m.  
12 on November 7, 2005 for the purpose of public input; and  
13

14 WHEREAS, the Proposed 2006 Annual Budget was reviewed at the County Board's Annual Meeting  
15 on November 7, 2005;  
16

17 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
18 adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year

beginning January 1, 2006, as indicated in the 2006 Annual Budget for Manitowoc County and any attachments or addenda; and

BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby authorizes that the following sums of money be raised for the ensuing year:

State Special Charges – Charitable & Penal	\$710.00
County Aid Bridges (Wis. Stat. § 82.08)	\$166,188.92
All Other County Taxes	<u>\$26,295,375.00</u>
Gross County Tax Levy	\$26,462,273.92;

and

BE IT FURTHER RESOLVED that the County shall apportion the tax for Bridges under Wis. Stat. § 82.08 on the taxable property of the participating districts; and

BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment State Taxes for Forestry Mill Tax, Wis. Stat. § 70.58, in the amount of \$862,870.19; and

BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment, State Special Charges for Charitable and Penal Purposes, as follows: State Institutions (Winnebago) \$630.00; and County Mental Hospitals (Fond du Lac Co Proceeding) \$80.00; for a total State Special Charge of \$710.00; and

BE IT FURTHER RESOLVED that the appropriate County Officials are directed to reapportion the illegal real estate taxes charged back in the amount of \$3,351.00; and

BE IT FURTHER RESOLVED that the 2006 Annual Budget in detail is made a part of the Tax Levy; and

BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make any technical corrections to the budget that may be necessary.

Dated this 15th day of November 2005.

Respectfully submitted by the Finance Committee.

FISCAL NOTE: Requires a composite tax levy and rate as follows:

Tax Levy:	\$26,462,273.92
Composite Tax Rate:	\$5.970073 per \$1,000 of equalized value.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 1a (2005/2006-117) Authorizing Small Claims Action to Collect Delinquent Property Taxes (Dennis Zutz, Carl A. Knutson, and Woodland Shadows LLC). Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING SMALL CLAIMS ACTION  
TO COLLECT DELINQUENT PROPERTY TAXES  
(Dennis Zutz, Carl A. Knutson, and Woodland Shadows LLC)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Treasurer is charged with the responsibility for the collection of  
2 property taxes and for initiating action to collect delinquent taxes; and  
3

4 WHEREAS, the Treasurer may bring an action in rem under Wis. Stat. § 75.521 against properties on  
5 which delinquent taxes are owed in order to foreclose on the property or may bring a civil action against a  
6 person under Wis. Stat. § 74.53 to invoke personal liability for delinquent taxes and other costs; and  
7

8 WHEREAS, property taxes are delinquent on a parcel of land in Manitowoc County, Tax Key No. 52-  
9 812-304-240.00, more particularly described as:  
10

11 A tract of land in the SE ¼ of the SW ¼ of Section 12, Township 19 N., Range 23 E., more  
12 particularly described as follows to-wit:  
13

14 Commencing at the N.W. corner of the SE ¼ of the SW ¼ of Section 12, Township 19  
15 N., Range 23 E., which is the point of real beginning, thence S. 0° 27' E along the 1/16th  
16 section line a distance of 295 feet, thence N. 56° 17' 45" E. a distance of 550.6 feet to the  
17 1/16th section line, thence S. 88° 41' 45" W along the 1/16th section line a distance of  
18 460.4 feet to the point of real beginning.  
19

20 Also known as:  
21

22 A parcel of land in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of  
23 Section Numbered Twelve (12), Township Numbered Nineteen (19) North, Range  
24 Numbered Twenty-three (23) East, in the City of Manitowoc, described as follows:  
25

26  
27 That part lying North and West of the following reference line: Commencing at the SW  
28 corner of said SE ¼ SW ¼; thence North 1025 feet to the point of beginning; thence N.  
29 56° 17' 45" E. to the North line of said SE ¼ SW ¼.  
30

31 WHEREAS, tax records list the property owner as Woodland Shadows LLC, but an examination of  
32 records in the office of the Register of Deeds shows that title is vested in the name of Dennis A. Zutz and  
33 Carl A. Knutson; and  
34

35 WHEREAS, the parcel of land is a landlocked parcel, has a market value of \$130, and is not an  
36 appropriate property to include in rem tax foreclosure action; and  
37

38 WHEREAS, the Treasurer and Corporation Counsel recommend that the County Board authorize a  
39 civil action under Wis. Stat. § 74.53;  
40

41 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
42 a civil action pursuant to Wis. Stat. § 74.53 against Dennis A. Zutz, Carl A. Knutson, and Woodland

43 Shadows LLC to determine personal liability for the payment of the delinquent property taxes on parcel no.  
44 52-812-304-240.00.

Dated this 15th day of November 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None. Collects \$689.49 in delinquent taxes, plus costs.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey reminded everyone that the increase in health insurance premiums from 8% to 10% is included in the 2006 budget for represented employees and has to be negotiated.

Health Care Center Committee: Supervisor Vogt reported a re-visit by state inspectors went well; lightening damage claims have been submitted to the insurance carrier; 49 beds are open; absenteeism is up slightly and overtime is under control.

Highway Committee: Supervisor Sloan reported all highway projects are nearing completion and the airport taxiway project has been finished.

Supervisor Sloan moved, seconded by Supervisor Markwardt, to adopt Resolution 2 (2005/2006-118) Authorizing Joint Construction Agreement for Work on County Trunk Highway R 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. 2005/2006- 118

**RESOLUTION AUTHORIZING JOINT CONSTRUCTION AGREEMENT FOR  
WORK ON COUNTY TRUNK HIGHWAY R 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 portion  
2 of County Trunk Highway R in the City of Manitowoc (City) that is located between County Trunk Highway  
3 CS and State Highway 151; 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 County Trunk Highway R and  
7 to ultimately transfer jurisdictional control over that portion of County Trunk Highway R 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 are included in the 2006 budget;  
14

15 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
16 County Executive and the County Clerk are authorized to enter into the Joint Construction Agreement with  
17 the City of Manitowoc and to ultimately transfer jurisdiction over that affected portion of County Trunk  
18 Highway R to the City of Manitowoc.

Dated this 15th day of November 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Sufficient funds are included in the 2006 budget.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported their next meeting will be November 17.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Henrickson, to adopt Resolution 3 (2005/2006-119) Authorizing Specialized Transportation Assistance Program Grant Application. Upon vote, the motion carried unanimously.

No. 2005/2006 - 119

**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 the Natural Resource and Education Committee recommends  
7 that Manitowoc County apply for grant funding which will require a local share of \$35,471; and  
8

9 WHEREAS, the Manitowoc County Board of Supervisors finds that provision of specialized  
10 transportation services would improve and promote the maintenance of human dignity and self-sufficiency  
11 of elderly and disabled persons;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 the Aging Resource Center Director to prepare and submit an application for financial assistance under Wis.  
15 Stat. § 85.21 to the Wisconsin Department of Transportation for 2006, provided that the local share required  
16 for such assistance does not exceed \$35,471; and  
17

18 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Aging  
19 Resource Center Director to execute a Wisconsin Department of Transportation state aid contract under Wis.  
20 Stat § 85.21 on behalf of Manitowoc County, provided that the local share required by the contract does not  
21 exceed \$35,471.

Dated this 15th day of November 2005.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Tax levy of \$35,471 is included in the 2006 budget.

APPROVED: Dan Fischer, County Executive.



Supervisor Wagner moved, seconded by Supervisor Goeke, to adopt Resolution 4 (2005/2006-120) Adopting the 2006 Plan for Older People. Upon vote, the motion carried unanimously.

No. 2005/2006 - 120

**RESOLUTION ADOPTING THE 2006 PLAN FOR OLDER PEOPLE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, it is necessary to prepare a Plan For Older People (Plan) in order to obtain certain Federal  
2 and State funds, and Manitowoc County has prepared its Plan for 2006; and  
3

4 WHEREAS, the Plan has been reviewed by the Natural Resources & Education Committee; the  
5 Committee deems the Plan to be fair and equitable, believes that provision of the services contained in the  
6 Plan would improve and promote the maintenance of human dignity and self-sufficiency of elderly persons  
7 in Manitowoc County, and recommends that the Plan be adopted; and  
8

9 WHEREAS, a copy of the Plan has been provided to the County Board for its review;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby  
12 adopts the 2006 Plan For Older People.

Dated this 15th day of November 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: None. The following intergovernmental grant and aid requests are included in the 2006 Aging Department budget request:

Alzheimer's Caregiver Sup.	\$ 36,420
Elder Abuse	35,687
IIIB	88,238
IIIC1	227,467
IIIC2	58,246
IIID	7,073
IIIE	43,627
NSIP (Other Federal)	63,483
Senior Community Services	11,481
State Benefit Specialist	28,215
<u>TOTAL</u>	<u>\$599,937</u>

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Maresh, to enact Ordinance 5 (2005/2006-121) Amending Manitowoc County Code Sec. 2.04(1)(f) Pertaining to the Land Conservation Committee. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04(1)(f) PERTAINING TO  
THE LAND CONSERVATION COMMITTEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Statutes presently require that members of a land conservation committee  
2 serve a term of two years or until a successor is appointed, whichever is longer; and  
3

4 WHEREAS, the Manitowoc County Code presently provides for one-year terms for the members  
5 of the Land Conservation Committee, and there are other inconsistencies between the language contained  
6 in the Manitowoc County Code and the requirements of Wis. Stat. § 92.06;  
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. 2.04(1)(f) is amended to read as follows:  
12

13 (f) Land Conservation Committee. The Land Conservation Committee is created pursuant to Wis. Stat. §  
14 92.06 for the purpose of performing policy formulation and program responsibilities authorized by Wis. Stat.  
15 Ch. 92. The committee will be composed of the Natural Resources and Education Committee, the  
16 chairperson of the County Farm Service Agency Committee or a member of the County Farm Service Agency  
17 Committee designated by the Chairperson of the County Farm Service Agency Committee, and a  
18 Conservation Congress Delegate from Manitowoc County. Each committee member's term will begin on  
19 the 3rd Tuesday in April in even-numbered years and continue for two years or until a successor is appointed,  
20 whichever is longer. Committee members may be reappointed. The County Board will designate a  
21 representative of the Planning and Park Commission and the Public Works Committee to serve as advisers  
22 to the committee.

Dated this 15th day of November 2005.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported their next meeting will be December 5 and area legislators will be invited to the meeting. Supervisor Dobbs requested representatives from state military departments also be invited to this meeting.

Personnel Committee: Supervisor Vogt extended a special thanks to the staff at the Veterans Service Office for the outstanding job they are doing in the absence of Tim Theirs. He reported position papers will be exchanged with all unions except the Highway Department to begin the bargaining process for 2006/2007. Negotiations will begin with the Highway Department when a side letter of agreement regarding the CDL issue has been finalized. There has been an increase of one FTE Economic Support position and a reduction of one Social Service Aid in Human Services.

Public Works Committee: Supervisor Behnke thanked Jeff Beyer for his work on the telephone system.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they have begun discussions on large wind energy systems and their next meeting will be November 28. Their recommendations on small wind energy systems will be presented to the Planning and Park Commission on December 5.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 7 (2005/2006-122) Authorizing Telephone System Change and Amending Budget. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 122

## **RESOLUTION AUTHORIZING TELEPHONE SYSTEM CHANGE AND AMENDING BUDGET**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has used Centrex telephone service for the past 20 years to provide  
2 telephone service to the county and other governmental agencies and entities, such as the City of Manitowoc,  
3 Forward Service, Lakeshore Technical College, Manitowoc Public Utilities, Private Industry Council,  
4 Wisconsin Division of Vocational Rehabilitation, Wisconsin Job Service, Wisconsin Probation and Parole,  
5 U. W. Manitowoc; and  
6

7 WHEREAS, the most recent Telephone Service Agreement, which was piggybacked on the State  
8 of Wisconsin telephone contract, has lapsed; and  
9

10 WHEREAS, the Public Works Committee has reviewed various options for providing phone service  
11 to all County departments and recommends changing to a PBX system because of advantages stemming from  
12 advances in technology, the completion of the Manitowoc Public Utilities dark fiber system, and cost-  
13 reductions for PBX systems; and  
14

15 WHEREAS, the Public Works Department and the Comptroller/Auditor have concluded that  
16 changing to a PBX system could save the County more than \$400,000 during the 8-year project, while the  
17 cost to change to a PBX system will not exceed \$595,000 and can be repaid from normal monthly equipment,  
18 lease, and maintenance charges paid by the users of the system; and  
19

20 WHEREAS, the Public Works and Finance Committees recommend that the up front project cost  
21 be taken from moneys available in the Unreserved/Designated Future Capital Projects Fund (approximately  
22 \$415,000); that the remaining funds come from the Unreserved/Undesignated General Fund; and that normal  
23 monthly equipment, lease, and maintenance charges paid by County departments and other agencies over the  
24 8-year project term be used to repay these funds;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
27 authorizes the transfer of a total amount not to exceed \$595,000 from the Unreserved/Designated Future  
28 Capital Project and Unreserved/Undesignated General Funds to the appropriate expenditure accounts to pay  
29 for a new PBX telephone system; that the appropriate budgets are amended by the amount of the funds  
30 transferred or carried forward, or both; and that the Comptroller/Auditor is directed to record such  
31 information in the official books of the County as may be required; and  
32

33 BE IT FURTHER RESOLVED that the funds transferred pursuant to this resolution will be  
34 reimbursed to the appropriate accounts from normal monthly department and other user charges on a pro-rata  
35 basis over the life of the system; and

36 BE IT FURTHER RESOLVED that the Public Works Director is authorized to execute the necessary  
37 documents to complete this project and to enter into agreements with other agencies for use of the phone  
38 system, subject to review by the Public Works Committee, County Executive, Comptroller/Auditor, and  
39 Corporation Counsel.

Dated this 15th day of November 2005.

Respectfully submitted by the Public Works Committee.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Reduces the Unreserved Designated for Future Capital Projects account in the General Fund to \$0. This account presently has a balance of \$400,160.13 and is estimated to be approximately \$415,000 prior to the transfer at the end of the year. Reduces the Unreserved Undesignated General Fund account balance by approximately \$180,000, which is the difference between the total estimated project cost (\$595,000) and the amount available from the Unreserved Designated for Future Capital Projects account (\$415,000).

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 8 (2005/2006-123) Authorizing Brownfields Grant Application. Upon vote, the motion carried unanimously.

No. 2005/2006 - 123

## **RESOLUTION AUTHORIZING BROWNFIELDS GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes that the remediation and redevelopment of brownfield  
2 sites are important for the protection of Wisconsin's resources; and  
3

4 WHEREAS, there are properties in Manitowoc County that may qualify as brownfield project sites  
5 under the Wisconsin Department of Commerce Brownfields Initiative; and  
6

7 WHEREAS, the Public Works and Finance Committees have reviewed the possibility of using the  
8 Brownfields Initiative process in Manitowoc County and recommend that the County Board authorize a grant  
9 application that would allow for the Phase 1 and, if necessary, Phase 2 Environmental Study of property in  
10 Manitowoc County to determine the feasibility of returning property to productive use through the  
11 Brownfields Initiative;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board authorizes the Public  
14 Works Director to submit an application to the State of Wisconsin for financial aid for Brownfield Site  
15 Assessment Grant purposes; sign documents; and take the actions necessary to complete approved grant  
16 activities; and  
17

18 BE IT FURTHER RESOLVED that the Manitowoc County Board declares its intent, if awarded  
19 funds, to complete the Brownfield Site Assessment Grant activities described in the application if awarded  
20 funds and will comply with state rules for the program; maintain records documenting all expenditures made

21 during the Brownfield Site Assessment Grant period; allow employees from the Department of Natural  
22 Resources access to inspect the grant site or facility and grant records; and submit a final report to the  
23 Department which will accompany the final payment request; and  
24

25 BE IT FURTHER RESOLVED that the Public Works Director is authorized to accept any funds that  
26 are awarded, that appropriate revenue and expense line items in the budget are amended by the amount of  
27 the funds received, and that the Comptroller/Auditor is directed to record such information in the official  
28 books of the County as may be required.  
29

Dated this 15th day of November 2005.

Respectfully submitted by the Public Works Committee.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases authorized revenues and expenditures by the amount of the grant  
award.

APPROVED: Dan Fischer, County Executive.

Chairperson Hansen announced Public Works has purchased an electric car from the State for travel within  
the city.

Supervisor Maresh moved to adjourn. Supervisor Bauknecht seconded, and the motion was adopted by  
acclamation. The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

December 20, 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 20th day of December 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 Bob Dobbs 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 November 15, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input open at 7:10 p.m.

Supervisor Vogt introduced Attorney Jim Nowakowski who spoke on Workers Compensation claims, insurance coverage, and general liability issues. He has written travel policies related to motorcycle usage for four counties this year. The policy he has written also prohibits the use of motorcycles while attending conferences, driving from one county facility to another, and commuting to and from work.

Tim Thiers, Manitowoc County Veterans Service Officer, spoke on his motorcycle accident and expressed his opinion on the operation of motorcycles while at work.

Russell Steeber, Kellnerville, thanked Dan Fischer for responses to his questions and asked Supervisors to discuss employee car allowances.

Anita Roberts, Mishicot, spoke in opposition to the Small Wind Energy System Ordinance. She felt this ordinance takes away the wind rights of adjacent property owners and opens the door to potential law suits. She stated the Committee needs to look at the large wind energy system issue objectively.

Darla Taddy, Reedsville, spoke on the need to look at alternative energy. She stated WPS will have a rate increase of 9.9% after January 1. Due to the demand for power, new plants are being built at a cost of millions of dollars. Her family wants to build a small 10k wind tower for their private use and they do not see a safety issue or a noise problem.

Jeff Roberts, Mishicot, spoke on the Small Wind Energy System Ordinance. He stated the ordinance was developed for private use with one turbine and the number should not have been changed to multiple turbines. He noted the committee discussed using the same setback for large and small turbines. He is looking for responsible wind energy.

Lynn Korinek, Two Rivers, read an article published by the New York State Energy Research and Development Authority as it relates to property lines used to determine setbacks. The American Wind Energy Association recommends setbacks should be 1.5 times the height of the tower to be safe from ice shedding and for general safety the rotors should be three to five times the diameter.

No one else present wished to speak and public input was closed at 7:51 p.m.

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

Chairperson Hansen recognized retiring Manitowoc County employees Rosemary Luloff for 12 years of service at the Sheriff's Department, Carol Spiering for 21 years of service in the Register in Probate Office, Jane Lombard for 29 years of services at Human Services, Teri Schultz for 17 years of service at Human Services, and Linda Kuehl for 33 years of service at Human Services.

Michael Thomas, Health Care Center Administrator, presented retiring Manitowoc County employee Joyce Sorenson with a certificate for 38 years of dedicated service as a nurse. Joyce stated she started at the Health Care Center as an aid for a summer job. She liked it so well, she went on to become a nurse and now feels it is time to retire from her "summer job."

Supervisor Markwardt reported he attended a WCA Steering Committee meeting on December 8 where they discussed SB132 and he asked the County Board Chair and County Executive to send a letter to the Governor regarding this bill. They also discussed AB 790, and SB331 that relates to eliminating the tax on motor fuel. Supervisor Vogt reported they discussed AB802 pertaining to IGT funds and noted Manitowoc County was the only County to send a letter to Madison regarding this issue. They also discussed a special report on removing the role of Coroner from the Constitution and creating the role in the State Statute.

Supervisor Barnes reported he attended the WCA Health and Human Services Steering Committee meeting on December 12 where they discussed Long Term Care Reform, County nursing home IGT funds, consolidation of juvenile correction facilities, elder abuse, and concealed weapon legislation.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments to the Aging and Disability Resource Center Board of Melvin Bourgeois for a one year term expiring July 1, 2007, Irma Gosselin and Howard Kluczinske for two year terms expiring July 1, 2008, and Thomas Keil for a three year term expiring July 1, 2009; Rob Voss to the Expo Board to complete Rosie Wiley's term expiring December 31, 2006; Supervisor Joe Janowski and alternate Supervisor Ed Rappe to the Local Emergency Planning Committee for two year terms expiring December 2007; and Jamie Lee to complete Tony Sherer's term on the Wisconsin Works Steering Committee expiring December 31, 2008. Chairperson Hansen asked for unanimous consent, there was no objection, and the appointments were approved.

#### OTHER BUSINESS (Only as authorized by law).

Supervisor Brey moved, seconded by Supervisor Dobbs, to adopt the proposed new County Seal. Upon discussion and vote, the motion carried with 19 ayes and 6 noes. Supervisors Goeke, Mueller, Nate, Skubal, Sloan and Vogt voted no; all other supervisors vote aye. An amendment to the ordinance will be brought forward in January.

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

Board of Health: Supervisor Barnes moved, seconded by Supervisor Rasmussen, to enact Ordinance 1 (2005/2006-124) Amending Manitowoc County Code Sec. 2.04 and Chapter 7 Pertaining to the Board of Health. Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04  
AND CHAPTER 7 PERTAINING TO THE BOARD OF HEALTH**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Executive has complete and exclusive control over the management and  
2 operations of the Manitowoc County Health Department; and  
3

4 WHEREAS, the Board of Health is the policy-making body that determines the broad outlines and  
5 principles governing administration of the Health Department; and  
6

7 WHEREAS, the Board of Health has the power and authority to enforce rules and regulations that  
8 are adopted under the laws of the State of Wisconsin; and  
9

10 WHEREAS, members of the Board of Health are appointed by the County Executive and confirmed  
11 by the County Board; and  
12

13 WHEREAS, the Board of Health believes that increasing the number of public members will provide  
14 a higher level of expertise related to public health policy-making and enforcement; and  
15

16 WHEREAS, the Board of Health believes that the County Executive should be provided with greater  
17 flexibility when appointing Board of Health members in order to better serve the needs of the public;  
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. 2.04(1)(am) is repealed and recreated to read as follows:  
23

24 Board of Health. The Board of Health is created pursuant to Wis. Stat. sec. 251.03. The board will  
25 consist of 9 members who are appointed by the county executive, subject to confirmation by the county  
26 board, and who will served staggered 2-year terms. At least 4, but not more than 5, members must be county  
27 board supervisors. The remaining members must be persons who are not elected officials or employees of  
28 the county or of any city within the county who have a demonstrated interest or competence in the field of  
29 public health or community health. A good faith effort must be made to appoint a registered nurse and at  
30 least one physician. Members of the board of health shall reflect the diversity of the community.  
31

32 Manitowoc County Code sec. 2.04 is amended by striking subsection number (1) and renumbering  
33 the subsidiary paragraphs as subsections.  
34

35 Manitowoc County Code secs. 7.08, 7.09, 7.09(3), 7.10, and 7.11(1) – (4) are amended by striking  
36 the words “County Administrator” and replacing them with the words “County Executive.”  
37

38 Manitowoc County Code sec. 7.09(3) is amended by striking “DHSS” and replacing it with “DHFS.”



Dated this 20th day of December 2005.

Respectfully submitted by the Board of Health.

FISCAL IMPACT:           None.

APPROVED:                Dan Fischer, County Executive.

Supervisor Barnes reported they will give the remaining 100 flu inoculations free unless the recipient is on medicare and they talked about the needs of their building.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 2 (2005/2006-125) Approving Updated Land Records Modernization Plan. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 125

**RESOLUTION APPROVING UPDATED MANITOWOC  
COUNTY LAND RECORDS MODERNIZATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1           WHEREAS, in 1989 the State of Wisconsin enacted State Statute 31 establishing the Wisconsin  
2 Land Information Program; and

3  
4           WHEREAS, the Wisconsin Statutes provide that a County Board that has established a Land  
5 Information Office and has a Wisconsin Department of Administration approved Land Records  
6 Modernization Plan may participate in the Wisconsin Land Information Program; and

7  
8           WHEREAS, the Manitowoc County Board of Supervisors established a Land Information Office in  
9 1989 and approved an updated Manitowoc County Land Records Modernization Plan on December 20, 2000  
10 that was then accepted by the State; and

11  
12           WHEREAS, an updated Land Records Modernization Plan is required for continued participation  
13 in the Land Information Program to satisfy the conditions of chapters 16.967 and 59.72; and

14  
15           WHEREAS, continuation in the Wisconsin Land Information Program allows Manitowoc County  
16 to continue to retain the collected fees and qualify for the grant program; and

17  
18           WHEREAS, the Manitowoc County Land Records Modernization Plan, 2006-2010 updates the 2000  
19 plan and sets forth the County's Land Information Plan for a time frame of 2000 through 2006;

20  
21           NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors does  
22 hereby approve the Manitowoc County Land Records Modernization Plan, 2006-2010.

Dated this 20<sup>th</sup> day of December 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No Fiscal Impact.

APPROVED: Dan Fischer, County Clerk

Supervisor Brey moved, seconded by Supervisor Bauknecht, to adopt Resolution 3 (2005/2006-126) Amending 2005 Budget (Human Services Department). Upon vote, the motion carried unanimously.

No. 2005/2006 - 126

**RESOLUTION AMENDING 2005 BUDGET  
(Human Services Department)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the County Board adopts an operating budget each November for the following year;  
2 and  
3

4 WHEREAS, the Human Services Department receives funding from a variety of sources, including  
5 the State of Wisconsin, and this funding is subject to change during the course of the calendar year; and  
6

7 WHEREAS, Human Services Department revenues and expenditures have changed as shown below  
8 and the Finance Committee recommends that the County Board amend the Human Services Department  
9 budget to reflect the following changes:  
10

11	Account No.	Account Name	Change/Amount
12			
13	43070 43560 66	Brain Injury Rev.	- \$ 47,564.00
14	43070 52371	Brain Injury Exp.	- \$ 47,564.00
15			
16	43170 52347	CIP 1A CM	+ \$ 4,976.00
17	43170 52334	CIP 1A Services	+ \$ 276,063.00
18	43170 51200	CIP 1A Wages	+ \$ 19,634.00
19	43170 43560 37	CIP 1A Revenue	+ \$ 300,673.00
20			
21	43575 52334	CIP 1B Services-FF	+ \$ 179,687.00
22	43270 51200	CIP 1B Wages	+ \$ 34,773.00
23	43270 43560 38	CIP 1B Rev.	+ \$ 289,005.00
24	43575 52347	CIP 1B-FF CM	- \$ 15,667.00
25	43670 52334	CIP 1B-COP Services	- \$ 73,839.00
26	43670 52347	CIP 1B-COP Case Mgt	- \$ 3,301.00
27	43870 52347	CIP 1B-CA Match CM	+ \$ 44,728.00
28	43970 52334	CIP 1B-CA Match Serv.	+ \$ 122,624.00
29			

30	43472 43560 85	Children LTS Autism	+	\$	167,829.00
31	43472 52334	Children LTS Autism-Serv.	+	\$	178,498.00
32	43472 52347	Children LTS Autism-CM	-	\$	21,648.00
33	43472 52381	Children LTS Autism-Adm.	+	\$	10,979.00
34					
35	43474 43560 85	Children LTS Autism	+	\$	28,072.00
36	43474 52334	Children LTS Autism-Serv.	+	\$	13,117.00
37	43474 52347	Children LTS Autism-CM	+	\$	13,119.00
38	43474 52381	Children LTS Autism-Adm.	+	\$	1,836.00
39					
40					
41	43570 43560 87	H&CB Waiver/ICF-MR	-	\$	1,247,633.00
42	43570 43560 99	H&CB Waiver Fed. OM	-	\$	36,889.00
43	43570 46630	H&CB Waiver Client Rev.	-	\$	223,497.00
44	43570 52333	H&CB Waiver Day Serv.	-	\$	460,365.00
45	43570 52347	H&CB Waiver Case Mgt.	-	\$	31,363.00
46	43570 52368	H&CB Waiver Other Exp.	-	\$	961,312.00
47	43570 53080	H&CB Waiver Room/Bd.	-	\$	54,979.00
48					
49	45059 43560 60	SACWIS Revenue	-	\$	22,000.00
50	45059 53998 24	SACWIS Expense	-	\$	22,000.00
51					
52	45065 43560 69	Safe Child Initiative	-	\$	2,250.00
53	45065 52384	Safe Child Expense	-	\$	2,250.00
54					
55	45066 43560 31	Lincoln Hills Escrow	-	\$	60,421.00
56	45066 43560 28	Youth Aids Revenue	+	\$	60,421.00
57					
58	45066 43560 89	Early Interv. Funding	+	\$	10,500.00
59	45066 52154 68	Court Costs	+	\$	10,500.00
60					
61	45067 52229 02	Health Check-Facility Exp.	+	\$	40,000.00
62	45067 47243 02	Health Check-Facility Rev.	+	\$	40,000.00
63					
64	45068 43560 32	Youth Indep. Living	-	\$	13,022.00
65	45067 52373	Youth Indep. Living	-	\$	13,022.00
66					
67	45071 52347	COP Case Management	+	\$	25,375.00
68	45071 52334	COP Services	-	\$	38,456.00
69	45071 43560 39	COP Revenue	-	\$	54,625.00

70	45071 52348	COP Non-Med. Assess.	- \$	19,216.00
71	45071 52349	COP Case Plans	- \$	22,328.00
72				
73	45073 43560 41	CIP II/COP W Rev.	- \$	138,571.00
74	45073 51200	CIP II Wages	- \$	1,166.00
75	45073 52334	CIP II Services	- \$	88,694.00
76	45073 52347	CIP II Case Mngment	+ \$	72,027.00
77	45173 51200	COP-W Wages	- \$	7,898.00
78	45173 52334	COP-W Services	- \$	115,083.00
79	45173 52347	COP-W Case Mng.	+ \$	2,243.00
80				
81	45172 52999	Other Contracted Serv.	+ \$	20,000.00
82	45172 52352	Personal Care Expense	+ \$	118,400.00
83	45172 53998	Personal Care Other Supp.	+ \$	3,600.00
84	45172 47237	PC MA Revenue	+ \$	142,000.00

85  
86 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
87 2005 Budget is amended by the amounts shown above and that the Comptroller/Auditor is directed to record  
88 such information in the official books of the County for the year ending December 31, 2005 as may be  
89 required.

Dated this 20th day of December 2005.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Decreases net budgeted revenues and expenses by \$807,972.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey reported the Register of Deeds Office recorded their one millionth document this past Monday. The first document was recorded in 1877 and the 500,000th document was recorded on June 3, 1975.

Health Care Center Committee: Supervisor Vogt reported on January 1, 2006, the Developmentally Disabled Unit will be re-licensed for short term rehabilitation use; overtime is on track with the budget; and the State revisited and found no problems.

Highway Committee: Supervisor Sloan reported Congress has passed a two million dollar block grant for a new main runway at the airport and they are looking at combining the Kellnersville and Cleveland Shop.

Supervisor Sloan moved, seconded by Supervisor Nate, to adopt Resolution 4 (2005/2006-127) Authorizing Out-of-State Travel for Gary Kennedy. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Gary Kennedy)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS: \_

1 WHEREAS, the Transportation Development Association (TDA) is sponsoring a fly-in to Washington,  
2 D.C. on March 29-30, 2006 for the purpose of direct communication and interaction with members of the  
3 United States Senate and House of Representatives on topics of importance to Wisconsin transportation; and  
4

5 WHEREAS, the National Association of County Engineers (NACE) will hold its National Conference  
6 in Grand Rapids, Michigan on April 9-13, 2006; and  
7

8 WHEREAS, the Wisconsin County Highway Association (WCHA) encourages its Board of Directors  
9 and Executive Committee Members to attend the TDA meeting and NACE conference on behalf of its  
10 members and will reimburse all necessary expenses for attending these events; and  
11

12 WHEREAS, Highway Commissioner Gary Kennedy presently serves as WCHA's Past State President,  
13 is a member of the WCHA Board of Directors and Executive Committee, and will chair the NACE  
14 Conference in Milwaukee, Wisconsin in April 2007; and  
15

16 WHEREAS, the Highway Committee has determined that it would be advantageous to Manitowoc  
17 County, the Highway Department, and WCHA for Highway Commissioner Kennedy to attend these events;  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
20 Gary Kennedy to travel out of state to attend the TDA meeting in Washington, D.C. on March 29-30, 2006  
21 and the NACE Conference in Grand Rapids, Michigan on April 9-13, 2006, provided that all expenses are  
22 reimbursed by the Wisconsin County Highway Association.

Dated this 20th day of December 2005.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Land Conservation Committee/Natural Resources & Education Committee: Chairperson Hansen announced Supervisor Wagner, a member of Wisconsin Associated County Extension Committees, Inc., has been chosen as a delegate to represent the 6<sup>th</sup> District for 2006-2007.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 5 (2005/2006-128) Amending 2005 Budget (Aging Resource Center). Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2005 BUDGET  
(Aging Resource Center)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Bay Area Agency on Aging has changed the formula allocating Federal and State 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 2005 Budget:

Revenue or Expense	Account	Description	Amount
Revenue	46100.43566.02	Congregate Meal NSIP	\$4,679
Expense	46100.53005	Operating Supplies	\$4,679
Revenue	46250.43566.04	Home-Delivered NSIP	(\$7,750)
Expense	46250.52940	Contracted Food	(\$7,750);

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the 2005 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, 2005.

Dated this 20th day of December 2005.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Decreases total budgeted revenue and expenses by \$3,071.

APPROVED: Dan Fischer, County Executive.

Legislative Review Committee: Supervisor Markwardt reported they met in December to discuss the proposed referendum regarding troop withdrawal from Iraq and there was no action taken. They also reviewed and supported SB398 and SB367. Their next meeting will be February 6.

Personnel Committee: Supervisor Vogt reported they will continue discussing the travel policy; they received numerous applications for the Joint Dispatch Supervisory positions; they will be meeting with Union Representatives on Strategic Planning; they will discuss elected official compensation which must be set before June 1; and the ground rules have been set with bargaining units.

Supervisor Vogt moved, seconded by Supervisor Janowski, to adopt Resolution 6 (2005/2006-129) Increasing Regular Non-represented Employee Compensation. Upon vote, the motion carried unanimously.

**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, internal equity and the integrity of the non-represented compensation plan are dependent  
6 upon maintaining existing differentials between the compensation of supervisory personnel and supervised  
7 employees; and

8  
9 WHEREAS, an across the board wage increase of 3.0% and associated FICA and WRS costs  
10 have been incorporated into the 2006 budget;

11  
12 WHEREAS, an increase in the employee contribution toward health insurance premium from 8% to  
13 10% has been incorporated into the 2006 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, 2006; and

17  
18 BE IT FURTHER RESOLVED that non-represented positions listed on the attached sheets will  
19 receive the 3.0% across-the-board wage increase effective January 1, 2006; and

20  
21 BE IT FURTHER RESOLVED that those employees still serving their probationary period on January  
22 1, 2006 will receive the 3.0% across-the-board increase upon the successful completion of their probationary  
23 period; and

24  
25 BE IT FURTHER RESOLVED that the non-represented employee contribution toward health  
26 insurance premiums will be increased from 8% to 10% effective January 1, 2006.

Dated this 20th day of December 2005.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	Wages	\$191,855.35
	FICA	\$ 14,676.96
	WRS	\$ 22,078.27
	Health Insurance Premium	(\$34,885.44)
	Total	\$193,725.14

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 7 (2005/2006-130) Relating to Concealed Carry Legislation. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

**RESOLUTION RELATING TO CONCEALED CARRY LEGISLATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1     WHEREAS, Manitowoc County prohibits anyone other than a peace officer from going armed with  
2     a concealed and dangerous weapon; and

3  
4     WHEREAS, Manitowoc County has a zero tolerance policy to address the problem of violence in the  
5     work place and prohibits the possession of any weapon in the work place; and

6  
7     WHEREAS, the Wisconsin Senate and Assembly have passed 2005 Senate Bill 403, as amended,  
8     pertaining to the carrying of concealed weapons; and

9  
10     WHEREAS, the concealed carry bill allows a private employer to prohibit its employees from carrying  
11     a concealed weapon while acting in the course of employment, but does not confer the same right upon  
12     public employers; and

13  
14     WHEREAS, the concealed carry bill grants a private employer immunity from liability resulting from  
15     the use of a concealed weapon by its employees, but does not confer the same benefit upon public employers;  
16     and

17  
18     WHEREAS, the concealed carry bill requires that a public facility provide electronic screening at all  
19     public entrances if concealed weapons are prohibited in the facility, but does not impose the same burden  
20     on a private employer; and

21  
22     WHEREAS, the concealed carry bill provides a funding mechanism for the construction or  
23     improvement of shooting ranges, but does not provide funding to pay for electronic screening at the entrances  
24     to public facilities; and

25  
26     WHEREAS, the concealed carry bill deliberately imposes a burden on private employers by requiring  
27     them to orally notify persons when the carrying of a concealed weapon is prohibited, even when the  
28     prohibition is properly posted; and

29  
30     WHEREAS, the concealed carry bill allows concealed weapons to be carried in places where children  
31     are likely to be present, including day care centers, domestic violence shelters, playgrounds, and public parks;  
32     and

33  
34     WHEREAS, the concealed carry bill allows law enforcement officers only limited access to  
35     information about the identity of persons who may be carrying a concealed weapon and imposes unnecessary  
36     penalties on law enforcement officers; and

37  
38     WHEREAS, the Manitowoc County Board of Supervisors finds that the concealed carry legislation  
39     in its present form is detrimental to the interests of Manitowoc County, its citizens, and employees;

40  
41     NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors calls upon  
42     the Wisconsin Senate and Assembly to enact changes to the concealed carry legislation so that it prohibits  
43     weapons from being brought into public buildings; provides the same protection and standards for public and  
44     private employers; does not jeopardize the safety of the public and law enforcement officers; and does not  
45     impose unnecessary requirements or a fiscal burden on local governments and private employers; and



46  
47 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors calls upon the  
48 Governor to veto the concealed carry bill if the Wisconsin Senate and Assembly fail to enact these changes;  
49 and  
50

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

Dated this 20th day of December 2005.

Respectfully submitted by the Personnel Committee.

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to adopt  
Resolution 8 (2005/2006-131) Concurring in 2005 Bay-Lake Regional Planning Commission Annual Report.  
Upon vote, the motion carried unanimously.

No. 2005/2006 - 131

**RESOLUTION CONCURRING IN 2005  
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 2005;  
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 2005, 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  
23  
24

25 BE IT FURTHER RESOLVED that two signed originals of this resolution are to be forwarded to the  
26 Bay-Lake Regional Planning Commission; and

27  
28 BE IT FURTHER RESOLVED that copies of this resolution are to be transmitted to the  
29 Comprehensive Economic Development Strategy Executive Committee and to the County Clerks of Brown,  
30 Door, Florence, Kewaunee, Marinette, Oconto, and Sheboygan Counties as an expression of Manitowoc  
31 County's desire to cooperate with them in the Bay-Lake Regional Planning Commission's Economic  
32 Development District.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Rasmussen, to adopt Resolution 9 (2005/2006-132) Adopting Agricultural Preservation Plan. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Braunel voted no; all other supervisors voted aye.

No. 2005/2006 - 132

#### **RESOLUTION ADOPTING AGRICULTURAL PRESERVATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin enacted a Farmland Preservation Law in 1977 that provides financial and  
2 technical assistance for the preparation of county farmland preservation plans; and

3  
4 WHEREAS, Manitowoc County has received grants that have aided in the preparation of Manitowoc  
5 County's farmland preservation plan and the County Board has approved and adopted a farmland  
6 preservation plan that meets the standards set by Wisconsin Statute Chapter 91; and

7  
8 WHEREAS, the Wisconsin Land and Water Conservation Board has asked each county to recertify  
9 its plan as an Agricultural Preservation Plan to preserve productive farmland, encourage development in  
10 appropriate locations, and protect environmentally sensitive natural resources; and

11  
12 WHEREAS, adoption of an Agricultural Preservation Plan is required to maintain the eligibility of  
13 farmers and other land holders for tax credits or improve the level of credits given to them; and

14  
15 WHEREAS, the Planning and Park Commission held a public hearing on the plan on October 17, 2005  
16 and, after consideration of the testimony, recommends that the County Board adopt the proposed Agricultural  
17 Preservation Plan;

18  
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
20 and adopts the Manitowoc County Agricultural Preservation Plan and directs that the Planning and Park  
21 Department staff submit the plan to the Wisconsin Land and Water Conservation Board for its certification.

Dated this 20th day of December 2005.

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 10 (2005/2006-133) Amending Zoning Map for Diane Chupita, Ordinance 11 (2005/2006-134) Amending Zoning Map for Jason Duchow, Ordinance 12 (2005/2006-135) Amending Zoning Map for James Hansen, Ordinance 13 (2005/2006-136) Amending Zoning Map for Leonard Harrington, Ordinance 14 (2005/2006-137) Amending Zoning Map for Daniel Karbon, Ordinance 15 (2005/2006-138) Amending Zoning Map for Steve Maurer, and Ordinance 16 (2005/2006-139) Amending Zoning Map for David Melnarik. Upon discussion and vote, the motion carried with 23 ayes and 2 noes. Supervisors Goeke and Rappe voted no; all other supervisors voted aye.

No. 2005/2006 - 133

**ORDINANCE AMENDING ZONING MAP  
(Diane Chupita)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1       WHEREAS, a public hearing was held on November 28, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, Section 31, T21N-R22E, Town of Cooperstown;  
12 commencing at the Center of said Section 31; thence southerly along the centerline of Kocian  
13 Road approximately 966.28 feet; thence westerly approximately 24.75 feet to the west r/w of  
14 Kocian Road which is the point of real beginning; thence continue westerly approximately 570  
15 feet; thence southerly approximately 400 feet; thence easterly approximately 570 feet; thence  
16 northerly along the west r/w of Kocian Road approximately 400 feet to the point of real  
17 beginning, said parcel containing approximately 5.07 acres of land, shall be and is hereby  
18 rezoned from A3 Agriculture to A2 Agriculture.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT:       None

APPROVED:            Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(Jason Duchow)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on November 28, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the SW¼, SW¼, Section 18, T19N-R21E, Town of Rockland;  
12 commencing at the SW Corner of said Section 18; thence northerly along the centerline of CTH  
13 JJ approximately 875 feet; thence easterly approximately 33 feet to the east r/w of CTH JJ  
14 which is the point of real beginning; thence continue easterly approximately 250 feet; thence  
15 northerly approximately 100 feet; thence westerly approximately 250 feet; thence southerly  
16 along the east r/w of CTH JJ approximately 100 feet to the point of real beginning, said parcel  
17 containing approximately .57 acres of land, shall be and is hereby rezoned from A3 Agriculture  
18 to R3 Residential.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

**ORDINANCE AMENDING ZONING MAP  
(James Hansen)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on December 5, 2005 at 7:00 p.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, NW¼, Section 23, T17N-R23E, Town of Schleswig,  
12 commencing at the N¼ Corner of said Section 23, 307.50 feet to the point of beginning; thence  
13 continue S 00° 21' 26" W 318.50 feet along said east line; thence N 89° 38' 34" W 33.00 feet  
14 to the west line of Louis Corners Road; thence S 30° 00' 00" W 313.66 feet; thence N 12° 25'  
15 36" W 279.54 feet; thence N 00° 21' 26" E 315.90 feet; thence N 89° 45' 38" E on a line parallel  
16 with the north line of the NW¼ of said Section 23, 250.00 feet to the point of real beginning,  
17 said parcel containing approximately 2.50 acres of land, shall be and is hereby rezoned from  
18 PA Principal Agriculture to SE Small Estate.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 136

**ORDINANCE AMENDING ZONING MAP  
(Leonard Harrington)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on November 28, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;  
7

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

11 A parcel of land located in the NW¼, SE¼, Section 6, T19N-R21E, Town of Rockland;  
12 commencing at the NE Corner of said Section 6; thence S 00° 38' 38" E, 1216.89 feet along the  
13 east line of said NW¼ of the SE¼; thence N 89° 19' 43" W, 700.18 feet along the north line of  
14 tax parcel No. 015-006-016-008.00; thence N 00° 38' 38" W, 1217.23 feet to the north line of  
15 said NW¼ of the SE¼; thence S 89° 18' 02" E, 700.19 feet along said north line to the point of  
16 beginning, said parcel containing approximately 18.5 acres of land, shall be and is hereby  
17 rezoned from A3 Agriculture to A1 Agriculture; and  
18

19 A parcel of land located in the SW¼, SE¼, Section 6, T19N-R21E, Town of Rockland,  
20 commencing at the SE corner of said SW¼ of the SE¼; thence N 89° 32' 31" W, 720.52 feet  
21 along the south line of said SW¼ of the SE¼; thence N 00° 38' 38" W, 1131.40 feet to the  
22 southwest corner of tax parcel No. 015-006-016-008.00; thence S 89° 20' 44" E, 720.58 feet  
23 along the south line of said tax parcel No. 015-006-017-008.00 to the east line of said SW¼ of  
24 the SE¼; thence S 00° 38' 38" E, 1128.93 feet along said east line to the point of beginning, said  
25 parcel containing approximately 18.5 acres of land, shall be and is hereby rezoned from A3  
26 Agriculture to A1 Agriculture; and  
27

28 A parcel of land located in the SW¼, SE¼, and a part of Government Lot 1, Section 6, T19N-  
29 R21E, Town of Rockland, commencing at the SE Corner of said Government Lot 1; thence N  
30 87° 38' 50" W, 160.86 feet along the south line of said Government Lot 1; thence N 00° 01' 48"  
31 E, 154.55 feet; thence N 16° 55' 06" W, 219.33 feet; thence N 09° 25' 09" W, 66.05 feet; thence  
32 N 16° 55' 06" W, 117.40 feet; thence N 09° 11' 13" E, 541.39 feet; thence S 80° 48' 47" E,  
33 326.38 feet; thence N 09° 11' 13" E, 64.24 feet to the start of a 433.00 foot radius curve to the  
34 right; thence 219.78 feet along the arc of said curve having a 217.43 foot chord which bears  
35 N 23° 43' 41" E to the southeast corner of lands described in volume 327 of deeds on page 540;  
36 thence S 00° 38' 38" E, 1295.35 feet to the point of beginning, said parcel containing  
37 approximately 11.0 acres of land, shall be and is hereby rezoned from C1 Conservancy to A1  
38 Agriculture.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 137

**ORDINANCE AMENDING ZONING MAP  
(Daniel Karbon)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on December 5, 2005 at 7:00 p.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼, SE¼, Section 5, T19N-R23E, Town of Manitowoc  
12 Rapids, commencing at the Center of said Section 5; thence easterly along the centerline of  
13 USH 10 approximately 723.89 feet; thence southerly approximately 45 feet to the south r/w of  
14 USH 10 which is the point of real beginning; thence southeasterly approximately 653.85 feet;  
15 thence easterly approximately 171.80 feet; thence northeasterly approximately 399.53 feet;  
16 thence northwesterly along the west r/w of Branch River Road approximately 272.30 feet;  
17 thence southwesterly approximately 150.24 feet; thence northwesterly approximately 234.33  
18 feet; thence westerly along the south r/w of USH 10 approximately 201.22 feet; thence  
19 southeasterly approximately 200 feet; thence westerly approximately 233.45 feet; thence  
20 northwesterly approximately 200 feet; thence westerly along the south r/w of USH 10  
21 approximately 31.19 feet to the point of real beginning, said parcel containing approximately  
22 5.68 acres of land, shall be and is hereby rezoned from I1 Industrial to B2 Business District.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 138

**ORDINANCE AMENDING ZONING MAP  
(Steve Maurer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on November 28, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 32, T20N-R23E, Town of Kossuth; commencing  
12 at the NE Corner of said Section 32; thence westerly along the centerline of Rockwood Road  
13 approximately 900 feet; thence southerly along the centerline of Rockwood Road approximately  
14 1150 feet; thence easterly approximately 33 feet to the east r/w of Rockwood Road which is the  
15 point of real beginning; thence continue easterly approximately 350 feet; thence southerly  
16 approximately 400 feet; thence westerly approximately 225 feet; thence northerly  
17 approximately 250 feet; thence westerly approximately 200 feet; thence northerly along the east  
18 r/w of Rockwood Road approximately 150 feet to the point of real beginning, said parcel  
19 containing approximately 4.0 acres of land, shall be and is hereby rezoned from NA Natural  
20 District to A1 Agriculture.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 139

**ORDINANCE AMENDING ZONING MAP  
(David Melnarik)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on November 28, 2005 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 SE¼, Section 6, T21N-R22E, Town of Cooperstown;  
12 commencing at the S ¼ Corner of said Section 6; thence easterly along the centerline of Zander  
13 Road approximately 780 feet; thence northerly approximately 33 feet to the north r/w of Zander  
14 Road which is point of real beginning; thence continue northerly approximately 1287 feet;  
15 thence westerly approximately 677 feet; thence southerly approximately 1287 feet; thence  
16 westerly along the north r/w of Zander Road approximately 677 feet to the point of real  
17 beginning, said parcel containing approximately 20.0 acres of land, shall be and is hereby  
18 rezoned from A3 Agriculture to PA Principal Agriculture.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Janowski, to enact Ordinance 17 (2005/2006-140)  
Creating Manitowoc County Code Chapter 25 and Amending Section 24.16 (Small Wind Energy System  
Ordinance). Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Henrickson  
voted no; all other supervisors voted aye.

No. 2005/2006 - 140

**ORDINANCE CREATING MANITOWOC COUNTY CODE  
CHAPTER 25 AND AMENDING SECTION 24.16  
(Small Wind Energy System Ordinance and Moratorium)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County adopted Ordinance No. 2004/2005-77 creating Manitowoc County  
2 Code Chapter 24, Wind Energy Systems Ordinance, which became effective on September 29, 2004; and  
3

4 WHEREAS, concerns raised following adoption of the Wind Energy Systems Ordinance caused  
5 Manitowoc County to enact a moratorium on the receipt of applications and the granting of permits for wind  
6 energy systems so that a specially-created Wind Energy Systems Advisory Committee could review the  
7 ordinance and make recommendations to the Planning and Park Commission regarding the ordinance; and  
8

9 WHEREAS, the Wind Energy Systems Advisory Committee found that a distinction should be drawn  
10 between a large wind energy system that is used to generate energy for commercial sale and small wind  
11 energy system that is primarily used to generate energy for use by its owner; and



12 WHEREAS, the Wind Energy Systems Advisory Committee presented a proposal for a small wind  
13 energy system ordinance to the Planning and Park Commission on December 5, 2005; and  
14

15 WHEREAS, the Planning and Park Commission held a public hearing on the proposed small wind  
16 energy system ordinance at the Manitowoc County Office Complex, 4329 Expo Drive, Manitowoc,  
17 Wisconsin on December 5, 2005, after public notice; and  
18

19 WHEREAS, the Planning and Park Commission, after a careful consideration of the testimony and  
20 an examination of the facts attendant with a petition for changes in the county's ordinances as they relate to  
21 wind energy systems, recommends that the petition be approved for the reasons stated in the attached report;  
22 and  
23

24 WHEREAS, the County Board recognizes that Wisconsin Stat. § 66.0401 limits the authority of a  
25 county, city, town, or village to place any restriction, either directly or in effect, on the installation or use of  
26 a wind energy system unless the restriction satisfies one of the following conditions:  
27

28 (a) Serves to preserve or protect the public health or safety.

29 (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.

30 (c) Allows for an alternative system of comparable cost and efficiency; and  
31  
32  
33  
34

35 WHEREAS, the County Board finds that regulation of noise created by small wind energy systems  
36 is a proper exercise of the county's police power and finds that the proposed ordinance serves to protect the  
37 public health and safety and is consistent with the requirements of state law;  
38

39 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as  
40 follows:  
41

42 Manitowoc County Code Chapter 25, Small Wind Energy System Ordinance, is created to read as  
43 follows:  
44

45 25.01 Title. This ordinance may be referred to as the Small Wind Energy System Ordinance.

46  
47 25.02 Authority. This ordinance is adopted pursuant to authority granted by Wis. Stat. secs. 59.69,  
48 59.694, and 66.0401.  
49

50 25.03 Purpose. The purpose of this ordinance is to establish regulations for small wind energy systems  
51 in order to protect the public health and safety.  
52

53 25.04 Applicability. This ordinance applies to all lands within the boundaries of Manitowoc County  
54 lying outside the limits of incorporated cities and villages, but will not take effect in a town until approved  
55 by the Town Board in accordance with Wis. Stat. sec. 59.69.  
56

57 25.05 Definitions. In this ordinance:  
58

59 (1) "Administrator" means the Code Administrator appointed pursuant to sub. 8.18(2) and his or her  
60 designee.  
61

(2) "Met tower" means a tower, including any anchor, base, base plate, boom, cable, electrical or electronic equipment, guy wire, hardware, indicator, instrument, telemetry device, vane, or wiring, that is used to collect or transmit meteorological data, including wind speed and wind flow information, in order to monitor or characterize wind resources at or near a small wind energy system.

(3) "Owner" means the person that owns a small wind energy system or met tower and the property on which the small wind energy system or met tower is located.

(4) "Small wind energy system" means a wind energy system that has a nameplate capacity of 100 kilowatts or less, has a total height of 170 feet or less, and is primarily used to generate energy for use by its owner.

(5) "Total height" means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point.

(6) "Tower" means either the freestanding, guyed, or monopole structure that supports a wind generator or the freestanding, guyed, or monopole structure that is used as a met tower.

(7) "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.

(8) "Wind generator" means the mechanical and electrical conversion components mounted at the top of a tower in a wind energy system.

25.06 Standards - Small Wind Energy System. A small wind energy system is a permitted use in any district subject to the following requirements:

(1) Set backs. A tower in a small wind energy system must be set back:

(a) at least 1.2 times its total height from the property line of the property on which it is located;

(b) at least 1.2 times its total height from any public road or power line right-of-way; and

(c) at least 1000 feet from any church, gathering place, library, residence, school, or workplace that is not located on the property on which it is located.

(2) Noise. The noise generated by the operation of a small wind energy system may not exceed 5 dB(A) as measured at any point on property adjacent to the parcel on which the small wind energy system is located. The noise level generated by the operation of a small wind energy system will be determined during the investigation of a noise complaint by comparing the sound level measured when the wind generator blades are rotating to the sound level measured when the wind generator blades are stopped.

(3) Blade Clearance. The vertical distance from ground level to the tip of a wind generator blade when the blade is at its lowest point must be at least 30 feet.

(4) Access. All ground-mounted electrical and control equipment must be labeled and secured to prevent unauthorized access. A tower may not have step bolts or a ladder within 8 feet of the ground that is readily accessible to the public.

(5) Electrical Wires. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires, must be located underground.

(6) Lighting. A wind tower and generator may be artificially lighted only if lighting is required by the Federal Aviation Administration.

(7) Appearance, Color, and Finish. The exterior surface of any visible component of a small wind energy system must be a non-reflective, neutral color.

(8) Signs. No sign, other than a warning sign or installer, owner, or manufacturer identification sign, may be placed on any component of a small wind energy system if the sign is visible from a public road.

(9) Code Compliance. A small wind energy system must comply with the National Electrical Code and all applicable state construction and electrical codes. The owner must provide certification from a state licensed inspector showing that the small wind energy system complies with all applicable codes before placing the small wind energy system into operation.

(10) Signal Interference. The owner of a wind energy system must filter, ground, and shield a tower and take any other reasonable steps necessary to prevent, eliminate, or mitigate any interference with the transmission and reception of electromagnetic communications, such as microwave, radio, telephone, or television signals.

(11) Utility Interconnection. A small wind energy system that connects to the electric utility must comply with Wis. Admin. Code § PSC 119 "Rules for Interconnecting Distributed Generation Facilities."

25.07 Standards - Met Tower. A met tower is a permitted use in any district subject to the same standards as a small wind energy system set forth in sec. 25.06, except for the standards contained in subs. 25.06(2) and (3).

25.08 Zoning Permit. (1) Permit Requirement. A zoning permit is required for the installation of a small wind energy system or a met tower, and the owner must apply for a zoning permit and pay the fee for a permitted accessory use. The application will be processed following the procedures set forth in par. 8.18(2)(b).

(2) Site Plan Review. The owner must pay the fee for a site plan review, provide a site plan and information as specified in sub. 8.18(3), and provide the following additional information as part of the permit application:

(a) Location of any overhead utility lines on or adjacent to the property;

(b) Description and specifications of the components of the small wind energy system, met tower, or both, including the manufacturer, model, capacity, blade length, and total height of any small wind energy system; and

(c) Blueprints or drawings which have been approved by a registered professional engineer for any tower and tower foundation.

(3) If the permit application is denied, the Administrator will notify the owner in writing and provide a written statement of the reason why the application was denied. The owner may appeal the Administrator's decision to the Board of Adjustment as provided by sub. 8.19(7).

163 (4) Expiration. A permit expires if the small wind energy system or met tower is not installed and  
164 functioning within 12 months from the date the permit is issued.

165  
166 25.09 Abandonment. (1) A small wind energy system or met tower that is out-of-service for a  
167 continuous period of 12 months will be deemed abandoned and the Administrator may issue a Notice of  
168 Abandonment to the owner.

169  
170 (2) If, within 30 days of receipt of a Notice of Abandonment, the owner provides the Administrator  
171 with information showing that the small wind energy system or met tower has not been abandoned, the  
172 Administrator will withdraw the Notice.

173  
174 (3) Unless the Administrator withdraws the Notice of Abandonment, a small wind energy system or  
175 met tower must be removed within 90 days of the Notice of Abandonment and the site must be reclaimed  
176 to a depth of 4 feet. If the owner fails to remove a small wind energy system or met tower and reclaim the  
177 site, the county may remove or cause the removal of the small wind energy system or met tower and the  
178 reclamation of the site. The cost of removal and reclamation will become a lien upon the property and may  
179 be collected in the same manner as property taxes.

180  
181 25.10 Violations. (1) It is unlawful for any person to construct, install, or operate a small wind energy  
182 system or met tower that is not in compliance with this ordinance or with any condition contained in a zoning  
183 permit issued pursuant to this ordinance. A small wind energy system or met tower that was installed prior  
184 to the effective date of this ordinance is exempt from the requirements of this ordinance.

185  
186 (2) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or otherwise resist  
187 an order issued pursuant to this ordinance.

188  
189 (3) A separate offense is deemed committed on each day that a violation occurs or continues.

190  
191 25.11 Enforcement. (1) The Administrator may enter any property for which a zoning permit has been  
192 issued under this ordinance to conduct an inspection to determine whether there is any violation of this  
193 ordinance or whether the conditions stated in the permit have been met. The Sheriff or the Sheriff's designee  
194 may enter any property for which a zoning permit has been issued under this ordinance to conduct an  
195 inspection to determine whether there is any violation of sec. 25.06(3).

196  
197 (2) The Administrator may issue an order to abate any violation of this ordinance. The Sheriff or the  
198 Sheriff's designee may issue an order to abate a violation of sec. 25.06(3).

199  
200 (3) The Administrator may issue a citation for any violation of this ordinance. The Sheriff or the  
201 Sheriff's designee may issue a citation for any violation of sec. 25.06(3).

202  
203 (4) The Administrator may refer a violation of this ordinance to Corporation Counsel for legal action.  
204 The Sheriff may refer a violation of sec. 25.06(3) to Corporation Counsel for legal action.

205  
206 (5) Nothing in this section may be construed to prevent the county from using any other lawful means  
207 to enforce this ordinance.

208  
209 25.12 Penalties. (1) A person will, upon conviction for a violation of this ordinance, forfeit not less  
210 than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for each violation.  
211 A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails or refuses  
212 to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of  
213 confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of

income and all assets may be considered regardless of whether the income and assets are subject to garnishment, lien, or attachment by creditors.

(2) The failure of any employee, official, or officer of the County to perform any official duty imposed by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code unless a penalty is specifically provided.

25.13 Relationship to Other Ordinances. This ordinance does not abrogate, annul, impair, interfere with, or repeal with any existing ordinance.

25.14 Severability. The provisions of this ordinance are severable, and the invalidity of any section, subsection, paragraph, or subdivision will not affect the validity or effectiveness of the remainder of the ordinance.

Manitowoc County Code sec. 24.16, Moratorium, is amended as follows:

24.16 Moratorium. (1) A moratorium on the receipt of applications and the granting of permits for large wind energy systems and small wind energy systems is hereby enacted. The purpose of the moratorium is to allow the creation of an Advisory Committee to make recommendations to the Planning and Park Commission on amendments to this ordinance and to allow the Planning and Park Commission to conduct hearings and make recommendations to the County Board regarding amendments to this ordinance. The moratorium shall be in effect for a period of 12 months from the date this ordinance is passed by the County Board and approved by the County Executive or until the County Board adopts and the County Executive approves amendments to this ordinance or rescinds this moratorium, or both.

(2) The moratorium on the receipt of applications and the granting of permits for small wind energy systems contained in sub. (1) is repealed effective January 1, 2006. The moratorium on the receipt of applications and the granting of permits for large wind energy systems contained in sub. (1) will continue in effect until May 17, 2006 or until the County Board adopts and the County Executive approves amendments to this ordinance or rescinds this moratorium.

This ordinance is effective January 1, 2006.

Dated this 20th day of December 2005.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable. Increased revenue from fees will depend on the number of permit applications that are filed.

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 18 (2005/2006-141) Authorizing Out-of-State Travel for Nancy H. Crowley. Upon vote, the motion carried with 24 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Nancy H. Crowley)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Emergency Management Director Nancy H. Crowley has been invited  
2 to attend the 16th Annual National Radiological Emergency Preparedness Conference, which provides a  
3 forum for dialogue among individuals who are professionally involved in off-site radiological emergency  
4 preparedness programs; and  
5

6 WHEREAS, the Emergency Management Director acts as the county's primary emergency  
7 preparedness specialist and will benefit from a conference that focuses on important and timely issues of  
8 concern, including current federal issues, the media, radioactive waste, and radiological health; and  
9

10 WHEREAS, all expenses, including airfare, hotel, meals, and surface transportation, will be borne by  
11 the Nuclear Management Company;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
14 Nancy H. Crowley to attend the National Radiological Emergency Preparedness Conference in St. Louis,  
15 Missouri on March 24 – April 2, 2006.

Dated this 20th day of December 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None. Conference expenses will be fully reimbursed to County by the Nuclear  
Management Company.

APPROVED: Dan Fischer, County Executive,

Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 19 (2005/2006-142)  
Accepting Training Award (Incident Command System). Upon vote, the motion carried unanimously.

**RESOLUTION ACCEPTING TRAINING AWARD  
(Incident Command System)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Office of Justice Assistance is making a \$1,389 FY 2005 training award available to  
2 Manitowoc County for Incident Command System courses; and  
3

4 WHEREAS, this training award enhances the county's ability to effectively communicate critical  
5 information between field Incident Command Center operations and the Emergency Operations Center;  
6

7 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
8 the Manitowoc County Emergency Management Department to apply for and accept training funds from the  
9 Office of Justice Assistance in an amount not to exceed \$1,389; that the 2005 budget is amended by the

10 amount of any training funds received; and that the Comptroller/auditor is directed to record such  
11 information in the official books of the County for the year ending December 31, 2005 as may be required.

Dated this 20th day of December 2005.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue (25000.43520.12) and associated expenses (25000.53034) by up to \$1,389 in the 2005 budget.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench reported Kay Beilke resigned as Administrator of the Joint Dispatch Center on December 15 with January 2, 2006 being her last day.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they are discussing large Wind Energy Systems and their next meetings will be January 12 and January 26 at the Office Complex.

Miscellaneous: Supervisor Barnes moved, seconded by Supervisor Baukencht, to adopt Resolution 20 (2005/2006-143) Supporting SB398 (Fire-Safe Cigarettes). Upon vote, the motion carried unanimously.

No. 2005/2006 - 143

**RESOLUTION SUPPORTING SB398  
(Fire-Safe Cigarettes)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 240 Wisconsin residents died as a result of fire from 2000-2004; and

2  
3 WHEREAS, cigarettes are the leading cause of fatal fires in the US and cigarette-caused fires are  
4 responsible for about 25% of all fire deaths and cost approximately \$4 billion per year; and

5  
6 WHEREAS, the technology exists to manufacture self-extinguishing cigarettes that would reduce the  
7 number of fires and fire-related deaths and injuries caused by cigarettes; and

8  
9 WHEREAS, California, New York, Vermont, and Canada have fire-safe cigarette laws, and the  
10 number of deaths from fires in New York was reduced from 34 in 2002 to 24 in 2004 following  
11 implementation of its fire-safe cigarette law;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
14 Senate Bill 398, which requires that all cigarettes sold in Wisconsin meet fire-safety standards; and

15  
16 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
17 the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin  
18 Assembly, and each legislator in the Wisconsin Senate and Assembly who represents constituents from  
19 Manitowoc County.

Dated this 20th day of December 2005.

Respectfully submitted by the Board of Health.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Sloan, to adopt Resolution 21 (2005/2006-144) Supporting Senate Bill 367 (Disposal of Electronic Equipment). Upon vote, the motion carried unanimously.

No. 2005/2006- 144

**RESOLUTION SUPPORTING SENATE BILL 367  
(Disposal of Electronic Equipment)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISOR:

1 WHEREAS, electronic equipment contains materials that are highly dangerous to human health and  
2 the environment and waste from discarded electronics is one of the fastest growing and most toxic waste  
3 streams generated in the United States today; and  
4

5 WHEREAS, management of this stream of electronic waste places a financial burden on state and  
6 local governments and increases taxes for everyone; and  
7

8 WHEREAS, it is reasonable to place the financial responsibility for managing this waste stream on  
9 the producers of the electronic equipment in order to relieve the financial burden on taxpayers and local  
10 governments, to create incentives for manufacturers to reduce the use of toxic materials in products, and to  
11 encourage product designs that are more easily reused or recycled; and  
12

13 WHEREAS, California, Maine, Minnesota, and Virginia have all enacted electronic waste laws, and  
14 Arkansas, Colorado, Hawaii, Illinois, Michigan, Mississippi, Nebraska, Nevada, New York, New Mexico,  
15 Oregon, Rhode Island, South Carolina, Tennessee, Texas and Vermont have all introduced electronics waste  
16 legislation;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports  
19 Senate Bill 367 requiring that producers of certain electronic equipment sold in Wisconsin implement a  
20 program to “take back” discarded electronic equipment; and  
21

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

Dated this 20th day of December 2005.



Respectfully submitted by the Public Works Committee.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 22 (2005/2006-145) Approving Town of Centerville Zoning Ordinance (Chris McGeary). Upon vote, the motion carried unanimously.

No. 2005/2006 - 145

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE  
(Chris McGeary)**

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 Chris McGeary  
13 on November 30, 2005.

Dated this 20th day of December, 2005.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Maresh moved to adjourn. Supervisor Brey seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:50 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

January 17, 2006

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 17th day of January 2006, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:22 P.M.

Supervisor Glen Skubal 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, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rasmussen, Skubal, Vogt and Wagner. Supervisors Rappe and Sloan were excused.

On a motion by Supervisor Brey and seconded by Supervisor Behnke, the December 20, 2005 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input open at 7:26 p.m.

Mark O'Connell, WCA Executive Director, stated the Legislative Review document will be available in a few weeks summarizing the legislative issues. He introduced Craig Thompson, WCA Legislative Director, who discussed three pending issues including AB-802 which would ensure capturing additional federal funds due to expenses incurred by the nursing homes. If this bill is passed, the state must pass the money down to the local units of government that have nursing homes; AB-509 regarding pothole liability would make liability on county trunks the same as state highways; AB-129 relating to penalties on late payments on property tax bills would move the second payment to September 1; and there is no legislation being reviewed on TABOR. They answered supervisors' questions.

Ken Stubbe, EDC Executive Director, presented his semi-annual report summarizing the 2005 clients and projects, current active projects and planned projects, 2006 budget, and 5 year strategic plan. He stated the core functions of the EDC are to help support the existing business and industrial base, provide resources to encourage growth, and expand businesses.

Joseph Dvorak, Town of Kossuth, spoke in opposition to the DNR proposal of allowing deer hunting with a rifle in Manitowoc County. A rifle shot travels a great distance and there is great danger of being shot.

No one else present wished to speak and public input was closed at 8:19 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Hansen asked Gary Kennedy, Highway Commissioner, to present Certificates of Appreciation to retiring Manitowoc County employees James Sprang for over 39 years of service and Gary Yanda for over 36 years of service at the Highway Department.

Supervisor Skubal reported on the Wisconsin Counties utility tax. There are concerns on changing the formula. He will have more information following a meeting on February 8<sup>th</sup>.

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

Miscellaneous: Supervisor Brey moved, seconded by Supervisor Markwardt, to enact Ordinance 4 (2005/2006-146) Amending Manitowoc County Code Sec. 1.07 and Adopting a New County Seal. Upon discussion and vote, the motion carried with 18 ayes and 5 noes. Supervisors Wagner, Skubal, Rasmussen, Goeke, and Mueller voted no; all other supervisors voted aye.

No. 2005/2006 - 146

**ORDINANCE AMENDING MANITOWOC COUNTY CODE  
SEC. 1.07 AND ADOPTING A NEW COUNTY SEAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County seal that was adopted by the county board on June 15, 1976 includes icons  
2 symbolic of the county's history and depicting assets that were deemed important 29 years ago; and  
3

4 WHEREAS, the present county seal focuses on the past and does not project a vision of the future  
5 for Manitowoc County; and  
6

7 WHEREAS, input and designs for a new seal were received from Manitowoc County citizens and  
8 reviewed by a committee comprised of citizens, county board supervisors, county employees, and municipal  
9 officials; and  
10

11 WHEREAS, the committee commissioned local artist John Peroutka, who volunteered his time, to  
12 incorporate the best of the designs that were submitted into a county seal that presents a unified design  
13 reflecting the county's history, its current strengths, and its vision for the future; and  
14

15 WHEREAS, the current seal, the various designs that were submitted, and a proposed new design  
16 were presented to the county board at its November 2005 meeting;  
17

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

21 Manitowoc County Code secs. 1.07 and 1.07(1) are amended as follows:  
22

23 **1.07 County Seal.** ~~The County of Manitowoc hereby adopts and directs the utilization of the~~  
24 ~~following seal:~~  
25

26 (1) ~~County seal. An emblem consisting of two concentric circles with the words "Manitowoc~~  
27 ~~County" two stars and the words "Manitowoc Wisconsin" emblazoned between the rings; and the following~~  
28 ~~symbols in the inner circle: At center, a map of the county, surrounded by, from the bottom clockwise, a~~  
29 ~~submarine being launched, a factory, a farm, an airplane, the state motto "Forward" on a scroll superscribed~~  
30 ~~above a sunrise, a clipper ship, the Courthouse, and a depiction of the Constitution with quill pen poised~~  
31 ~~above it. The county hereby adopts an official seal blazoned as follows:~~

32 A central disk covered by a blue sky.

33  
34 A first, innermost gold ring with black icons clockwise from the honor point of an anchor  
35 representing the county's maritime history and three five-pointed stars representing the county's cities,  
36 villages, and towns and counter-clockwise from the nomenclature point of a stalk of corn representing the county's  
37 agricultural prominence and three cogs representing the county's manufacturing excellence.

38  
39  
40 A second, ornamental, light blue ring with a cog-toothed outer edge.

41  
42 A third, dark blue ring with the words "COUNTY OF MANITOWOC" in the chief point and the  
43 word "WISCONSIN" in the base point.

44  
45 A fourth, ornamental, gold ring with a cog-toothed outer edge.

46  
47 A graphic rendition of the cupola of the Manitowoc County Courthouse topped by an American flag  
48 centered on the fesse point and overlying the central disk, the four rings at the chief point, and the first three  
49 rings at the base line.

50  
51 A wavy gold banner with numbers showing the year "1838" in which the county was incorporated  
52 overlying the four rings at the base line.

53  
54 Manitowoc County Code sec. 1.07(2) is amended as follows and by replacing the image of the  
55 original seal with an image of the new county seal.

56  
57 (2) The following ~~is the visual depiction of~~ image depicts the county seal:



70 Manitowoc County Code sec. 1.07(3) is amended as follows:

71  
72 (3) Style. The county seal may be affixed to a document by an embossing seal, an inked rubber  
73 stamp, or by printing the seal on the document ~~prior to its execution.~~ The county seal may be depicted in  
74 color or in black-and-white.

This ordinance is effective upon publication.

Dated this 17th day of January 2006.

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

FISCAL IMPACT: Approximately \$1,500 to replace 5 banners, 1 embosser, 2 stamps, and 4 forms and set up letterhead. Some staff time and materials will be needed to update the county's website; computer applications, and other materials once existing stock is depleted. Any seal that has been incorporated into a structure or monument will not be replaced.

APPROVED: Dan Fischer, County Executive.

Lauren Reed, Assistant County Executive, explained the process in selecting a new county seal and presented a plaque to John Peroutka in appreciation for his volunteer work on the new seal. He stated he was glad to have been part of the process.

Board of Health: Supervisor Barnes moved, seconded by Supervisor Rasmussen, to adopt Resolution A 1 (2005/2006-147) Authorizing Out-of-State Travel (Catherine Ellis). Upon vote, the motion carried unanimously.

No. 2005/2006 - 147

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Catherine Ellis)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Public Health Nurse Catherine Ellis has been invited to serve on  
2 the Wisconsin State Team participating in a conference on Evidence-Based Disability and Disease Prevention  
3 for Elders in Atlanta, Georgia on February 14 – 16, 2006; and  
4

5 WHEREAS, the number of older persons in Manitowoc County is increasing, this age group has a  
6 high mortality from falls, and there is a need to implement research-based interventions to address the health  
7 problems of the elderly; and  
8

9 WHEREAS, the conference will provide Ms. Ellis with the knowledge needed to address this  
10 important health issue in Manitowoc County; and  
11

12 WHEREAS, all expenses, including airfare, hotel, meals, and surface transportation, will be borne  
13 by the Wisconsin Department of Health and Human Services and the Wisconsin Injury Prevention Coalition;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
16 authorizes Catherine Ellis to attend the Evidence-based Disability and Disease Prevention for Elders  
17 conference in Atlanta, Georgia on February 14 – 16, 2006.

Dated this 17th day of January 2006.

Respectfully submitted by the Board of Health.

**FISCAL IMPACT:** None. Conference expenses will be paid by the Wisconsin Department of Health and Human Services and the Wisconsin Injury Prevention Coalition.

**APPROVED:** Dan Fischer, County Executive.

Supervisor Barnes reported on Jan. 12<sup>th</sup> he and Jim Blaha attended the Wisconsin Association of Local Health Departments and Boards where they discussed the WIC Program. He also referred to a handout on outdoor wood boilers stating there are no limitations on them. Their next meeting will be on February 9<sup>th</sup> at 4:00 p.m. and they will discuss private funding for a new building.

Executive Committee: Chair Hansen reported they will meet on Monday, Jan. 23<sup>rd</sup> at 4:30 p.m.

Finance Committee: Supervisor Brey reported they will be meeting with several members from the Economic Development Corporation (EDC) in February to discuss the potential turnover of the Revolving Loan Fund to the EDC.

Health Care Center Committee: Supervisor Vogt reported the state reinspection occurred in December and the center is in compliance but there will be a fine. Michael Thomas reported their budget could be \$200,000 short relating to a survey issue for one-to-one service for certain clients. They have applied to the state for an appeal on the rates to cover these special circumstances. If AB-802 is passed, there could be extra revenue generated to cover this shortfall. He answered supervisors' questions.

Human Services Board: Supervisor Bundy reported their next meeting is January 26<sup>th</sup> at 4:30 p.m. They will consider a resolution asking to pay for placements on mental health. They hired an Economic Support worker on Jan. 9<sup>th</sup>; and the Medicare Part D has been busy.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported they will be meeting jointly with Public Safety on Thursday, Jan. 19 at 4:30 p.m. to discuss permitting the use of rifles during the gun deer season in Manitowoc County. If the county takes a position on this issue, it will only be advisory.

Legislative Review Committee: Supervisor Markwardt reported they will be meeting Feb. 6<sup>th</sup> at 5:30.

Personnel Committee: Supervisor Vogt reported they discussed permissible conduct from County Board Supervisors during public input sessions and Corporation Counsel stated it is not intended for debate or to allow disruptive behavior. Questions can be answered for clarification or exchange of information only. They discussed vehicle allowances for positions within the Sheriff's Department and Highway Department; and Kay Beilke will be hired 36 to 40 hrs/month to handle EMD critiques for new supervisors. He stated bargaining with all units has begun and the health care provider proposed benefit design changes that were all turned down by the representative. There was a Strategic Benefits Planning meeting on Jan. 12<sup>th</sup> and Supervisor Markwardt explained that this process will help provide short and long-term employee benefit goals that is effective in attracting and retaining employees, addresses changing needs and accountability of providers and insurance companies and the responsibility of participants.

Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 1 (2005/2006-148) Ratifying Remaining Issues and Settling 2004-2005 Collective Bargaining Agreement with Highway Department Employees Represented by AFSCME Local 986, AFL-CIO. Upon vote, the motion carried unanimously.

**RESOLUTION RATIFYING REMAINING ISSUES AND  
SETTLING 2004-2005 COLLECTIVE BARGAINING AGREEMENT  
WITH HIGHWAY DEPARTMENT EMPLOYEES REPRESENTED  
BY AFSCME LOCAL 986, AFL-CIO**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative agreement with the Highway  
2 Department employees represented by AFSCME Local 986 on all remaining issues for the 2004-2005  
3 collective bargaining agreements; and  
4

5 WHEREAS, bargaining the impact of changes in the Commercial Driver's License has taken  
6 considerable time and effort from both parties; and  
7

8 WHEREAS, a summary of the tentative agreements reached is attached to this resolution;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the tentative agreement of all remaining issues  
11 between Manitowoc County and the employees represented by AFSCME Local 986 is ratified, confirmed,  
12 and approved with the pay schedules, benefits, and terms set forth; and  
13

14 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and  
15 Personnel Director are authorized to execute this settlement.

Dated this 17th day of January 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Annual personal protective equipment allowance of \$50 per employee will become effective upon ratification and has a total bargaining unit cost of \$2,750.

APPROVED: Dan Fischer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 2 (2005/2006-149) Appointing Juvenile Detention Center Superintendent. Upon vote, the motion carried unanimously.

**RESOLUTION APPOINTING JUVENILE DETENTION CENTER SUPERINTENDENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Statute § 938.22(3)(a) requires that a secure juvenile detention facility must  
2 be in the charge of a superintendent and provides that the county board of supervisors must appoint the  
3 superintendent; and  
4

5 WHEREAS, Larry B. Ledvina has been promoted from the position of Juvenile Detention Center  
6 Superintendent to the position of Deputy Inspector; and

7  
8 WHEREAS, Lt. Jeffrey P. Hastreiter is the Assistant Jail Administrator, meets all statutory  
9 requirements, and is best qualified to be appointed to the position of Juvenile Detention Center  
10 Superintendent;

11  
12 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board of Supervisors appoints  
13 Lt. Jeffrey P. Hastreiter to the position of Superintendent of the Manitowoc County Juvenile Detention  
14 Center.

Dated this 17th day of January 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Goeke, to adopt Resolution 3 (2005/2006-150)  
Authorizing Patrol Agreement (Town of Schleswig). Upon vote, the motion carried unanimously.

No. 2005/2006 - 150

**RESOLUTION AUTHORIZING PATROL AGREEMENT  
(Town of Schleswig)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Schleswig has asked the Sheriff's Department to assign State of Wisconsin  
2 certified sworn law enforcement officers to perform police services within the Town's boundaries, over and  
3 above the level of law enforcement services that the Sheriff provides to other cities, towns, and villages  
4 within Manitowoc County; and

5  
6 WHEREAS, the Town is willing to enter into a contract and to pay for such services; the Sheriff is  
7 willing to provide such services; and the County will consent to such a contract provided that the costs of  
8 providing the additional services are adequately reimbursed by the Town; and

9  
10 WHEREAS, the County and the Town are authorized to enter into intergovernmental cooperative  
11 agreements pursuant to Wis. Stat. § 66.0301(2); and

12  
13 WHEREAS, the Public Safety Committee has provided the County Board with a copy of the  
14 proposed contract, which has been reviewed by the Corporation Counsel, and recommends that the County  
15 Board authorize entering into the contract;

16  
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
18 authorizes a Patrol Agreement with the Town of Schleswig and authorizes the Manitowoc County Sheriff,  
19 the Manitowoc County Executive, and the County Clerk to execute the Patrol Agreement.

Dated this 17th day of January 2006.

Respectfully submitted by the Public Safety Committee.



FISCAL IMPACT: No tax levy impact. Expenses will be fully reimbursed by the Town.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench reported their next meeting is Thursday, Jan. 19<sup>th</sup> at 4:30.

Public Works Committee: Supervisor Behnke reported on the outgoing recyclables total for 2005 compared to 2002-2004.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski moved, seconded by Supervisor Behnke, to approve Resolution 3A (2005/2006-151) Authorizing Out-of-State Travel (Wind Energy System Advisory Committee). Upon discussion, Supervisor Rasmussen moved, seconded by Supervisor Goeke, to close the debate. Upon vote, the motion carried unanimously. Upon vote, the resolution was adopted with 22 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted aye.

No. 2005/2006 - 151

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Wind Energy Systems Advisory Committee)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors created a Wind Energy Systems Advisory  
2 Committee (WESAC) to study and make recommendations regarding the county's Wind Energy Systems  
3 Ordinance; and  
4

5 WHEREAS, WESAC reviewed the Wind Energy Systems Ordinance, recommended that small wind  
6 energy systems and large wind energy systems be regulated in separate ordinances, observed small wind  
7 energy systems in operation, and developed a Small Wind Energy Systems Ordinance that has been adopted  
8 by the County Board; and  
9

10 WHEREAS, WESAC is continuing its review of the issues relating to large wind energy systems and  
11 believes that it is vital for the committee to observe the operation of a large wind energy system that is  
12 comparable to the ones proposed for Manitowoc County in order to effectively evaluate the issues relating  
13 to large wind energy systems and to complete its task; and  
14

15 WHEREAS, WESAC has been unable to observe any comparable large wind energy systems because  
16 no such systems are located in the state of Wisconsin and, therefore, requests that the County Board authorize  
17 out-of-state travel to inspect a large wind energy system comparable to the ones that are proposed for  
18 Manitowoc County;  
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
21 authorizes the Wind Energy Systems Advisory Committee to travel out-of-state for the purpose of observing  
22 a large wind energy system that is comparable to the ones that are proposed for Manitowoc County; provided  
23 that no overnight travel is required, that the most economical means of transportation is used, that the  
24 inspection is properly noticed as required by the Wisconsin Open Meetings Law, that a reasonable  
25 opportunity is provided for members of the public to observe the inspection, and that the members of the  
26 committee and any county employees who participate in the inspection are reimbursed in accordance with  
27 the county's travel policy; and  
28

29 BE IT FURTHER RESOLVED that the Wind Energy Systems Advisory Committee is authorized  
30 to accept in-kind or other contributions of transportation costs.

Dated this 17th day of January 2006.

Respectfully submitted by Wind Energy Systems Advisory Committee.

FISCAL IMPACT: Indeterminable, but estimated not to exceed \$1,350 (\$1,000 for mileage and \$350 for meals). These costs would either be in addition to or in place of expenses used to set the present budget. Actual cost will depend on the location of the wind farm, number of travelers, and travel distance, means, and time.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved to adjourn. Supervisor Graunke seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:37 P.M.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

February 21, 2006

Tuesday, 6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 21<sup>st</sup> day of February, 2006, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 6:30 P.M.

Supervisor Catherine Wagner 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, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Vogt and Wagner. Supervisor Sloan was excused.

The County Clerk announced a correction to the January 17, 2006 minutes. On page 2, under "Personnel Committee", line 5 was changed from "handle critiques for new supervisors." to " handle EMD critiques for new supervisors." On a motion by Supervisor Brey and seconded by Supervisor Graunke, the minutes, as amended, were approved unanimously.

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

Chairperson Hansen declared public input open at 6:35 p.m.

Richard McDonald, TAMCO Chairperson, spoke on the Tourism Alliance of Manitowoc County, which is an organization formed to increase the economic impact of tourism in the County. He explained it is a completely unfunded and volunteer driven organization that works to maximize the use of our resources by facilitating cooperation, communication, and coordination among entities involved in tourism in the County.

Sarah VanLanduyt, Manitowoc County Historical Society Executive Director, spoke on the combined centennial activities of the Historical Society and the Manitowoc County Courthouse that will include a "Birthday Cake Celebration" and a "Business After Hours" event. She also explained the unique opportunity to preserve our history by contributing to the Manitowoc County Historical Society Centennial Endowment Campaign which will support ongoing MCHS educational and preservation activities.

Larry Bonde, Manitowoc County Conservation Congress Chairperson, spoke in favor of the Rifle Deer Hunting Zone. He explained the three year process for passage of an issue. He read a statement from Jeff Pritzl, DNR Wildlife Manager, that indicated the DNR does not have a position on the use of a rifle versus shotgun for hunting.

Bill Enz, Town of Cooperstown Chairperson, spoke in opposition to the Rifle Deer Hunting Zone in Manitowoc County. He expressed an opinion that a rifle is much more dangerous than a shot gun and there is a big difference between hunting in Lakewood and Manitowoc County. He also has an issue with proposed legislation that could mandate car seats for children up to eight years old and could also allow eight year old children to hunt.

Attorney William Culpepper, Charlotte, North Carolina, representative of Flint Hills Resources, conducting business in Wisconsin, spoke in opposition to the proposed ethanol mandate. He felt a mandate could have a negative environmental impact on Manitowoc County and is not necessary because ethanol can be purchased if one so chooses. He asked supervisors to support the resolution before them.

Tim Osterburg, Wisconsin representative of Emerging Energies, spoke on issues moving forward with the Wind Energy Advisory Committee. His company has a conditional use permit request still on hold from one year ago with the County.

Larry Henschel, Kiel, addressed the Board on the use of a rifle in Manitowoc County. He stated there are new homes being built and an increasing population in the Town of Schleswig. He explained a shotgun slug can travel 1200 yards and a rifle bullet up to 2 1/2 miles under ideal conditions. He feels more property owners may post "no hunting" if legislation is passed to approve rifle deer hunting.

No one else present wished to speak and public input was closed at 7:00 p.m.

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

Chairperson Hansen explained an individual from the Sheriff's Department has an opportunity to attend an "Advanced Passenger Vehicle and Commercial Vehicle Terrorist and Criminal Interdiction" training that began on February 20. He approved the travel and felt it is a good deal for the County.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen presented County Executive Dan Fischer's appointments to the Board of Health: Dr. Todd Nelson to complete Supervisor Bob Dobb's term expiring April 2006 and Dr. Mary Jo Capodice to complete Dr. Henry Looman's term expiring April 2007; and Supervisor Bob Dobbs to the Health Care Center Committee to complete Chairperson Paul Hansen's term expiring April 2006. Supervisor Graunke moved, seconded by Supervisor Barnes, to approve the appointments. Upon discussion, Chairperson Hansen asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson presented County Executive Dan Fischer's appointment of Jody Beyer to the Expo Board to complete Lee Zirbel's term expiring December 31, 2006. Supervisor Brey moved, seconded by Supervisor Graunke, to approve the appointment. Upon discussion and vote, the motion carried with 21 ayes and 3 noes. Supervisors Rasmussen, Rappe and Goeke voted no; all others supervisors voted aye.

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

Public Safety: Supervisor Muench moved, seconded by Supervisor Wagner, to adopt Resolution 4 (2005/2006-152) Opposing Making Manitowoc County A Rifle Deer Hunting Zone. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Henrickson voted no; all other supervisors voted aye.

**RESOLUTION OPPOSING MAKING  
MANITOWOC COUNTY A RIFLE DEER HUNTING ZONE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Natural Resources prohibits the use of rifles during the  
2 deer gun season in Manitowoc County and has limited deer hunting in Manitowoc County to shotguns,  
3 muzzleloaders, and handguns; and  
4

5 WHEREAS, the Conservation Congress passed a resolution on April 11, 2005 recommending that  
6 the Department of Natural Resources allow the use of rifles during the deer gun season in Manitowoc  
7 County; and  
8

9 WHEREAS, the Conservation Congress will conduct a second vote on its recommendation to allow  
10 the use of rifles during the deer gun season in Manitowoc County at a spring hearing that will be held at 7:00  
11 p.m. on April 10, 2006 at the UW Manitowoc Center; and  
12

13 WHEREAS, the Land Conservation Committee has reviewed the proposed rule change to allow the  
14 use of rifles during the deer gun season in Manitowoc County, is concerned that such a change presents a  
15 danger to public safety, and recommends that the County Board go on record as being opposed to the rule  
16 change;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors is  
19 opposed to the proposal to allow the use of rifles during the deer gun season in Manitowoc County; and  
20

21 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution  
22 to the Conservation Congress.

Dated this 21st day of February 2006.

Respectfully submitted by the Land Conservation Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench moved, seconded by Supervisor Henrickson, to adopt Resolution 14 (2005/2006-153)  
Authorizing Out-of-State Travel for Todd Cummings. Upon vote, the motion carried with 23 ayes and 1 no.  
Supervisor Graunke voted no; all other supervisors voted aye.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Todd Cummings)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Drug Recognition Expert (DRE) Program has proven to be effective in training  
2 officers to detect and remove impaired drivers from our roadways, and  
3

4 WHEREAS, the State of Indiana Law Enforcement Training Bureau is offering a 40-hour DRE  
5 Instructor certification program in Indianapolis, Indiana for officers that will enhance the officer's knowledge  
6 of DRE protocols in such areas as anatomy and physiology of the eye and central nervous system; the effects  
7 of drugs on the body, the eyes, and perception; the testing of eye signs; the effects of medical and  
8 environmental conditions; and the legal aspects of testing during the traffic stop; and trial preparation; and  
9

10 WHEREAS, this training will allow Deputy Todd Cummings to provide other Sheriff's Department  
11 officers with information on the medical and scientific foundations of the DRE protocol; and  
12

13 WHEREAS, the State of Wisconsin does not offer DRE instructor certification training, and  
14

15 WHEREAS, the Wisconsin Department of Transportation, Bureau of Transportation Safety will fund  
16 100% of the cost of the training, transportation, lodging and meals;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
19 authorizes Deputy Todd Cummings to attend DRE Certification training in Indianapolis, Indiana from  
20 February 27 through March 3, 2006.

Dated this 21st day of February 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Total estimated cost of \$1,350 will be paid by Wisconsin  
Department of Transportation.

APPROVED: Dan Fischer, County Executive.

Supervisor Muench announced their next meeting will be March 7 at 5:30 p.m.

Board of Health: Supervisor Barnes reported the WIC Program currently has 1509 clients and they  
discussed a "just in time" vaccine inventory for a possible flu pandemic. Their next meeting will be March  
9 at 4:00 p.m.

Supervisor Muench left at 7:20 p.m.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 1  
(2005/2006-154) Denying Claim for Quennetta Brown. Upon vote, the motion carried unanimously.

**RESOLUTION DENYING CLAIM  
(Quennetta Brown)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, Quennetta Brown of Milwaukee, Wisconsin filed a claim dated November 10, 2005  
2 seeking \$500,000 in damages as the result of her arrest by the Manitowoc County Sheriff's Department  
3 pursuant to a warrant from the Milwaukee County Sheriff's Department; and  
4

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

8           WHEREAS, the insurance carrier has investigated the claim, referred the matter to outside legal  
9 counsel for review, and recommends that the claim be denied; 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 February 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:       Indeterminable.

APPROVED:           Dan Fischer, County Executive.

Supervisor Brey reported they approved a Resolution Authorizing Administrative Services Agreement at their meeting. The EDC Board needs to review the agreement and it will be on the March agenda.

Health Care Center Committee: Supervisor Vogt reported they are \$100,000 over budget for 2005; 50 beds continue to be open in Manitowoc County nursing homes, but the HCC is full; the flu is rampant; and overtime is doing fine.

Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 2 (2005/2006-155) Supporting Medicaid Rate Increase. Upon vote, the motion carried unanimously.

**RESOLUTION SUPPORTING MEDICAID RATE INCREASE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, there are 6 nursing homes in Manitowoc County, including a 150-bed nursing home that  
2 is owned and operated by Manitowoc County and that serves 116 Medicaid clients; and  
3

4 WHEREAS, the Governor vetoed a 1.4% rate increase in Medicaid rates for nursing homes in the  
5 2006/2007 budget; and  
6

7 WHEREAS, the State Joint Committee on Finance has passed SB 535 on a 16-0 vote with an  
8 amendment that restores the 1.4% rate increase to nursing homes;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
11 supports SB 535 and the restoration of the much needed 1.4% rate increase in the Medicaid rate for nursing  
12 homes; and  
13

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

Dated this 21st day of February 2006.

Respectfully submitted by the Health Care Center Committee.

APPROVED: Dan Fischer, County Executive.

Highway Committee: Supervisor Skubal moved, seconded by Supervisor Behnke, to adopt Resolution 3  
(2005/2006-156) Authorizing Land Acquisition for the Manitowoc County Airport. Upon discussion and  
vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING LAND ACQUISITION  
FOR THE MANITOWOC COUNTY AIRPORT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, the Highway and Public Works Committees want to develop or improve the Manitowoc  
5 County Airport and want to acquire land that is in the Runway Protection Zone located between the south  
6 end of runway 17/35 and Menasha Avenue; and



7 WHEREAS, airport users have been consulted in formulating the proposed acquisition; and

8  
9 WHEREAS, the Highway and Public Works Committees recommend the purchase of approximately  
10 2.61 acres for \$195,300 to preserve the integrity of the airport's Runway Protection Zone; and

11  
12 WHEREAS, the county will pay 2.5% of the purchase price and a federal block grant will provide  
13 97.5% of the purchase price;

14  
15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
16 authorizes the purchase of approximately 2.61 acres of land for \$74,827 per acre for a total price of \$195,300,  
17 with \$4,882.50 coming from county funds and \$190,417.50 coming through a federal block grant agreement;  
18 and

19  
20 BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to  
21 execute such papers as may be required to effect this land purchase and any Federal block grant agreement  
22 and owner assurances necessary to secure funding for this purchase; and

23  
24 BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate the airport  
25 in accordance with the conditions established in Wis. Admin. Code Ch. Trans 55 or in accordance with any  
26 Airport owner assurances enumerated in the federal block grant agreement necessary to fund the proposed  
27 improvements.

Dated this 21st day of February 2006.

Respectfully submitted by the Highway Committee.

Respectfully submitted Public Works Committee.

FISCAL IMPACT: Sufficient funds are included in the 2006 airport budget to provide the county's  
2.5% share (\$4,882.50) of the purchase price, with the remaining 97.5%  
(\$190,417.50) provided through a Federal Block Grant Agreement.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported their meeting will be February 23 and they expect to be  
briefed on the downsizing of Fischer Hamilton. She also reported the Developmentally Disabled clients will  
be moved to a community setting by the middle of March; the closure of the Oaks Home will come in the  
next few months; and nursing home residents receiving medical assistance who are capable of moving back  
into the community are being identified and assessed.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported  
venison donations were up this year with over 3000 pounds of ground venison processed for Peter's Pantry.  
Claims due to deer damage were up \$28,000 from last year.

Legislative Review Committee: Supervisor Markwardt moved, seconded by Supervisor Henrickson, to adopt Resolution 5 (2005/2006-157) Urging Federal Reimbursement of Refugee Resettlement Costs. Upon vote, the motion carried unanimously.

No. 2005/2006 - 157

**RESOLUTION URGING FEDERAL REIMBURSEMENT  
OF REFUGEE RESETTLEMENT COSTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the United States maintains a policy that encourages immigration, as exemplified in the  
2 following statement from a 2005 publication by the U.S. Department of Homeland Security, U.S. Citizenship  
3 and Immigration Services, Office of Citizenship:

4  
5 The United States has a long history of welcoming immigrants from all parts of the world.  
6 America values the contributions of immigrants, who continue to enrich this country and  
7 preserve its legacy as a land of freedom and opportunity.

8  
9 and;

10  
11 WHEREAS, policies that facilitate an influx of immigrants from refugees centers from various  
12 troubled areas around the world have recently brought three waves of immigrants to Wisconsin and  
13 Manitowoc County; and

14  
15 WHEREAS, the long-term cost of integrating refugee families into the community has placed an  
16 additional financial burden on State and County resources at a time when the State and County have suffered  
17 the economic stress caused by losing jobs and industries to other nations; and

18  
19 WHEREAS, Manitowoc County cannot afford the continuing financial burden that results from  
20 providing services necessary to properly meet the needs of these refugees;

21  
22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors requests  
23 that the Federal government reimburse Manitowoc County for the full cost of resettlement of these recent  
24 refugees and that any future refugee programs be fully funded through the federal agency or department that  
25 sponsors the program; and

26  
27 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution  
28 to the Governor of the State of Wisconsin and to each legislator in the United States Senate and House of  
29 Representatives who represent constituents from the State of Wisconsin and Manitowoc County.

Dated this 21st day of February 2006.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Braunel, to adopt Resolution 6 (2005/2006-158) Opposing Assembly Bill 15 Requiring Ethanol in Automotive Gasoline. Upon discussion and vote, the motion carried with 17 ayes and 6 noes. Supervisors Maresh, Skubal, Kozlowski, Rappe, Mueller and Hansen voted no; all other supervisors voted aye.

No. 2005/2006 - 158

**RESOLUTION OPPOSING ASSEMBLY BILL 15  
REQUIRING ETHANOL IN AUTOMOTIVE GASOLINE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Assembly Bill 15 requires that automotive gasoline sold statewide contain  
2 approximately 10 percent ethanol, with certain limited exceptions; and  
3

4 WHEREAS, experts have presented evidence showing that the use of ethanol-blend fuels in  
5 automobiles lowers gas mileage, damages automotive engines and fuel systems, results in additional ozone  
6 pollution and increased nitrogen oxide emissions, and requires more energy in the manufacturing and  
7 distribution process than the production of gasoline; and  
8

9 WHEREAS, subsidies and the hidden costs of ethanol production facilities impose additional costs  
10 on all citizens and taxpayers, and the widespread use of ethanol-blend fuels will require new pollution control  
11 regulations that will increase the cost of doing business in Wisconsin and will make Wisconsin less  
12 competitive than its neighbors; and  
13

14 WHEREAS, Wisconsin has already suffered the loss of 77,000 manufacturing jobs in this decade  
15 and cannot afford to lose additional jobs or opportunities for economic development; and  
16

17 WHEREAS, Assembly Bill precludes Wisconsin citizens from making consumer choices based on  
18 environmental and economic costs;  
19

20 WHEREAS, the combination of increased consumer cost, adverse environmental impact, and  
21 unnecessary economic burden render an ethanol mandate a questionable public policy;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes  
24 Assembly Bill 15 requiring the use of ethanol in automotive gasoline in Wisconsin; and  
25

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

Dated this 21st day of February 2006.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Bauknecht, to adopt Resolution 7 (2005/2006-159) Recommending Legislation Setting Limits on Non-Economic Damage Awards in Medical Malpractice Cases. Upon discussion and vote, the motion carried with 15 ayes and 8 noes. Supervisors Wagner, Braunel, Rasmussen, Rappe, Goeke, Graunke, Brey and Hansen voted no; all other supervisors vote aye.

No. 2005/2006 - 159

**RESOLUTION RECOMMENDING LEGISLATION SETTING LIMITS ON  
NON-ECONOMIC DAMAGE AWARDS IN MEDICAL MALPRACTICE CASES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, current Wisconsin law does not limit the amount of economic damages in medical  
2 malpractice cases for such things as medical expenses and lost wages, but does limit the amount of non-  
3 economic damages for such things as pain, suffering, or a loss of companionship; and  
4

5 WHEREAS, the Wisconsin Supreme Court ruled in *Ferdon v. Wisconsin Patients Compensation*  
6 *Fund*, 2005 WI 125, that the statutory limit on non-economic damages of \$445,755 contained in the current  
7 law was unconstitutional; and  
8

9 WHEREAS, after the statutory cap on non-economic damages was removed, a Dane County jury  
10 awarded \$4.13 million in economic damages and \$4.25 million in non-economic damages in a medical  
11 malpractice case; and  
12

13 WHEREAS, placing a limit on non-economic damages would help maintain affordable and  
14 accessible health care by providing greater predictability in non-economic damage awards and would allow  
15 insurers to set insurance premiums that better reflect their financial risk; and  
16

17 WHEREAS, placing a limit on non-economic damages would protect access to health care services  
18 by limiting the disincentive for physicians to practice medicine in Wisconsin that stems from high insurance  
19 premiums, the unavailability of professional liability insurance; and the possibility of unlimited non-  
20 economic damage awards; and  
21

22 WHEREAS, placing a limit on non-economic damages will not limit awards for economic damages;  
23

24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges  
25 the Governor and Legislature to work diligently to find a common ground to set appropriate limits on the  
26 award of non-economic damages in medical malpractice cases; and  
27

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

Dated this 21st day of February 2006.

Respectfully submitted by the Legislative Review Committee.

APPROVED: Dan Fischer, County Executive.

Personnel Committee: Supervisor Vogt reported testing is continuing for shift supervisors at the Joint Dispatch Center, a vehicle allowance policy will be brought in next month, and the mediation process has begun for the AFSCME units.

Supervisor Vogt moved, seconded by Supervisor Mueller, to adopt Resolution 8 (2005/2006-160) Ratifying 2006-2007 Collective Bargaining Agreement with Health Department Employees Represented by Local 5068. Upon vote, the motion carried unanimously.

No. 2005/2006 - 160

**RESOLUTION RATIFYING 2006-2007 COLLECTIVE BARGAINING AGREEMENT WITH  
HEALTH DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 5068**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has negotiated a 2006-2007 collective bargaining agreement  
2 with the Health Department employees represented by Local 5068; and  
3

4 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Health  
5 Department employees represented by Local 5068 is attached to this resolution;  
6

7 NOW, THEREFORE, BE IT RESOLVED that the collective bargaining agreement negotiated  
8 between the Personnel Committee and the Health Department employees represented by Local 5068 is  
9 ratified, confirmed, and approved with the pay schedules, benefits, and terms set forth; and  
10

11 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors expresses its  
12 appreciation to the members of Local 5068 for their cooperation and timely assistance in reaching this 2006-  
13 2007 collective bargaining agreement;  
14

15 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and  
16 Personnel Director are authorized to execute this agreement.

Dated this 21st day of February 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2006	2007
Wages	\$21,557	\$22,203
FICA	\$ 1,649	\$ 1,699
WRS	\$ 2,242	\$ 2,309
Health Insurance	(\$5,117)	(\$ 5,117)*
Total Cost	\$20,331	\$21,094

\*Estimated premium savings in future years remains at 2.4%.

APPROVED: Dan Fischer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Janowski, to adopt Resolution 9 (2005/2006-161) Establishing Elected Official Compensation. Discussion followed.

Supervisor Behnke moved, seconded by Supervisor Rasmussen, to amend the resolution: on line 10, changing 3% to 2%; line 11, 2007 and add "3% in 2008" and delete "in each subsequent year of the term"; change Clerk of Court and Coroner to "2% in 2009" and "3% in 2010"; line 19 changing Sheriff in "2008 to 2%, 3% in 2009, and 2% - 2010." Upon discussion and vote, the motion carried with 13 ayes and 10 noes. Supervisors Wagner, Barnes, Skubal, Vogt, Rappe, Janowski, Markwardt, Gauger, Dobbs, and Hansen voted no; all other supervisors voted aye.

Upon discussion and vote on the main motion, as amended, the motion carried with 14 ayes and 9 noes. Supervisors Wagner, Henrickson, Barnes, Rappe, Janowski, Markwardt, Gauger, Dobbs and Hansen voted no; all other supervisors voted aye.

No. 2005/2006 - 161

(Engrossed Copy)

## **RESOLUTION ESTABLISHING ELECTED OFFICIAL COMPENSATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Statutes § 59.22 requires that the total annual compensation of certain  
2 elected officials, exclusive of reimbursements, must be established before the earliest time for filing  
3 nomination papers for office, and Wisconsin Statutes § 59.22 further provides that this compensation shall  
4 not be increased or decreased during the officer's term; and  
5

6 WHEREAS, the Personnel Committee has reviewed the salary of the Clerk of Court,  
7 Coroner, County Clerk, Register of Deeds, Sheriff, and Treasurer; and  
8

9 WHEREAS, the Personnel Committee recommends that the salary for the elected offices of Clerk  
10 of Court, Coroner, County Clerk, Register of Deeds, and Treasurer be increased by ~~3~~ 2 percent for 2007 and  
11 by 3 percent ~~in each subsequent year of the term~~; and  
12

13 2008, Clerk of Court and Coroner, 2 percent in 2009 and 3 percent in 2010; and  
14

15 WHEREAS, the salary for the Inspector currently exceeds the salary of the Sheriff and the Personnel  
16 Committee recommends correcting this disparity by setting the salary for the elected office of Sheriff at  
17 \$73,407 for 2007, which is the average 2006 salary paid to Sheriff's in comparable counties; and  
18

19 WHEREAS, the Personnel Committee recommends that the salary for the elected office of Sheriff  
20 be increased by 3 percent for 2008 and by 3 percent in ~~each subsequent year of the term~~;  
21 2009 and 2 percent in 2010;  
22

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

24 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the  
25 salaries of elected officials are set follows:  
26  
27

	2007	2008	2009	2010
28 Clerk of Court	\$53,117.36	\$54,710.88	\$56,352.20	\$58,042.77
29 County Clerk	\$53,117.36	\$54,710.88		
30 Coroner	\$39,838.02	\$41,033.16	\$42,264.16	\$43,532.08
31 County Treasurer	\$53,117.36	\$54,710.88		
32 Register of Deeds	\$53,117.36	\$54,710.88		
33 Sheriff	\$73,407.00	\$75,609.21	\$77,877.49	\$80,213.81;

34  
35  
36 and  
37

38 BE IT FURTHER RESOLVED that these elected officials will be provided the same fringe benefit  
39 package as is provided to non-represented employees; and  
40

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

Dated this 21st day of February 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	2007	2008	2009	2010
Wages	\$11,075.29	\$ 9,771.43	\$ 5,140.60	\$ 5,294.82
FICA	\$ 847.26	\$ 747.51	\$ 393.26	\$ 405.05
WRS	\$ 1,408.02	\$ 1,196.66	\$ 676.15	\$ 696.44
Total	\$13,330.57	\$11,715.60	\$ 6,210.01	\$ 6,396.31

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Braunel, to enact Ordinance 10 (2005/2006-162) Amending Zoning Map for Jeffrey Fencel, Ordinance 11 (2005/2006-163) Amending Zoning Map for Helen Gryboski, Ordinance 12 (2005/2006-164) Amending Zoning Map for James Meissner. Upon discussion and vote, the motion carried with 20 ayes and 3 noes. Supervisors Henrickson, Rappe and Goeke voted no; all other supervisors vote aye.

No. 2005/2006 - 162

**ORDINANCE AMENDING ZONING MAP  
(Jeffrey Fencel)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on January 23, 2006 at 10:00 a.m. at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

3 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
4 testimony and an examination of the facts attendant with the petition, recommends the petition be approved  
5 for the reasons stated in the attached report;

6  
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 SE¼, NE¼, Section 10, T20N-R24E, Town of Mishicot, commencing  
11 at the NE Corner of said Section 10; thence southerly along the centerline of Division Drive  
12 approximately 1358.43 feet; thence westerly approximately 40 feet to the west r/w of Division Drive  
13 which is the point of real beginning; thence continue westerly approximately 460 feet; thence  
14 southerly approximately 183.60 feet; thence easterly approximately 460 feet; thence northerly  
15 approximately 183.60 feet to the point of real beginning, said parcel containing approximately 1.94  
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 21st day of February 2006.

Respectfully submitted by the Planning and Park Commission.

No. 2005/2006 - 163

**ORDINANCE AMENDING ZONING MAP**  
**(Helen Gryboski)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on January 23, 2006 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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 NW¼, NE¼, Section 30, T21N-R23E, Town of Gibson,  
12 commencing at the N¼ Corner of said Section 30; thence southerly approximately 716.64 feet  
13 which is the point of real beginning; thence easterly approximately 561.20 feet; thence  
14 southerly approximately 400.88 feet; thence westerly approximately 529.81 feet; thence  
15 northerly approximately 399.29 feet to the point of real beginning, said parcel containing  
16 approximately 5.00 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2  
17 Agriculture.

Dated this 21st day of February 2006.

Respectfully submitted by the Planning and Park Commission.



FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 164

**ORDINANCE AMENDING ZONING MAP  
(James Meissner)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on January 23, 2006 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 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, Section 16, T20N-R24E, Town of Mishicot, commencing at the  
12 SW Corner of said Section 16; thence northerly approximately 400 feet which is the point of real  
13 beginning; thence continue northerly approximately 500 feet to the south r/w of East Hillcrest Road;  
14 thence southeasterly along the south r/w of East Hillcrest Road approximately 200 feet; thence  
15 southerly approximately 350 feet; thence westerly approximately 200 feet to the point of real  
16 beginning, said parcel containing approximately 1.95 acres of land, shall be and is hereby rezoned  
17 from A3 Agriculture to A1 Agriculture.

Dated this 21st day of February 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke invited everyone to Snowfest at the Expo this Sunday.

Transportation Coordinating Committee: Supervisor Mueller announced they will be meeting on February 22.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they will be meeting on February 23 and on February 25 they will be traveling with the Board of Adjustment to visit the Montfort Wind Farm in Iowa County. They are planning to bring recommendations to the Planning and Park Commission at the end of March.

Miscellaneous: Supervisor Bundy moved, seconded by Supervisor Brey, to adopt Resolution 15 (2005/2006-165) Calling for State Funding to Remove State Mental Health Institute Placements from the Property Tax. Upon vote, the motion carried unanimously.

No. 2005/2006 - 165

**RESOLUTION CALLING FOR STATE FUNDING TO REMOVE STATE MENTAL HEALTH  
INSTITUTE PLACEMENTS FROM THE PROPERTY TAX**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Human Service Departments across the state have a primary role in providing community  
2 services to a large number of residents in need; and

3  
4 WHEREAS, Wisconsin counties are mandated by the state to pay the cost of placing individuals in  
5 the state mental health institutes at Winnebago and Mendota; and

6  
7 WHEREAS, the cost of an adult placement at the Mendota Mental Health Institute is \$670 per day and  
8 the cost of an adult placement at the Winnebago Mental Health Institute is \$645 per day, producing an  
9 annual cost to place an adult in one of these institutes at nearly one-quarter of a million dollars; and

10  
11 WHEREAS, Manitowoc County paid \$145,853 for these placements in 2001; \$163,973 in 2002;  
12 \$93,865 in 2003; and \$271,040 in 2004; and

13  
14 WHEREAS, the immense and variable cost of these state mental health institute placements severely  
15 reduces the county's ability to provide needed services in the community; and

16  
17 WHEREAS, no county can adequately budget the cost of placements in the state mental health  
18 institutes because the need for such placement is unpredictable from year to year; and

19  
20 WHEREAS, the total cost of placements in the state mental health institutes does not fluctuate  
21 drastically from one year to the next on a statewide basis; and

22  
23 WHEREAS, the state of Wisconsin determines the rates and rate increases at these two institutes and  
24 would have a greater incentive to examine its rates and rate increases if it was responsible for paying the cost  
25 of these placements; and

26  
27 WHEREAS, 85% of the voters in the April 2005 referendum voted in favor of having human services  
28 costs paid for with state tax dollars and not property tax dollars; and

29  
30 WHEREAS, there is no good public policy reason why the property taxpayers of Manitowoc County  
31 should bear this limitless risk year after year of paying for services provided by the state mental health  
32 institutes;

33  
34 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors calls upon  
35 the Governor and Legislature to enact legislation that removes the cost of placements in the state mental

36 health institutes from the local property tax and places responsibility for paying for these state-mandated  
37 services at the state level; and

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

Dated this 21st day of February 2006.

Respectfully submitted by the Human Services Board.

Respectfully submitted by the Finance Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Behnke, to adopt Resolution 16 (2005/2006-166)  
Authorizing Sale of Cleveland Highway Shop to the Cleveland Fire Department. Upon discussion and vote,  
the motion carried with 22 ayes and 1 no. Supervisor Wagner voted no; all other supervisors voted aye.

No. 2005/2006 - 166

**RESOLUTION AUTHORIZING SALE OF CLEVELAND  
HIGHWAY SHOP TO THE CLEVELAND FIRE DEPARTMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Committee and the Public Works Committee have received an offer from  
2 the Cleveland Fire Department to purchase the property commonly known as the Cleveland Highway Shop,  
3 which consists of approximately 1.24 acres of county-owned land, a 6,200 square foot masonry vehicle  
4 storage building, and a 2,142 square foot wood-frame cold storage building located at 1274 CTH XX in  
5 Cleveland; and  
6

7 WHEREAS, the Highway Committee and Public Works Committee recommend the sale of Cleveland  
8 Highway Shop to the Cleveland Fire Department for the sum of \$140,000, with the proceeds of the sale being  
9 designated and used for the construction of a new highway maintenance building;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 the sale of the Cleveland Highway Shop, consisting of approximately 1.24 acres of land and 2 buildings, to  
13 the Cleveland Fire Department for the sum of \$140,000; that the proceeds of the sale be designated and used  
14 for the construction of a new highway maintenance building; and that the County Clerk is authorized to  
15 execute such papers as may be required to effect this sale.

Dated this 21st day of February 2006.

Respectfully submitted by the Highway Committee.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: \$140,000 in sale proceeds to be placed in a fund designated and used for the construction of a new highway maintenance building.

APPROVED: Dan Fischer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Rasmussen, to adopt Resolution 17 (2005/2006-167) Supporting Manitowoc County Courthouse and Manitowoc County Historical Society Activities. Upon vote, the motion carried unanimously.

No. 2005/2006 - 167

**RESOLUTION SUPPORTING MANITOWOC COUNTY COURTHOUSE  
AND MANITOWOC COUNTY HISTORICAL SOCIETY ACTIVITIES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Courthouse and the Manitowoc County Historical Society are  
2 both celebrating their 100th anniversary in 2006; and  
3

4 WHEREAS, the Manitowoc County Courthouse was designed by renowned architect Chris Tegen 100  
5 years ago; was listed on the National Register of Historic Places on April 16, 1981; serves as the anchor for  
6 the City of Manitowoc's 8th Street Historic District; and is still in full use today as the seat of County  
7 government and as a judicial center; and;  
8

9 WHEREAS, Manitowoc County citizens recognize that the Courthouse is a unique and valuable asset  
10 and have formed a Friends of the Courthouse group to raise funds for its preservation and restoration; and  
11

12 WHEREAS, the Manitowoc County Historical Society fulfills an essential role in the community by  
13 providing educational programming, interactive exhibits, and collaborative preservation projects with a staff  
14 made up predominately of volunteers; and  
15

16 WHEREAS, the Manitowoc County and the Manitowoc County Historical Society will celebrate local  
17 history throughout 2006 with a year-long schedule of collaborative events, and Manitowoc County  
18 employees would be a valuable addition to the contingent of volunteers assisting with the various events  
19 celebrating the 100th anniversary of the Courthouse and the Manitowoc County Historical Society;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors  
22 commemorates the 100th anniversary of the Manitowoc County Courthouse and the Manitowoc County  
23 Historical Society in 2006 and encourages the citizens of Manitowoc County to support and participate in  
24 the year-long events that will take place in honor of the 100th anniversary of Manitowoc County Courthouse  
25 and the Manitowoc County Historical Society.

Dated this 21st day of February 2006.

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

APPROVED: Dan Fischer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Graunke, to enact Ordinance 18 (2005/2006-168) Amending Manitowoc County Code Sec. 1.07 and Revising the County Seal. Upon vote, the motion carried unanimously.

No. 2005/2006 - 168

**ORDINANCE AMENDING MANITOWOC COUNTY CODE  
SEC. 1.07 AND REVISING THE COUNTY SEAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Board adopted an ordinance amending the Manitowoc County Code  
2 and adopting a new seal at its January 17, 2006 board meeting, but the date shown on the seal does not  
3 correctly reflect the year in which the county was created; and  
4

5 WHEREAS, the State of Wisconsin Blue Book, which is prepared by the Legislative Reference  
6 Bureau, shows that Manitowoc County was created in 1836;  
7

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

11 Manitowoc County Code secs. 1.07 is amended so that the last line of that section reads as follows:  
12

13 A wavy gold banner overlying the four rings at the base line and displaying "1836" to show the  
14 year in which the county was created.  
15

16 Manitowoc County Code sec. 1.07(2) is amended by replacing the image of the seal with the  
17 following image:  
18



This ordinance is effective immediately upon passage.

Dated this 21st day of February 2006.

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

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 19 (2005/2006-169) Staffing Aging and Disability Resource Center. Upon vote, the motion carried unanimously.

No. 2005/2006 - 169

**RESOLUTION STAFFING AGING AND DISABILITY RESOURCE CENTER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has received a grant from the Wisconsin Department of Health and  
2 Family Services and has created an Aging and Disability Resource Center effective July 1, 2006;

3  
4 WHEREAS, the Aging and Disability Resource Center will provide a central location to serve adult  
5 residents of Manitowoc County, their families, and care givers; and

6  
7 WHEREAS, the population served by the Aging and Disability Resource Center includes adults with  
8 developmental disabilities, physical disabilities, mental illness, and substance abuse needs; elders with  
9 disabilities or chronic health problems; healthy elders; and young adults with physical and developmental  
10 disabilities who are moving into the adult service network; and

11  
12 WHEREAS, the Aging and Disability Resource Center will receive \$244,000 in funding from the  
13 Department of Health and Family Services that must be used to staff the Aging and Disability Resource  
14 Center; and

15  
16 WHEREAS, job descriptions have been created for the required positions of Information and  
17 Assistance Program Manager, Information and Assistance Program Specialist, Elder Abuse/Prevention  
18 Program Manager, Elderly Benefit Specialist, and Disability Benefit Specialist; and

19  
20 WHEREAS, current staff and contracted service providers are fully trained and ready to begin  
21 providing necessary services to the target population;

22  
23 WHEREAS, a proposed organizational chart has been reviewed by the Personnel Committee and has  
24 been provided to the County Board;

25  
26 NOW, THEREFORE, BE IT RESOLVED that the positions of Information and Assistance Program  
27 Manager, Information and Assistance Program Specialist, Elder Abuse/Prevention Program Manager, Elderly  
28 Benefit Specialist, and Disability Benefit Specialist are authorized and created;  
29 and

30  
31 BE IT FURTHER RESOLVED that the position of Director of Aging Resource Center be changed  
32 to Aging and Disability Resource Center Director and the position of Nutrition Program Coordinator be  
33 revised to include responsibility for information and assistance services, as well as functional screening; and

34  
35 BE IT FURTHER RESOLVED that the current position of Benefit Specialist be eliminated and  
36 removed from the table of organization; and

37 BE IT FURTHER RESOLVED that the persons currently performing the functions of these positions  
38 be offered the newly authorized positions in accordance with Manitowoc County's Non-Represented  
39 Personnel and Policy Manual.

Dated this 21st day of February 2006.

Respectfully submitted by the Natural Resources & Education Committee.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Total fiscal impact is \$ 185,722.25, none of which will be paid with County tax  
levy. See attached spreadsheet.

APPROVED: Dan Fischer, County Executive.

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

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

March 21, 2006

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 21<sup>st</sup> day of March, 2006, for the purpose of transacting business as a Board of Supervisors.

Chairperson Paul Hansen called the meeting to order at 7:04 P.M.

Supervisor Robert Rasmussen 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, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Nate, Rappe, Rasmussen, Skubal, Vogt and Wagner. Supervisors Muench and Sloan were excused.

On a motion by Supervisor Brey and seconded by Supervisor Barnes, the February 21, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input open at 7:09 p.m.

Joe McLafferty, Director of Parks and Recreation for the City of Manitowoc, presented information on a proposed Family Aquatic Center Water Park. He explained the outdoor pool at Citizen's Park was built in 1969 and operated until 2003 when the facility closed because of a severe leakage problem. In 2003, a 25 member committee was formed to study the possibility of a new facility in Manitowoc and in 2004, the Committee hired Water Technology to explore site locations, design possibilities and a comparison of revenues and expenses. Chris Bandt, Tri-Chair of fund raising, spoke on the "Friends of the Manitowoc Family Aquatic Center, Inc., that has set a goal to raise \$6.7 million for the \$8.7 million Aquatic Center. They answered supervisors' questions.

Attorney Travis Glandt, Manitowoc, representing Nancy Weber, spoke on a zoning petition for a parcel located in the Town of Cooperstown. In 2004, a rezoning request was denied when she owned the property and he is respectfully requesting the rezoning request by the current owner also be denied.

BillENZ, Town of Cooperstown Chairperson, spoke on the proposed rezoning of the Pelishek property, stating the information on this property was not presented properly to the Town Board in the past. He was not in favor or opposed to the request, but merely stated the events that took place.

Russ Norman, Town of Cooperstown, addressed the Board indicating he moved to the area because of the Smart Growth Plan. He wanted to raise his family in the country and within the last year two new homes have been built in the area.



Mason Marquardt, Town of Cooperstown, stated he lives across from the proposed area to be rezoned on property they received as a wedding gift and they wish to maintain their view and open space.

Bill Angoli, Chair of the Smart Growth Committee for the Town of Cooperstown, spoke on the plan that was developed to preserve farmland and natural resources. He stated the request to rezone the Pelishek Property was denied because of the rural characteristics and he hopes the Board will follow through with a denial.

Fred Lemens, Town of Cooperstown Supervisor, spoke in favor of the proposed rezoning of the Pelishek property. He stated the parcel is on a buildable lot and does not ruin any farmland.

No one else present wished to speak and public input was closed at 7:59 p.m.

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

Mike Demske, Director of Planning and Park, spoke on the Septic System Maintenance Program. He explained the ten year plan will encompass 100% of the septic systems in the County and a fee is necessary to pay for costs to carry out the state mandated program. The Planning and Park Commission will review the fees and return with an amendment. Discussion followed and he answered supervisors' questions.

Supervisor Glen Skubal reported the Governor vetoed AB 818 brought in by the Joint Finance Committee which could have brought Manitowoc County additional utility tax revenue. There may be a new bill proposed at the annual meeting in May. However, the Assembly will adjourn before the committee meets and if the bill would pass, Manitowoc County would not receive the additional revenue until 2009.

The Board recessed at 8:27 p.m. and reconvened at 8:30.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Hansen acknowledged Costner Kaminski and Cooper Schmidt from Scout Troop 939, who are working on their merit badges.

Chairperson Hansen presented County Executive Dan Fischer's appointments of Dr. Todd Nelson to the Board of Health for a two year term expiring April 2008; Lisa Behnke, James Loersch, Mike Huck, Marilyn Quirk, Judy Rank, Amy Wergin and alternate Georgia Kohlwey to the Long Term Support Planning Committee for three year terms expiring April 30, 2009; Kathleen Rabe to complete Caroline King's term expiring April 30, 2007 on the Long Term Support Planning Committee; and Rose Mary Hickman, Marge Jehle, and Steve Roeckle to the Transportation Coordinating Committee for three year terms expiring April 2009. Supervisor Janowski moved, seconded by Supervisor Graunke, to approve the appointments. 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 reported he attended a Wisconsin Association of Local Health Departments and Boards on March 9 where they discussed dental work for Medical Assistance patients. He also stated at their board meeting they discussed the high incidence of injuries through falls in Manitowoc County.

Expo Board: Supervisor Behnke reported the annual Horse-A-Rama is scheduled for April 8 and 9 and they are busy preparing for the 2006 Fair. He stated it is exciting to see the facility being used as much as possible.

Finance Committee: Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 1 (2005/2006-170) Authorizing Administrative Services Agreement. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 170

## **RESOLUTION AUTHORIZING ADMINISTRATIVE SERVICES AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has received economic development grants from the Wisconsin  
2 Department of Commerce Community Development Block Grant program for the purpose of helping  
3 businesses and farms in Manitowoc County by providing them with low interest loans; and  
4

5 WHEREAS, the Economic Development Corporation of Manitowoc County (EDC) believes that the  
6 ability to offer loans through a Revolving Loan Fund (RLF) program would significantly enhance its ability  
7 to perform its mission and would be of great benefit to the community; and  
8

9 WHEREAS, Manitowoc County has determined that it would be beneficial to the County and to the  
10 business community to enter into an agreement with EDC under which EDC will administer, market, and  
11 promote the RLF program in an efficient, economical, and effective manner; and  
12

13 WHEREAS, a copy of the Administrative Services Agreement has been provided to the County Board  
14 and reviewed by the Corporation Counsel;  
15

16 NOW, THEREFORE BE IT RESOLVED that it authorizes the County Executive and the County  
17 Clerk to execute the Administrative Services Agreement with the Economic Development Corporation.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisors Bauknecht, to adopt Resolution 2 (2005/2006-171) Authorizing CDBG-ED Grant for Greendale Dairy, LLC. Upon vote, the motion carried unanimously.

No. 2005/2006 - 171

## **RESOLUTION AUTHORIZING CDBG-ED GRANT FOR GREENDALE DAIRY, LLC**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Federal monies are available under the Wisconsin Community Development Block Grant  
2 program for the purpose of promoting economic development; and  
3

4 WHEREAS, the Finance Committee recommends that an application be submitted to the State of  
5 Wisconsin for the following Community Development Block Grant - Economic Development (CDBG-ED)  
6 project:  
7

8 A \$75,000 loan to Greendale Dairy, LLC, located in the Township of Eaton, to provide working  
9 capital to purchase 150 additional cows.  
10

11 WHEREAS, the County Board must approve the preparation and filing of an application in order for  
12 Manitowoc County to receive funds from this program;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 the appropriate County staff to prepare, execute, and file the documents necessary to apply for a CDBG-ED  
16 grant for a \$75,000 loan to Greendale Dairy, LLC, and to accept and administer any funds that are received  
17 in accordance with the Wisconsin CDBG-ED program; and  
18

19 BE IT FURTHER RESOLVED that the Comptroller is directed to make such entries as may be  
20 necessary and as required under the County's Revolving Loan Fund program to account for the grant and the  
21 repayment of the loan in the County's books.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases Revenues and Expenses of the County by \$81,000  
(\$75,000 for the loan and \$6,000 to the County for administration costs). Loan  
payments will increase the amount available for new loans under the County's  
Revolving Loan Fund Program.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Graunke, to adopt Resolution 3 (2005/2006-172)  
Reauthorizing Worker's Compensation Self-Insurance. Upon vote, the motion carried unanimously.

No. 2005/2006 - 172

#### **RESOLUTION REAUTHORIZING WORKER'S COMPENSATION SELF-INSURANCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County of Manitowoc is a qualified political subdivision of the State of Wisconsin;  
2 and  
3

4 WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by  
5 the Act either insure their liability with worker's compensation insurance carriers authorized to do business  
6 in Wisconsin or be exempted from insuring liabilities with a carrier by assuming the responsibility for their  
7 own worker's compensation risk and payment; and  
8

9 WHEREAS, the County's cost to self-insure the worker's compensation program has saved a  
10 considerable amount of money over the past several years and should continue to do so; and  
11

12 WHEREAS, the Finance Committee has recommended continuation of the self-insured worker's  
13 compensation program in compliance with Wis. Admin. Code § DWD 80.60(3);  
14

15 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that  
16 Manitowoc County will continue to operate a self-insured worker's compensation program; and  
17

18 BE IT FURTHER RESOLVED that the County Clerk is directed to forward a certified copy of this  
19 resolution to the Wisconsin Department of Workforce Development, Worker's Compensation Division.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Kozlowski, to adopt Resolution 4 (2005/2006-173)  
Authorizing Designation, Carry-over, and Reappropriation of Specified Funds from 2005 to 2006. Upon  
discussion and vote, the motion carried unanimously.

No. 2005/2006 - 173

**RESOLUTION AUTHORIZING DESIGNATION, CARRY-OVER,  
AND REAPPROPRIATION OF SPECIFIED FUNDS FROM 2005 TO 2006**

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 2005 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 2006 budget; and  
10

WHEREAS, the appropriate oversight committees and the Finance Committee have reviewed the requests and recommend that the designation, carry-over, and reappropriation requests be approved; and

WHEREAS, Wisconsin statutes and county board rules require that the county board take official action to authorize the designation, carry-over, and reappropriation of funds, and sound financial practice requires that such carry-over designations be recorded in the official books of the County; and

WHEREAS, any additional items or adjustments that may be required at the completion of the County's external audit will be brought to the County Board in a separate resolution at the conclusion of the field work of the external audit;

NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the following unreserved, designated funds are authorized to be carried over from the official books of the County for the year ended December 31, 2005 to the official books of the County for the year ending December 31, 2006; that the funds are reappropriated and may be expended as required; and that the 2006 Annual Budget is amended and the appropriate line items may be increased by the amounts shown:

**General Fund**

Description / Purpose	Account	Amount
Airport-Projects	100.34222	\$3,715.81
Planning - Mapping	100.34232	\$22,680.00
Planning - Area Planning	100.34233	\$28,572.91
EDC Grant	100.34268	\$174,600.00
Land Records Modernization	100.34270	\$290,218.89
Vehicle Replacements	100.34277	\$44,377.00
Emergency Mgmt. - Hazmat	100.34280	\$143,852.88
Veterans Service - Aid to Vets	100.34245	\$6,178.73
Veterans Service - Care of Graves & Other	100.34245	\$16,043.68
U.W. Extension Parenting Grant	100.34284	\$63.00
U.W. Extension Donation	100.34284	\$450.55
U.W. Extension Discovery Farm Grant	100.34284	\$25,280.41
County Clerk - Elections	100.34289	\$21,161.00
PW-Wetland Mitigation	100.34291	\$198,314.42
PW-PBX Phone System Project	100.34294	\$583,247.54
Parks - Devils River State Rec. Trail	100.34234	\$5,066.41
JDC-Kiel Hookup	100.34293	\$2,200.00
JDC-Wireless 911 Project	100.34293	\$236,567.30
Public Works / Public Health	100.34240	\$30,957.00
Public Health - Mercury Reduction Grant	100.34240	\$10,230.75

**Highway Special Revenue Fund**

Description / Purpose	Account	Amount
JDEdwards Accounting Project	201.34299	\$32,217.30
County Trunk Road Construction	201.34299	\$175,000.00

**Aging Services Special Revenue Fund**

<u>Description / Purpose</u>	<u>Account</u>	<u>Amount</u>
ADRC-Center Grant	205.34210	\$8,341.40; 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, 2005 to the official books of the County for the year ending December 31, 2006; but that the funds may not be reappropriated or expended without further action by the County Board:

<u>Department</u>	<u>Activity</u>	<u>Account</u>	<u>Amount</u>
Public Works	Future Capital Projects	100.34295	\$43,807.29; 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, 2005 to the official books of the County for the year ending December 31, 2006; that they may be expended; and that the 2006 Annual Budget is amended and the following line items are increased by the amounts shown:

**General Fund**

<u>Description / Purpose</u>	<u>Account</u>	<u>Category</u>	<u>Amount</u>
UW Ext. - Educational Supplies	56351.53055	Expense	\$558.00
UW Ext. - ED Resource Grant Revenue	56351.46700.05	Revenue	\$558.00
U.W. Ext. - Discovery Farm Project	56200.43570.26	Revenue	\$20,000.00
U.W. Ext. - Discovery Farm Project	56200.53058	Expense	\$20,000.00
Planning - All Hazards Mitigation Plan	63000.52945	Expense	\$68,372.00
Planning - All Hazards Mitigation Plan	63000.43580.04	Revenue	\$68,372.00
Planning - Coastal Mgmt. Grant	63000.51450	Expense	\$2,584.00
Planning - Coastal Mgmt. Grant	63000.43585	Revenue	\$2,584.00
Parks - Devils River State Rec. Trail	52000.52175	Expense	\$100,000.00
Parks - Devils River State Rec. Trail	52000.58250	Expense	\$50,000.00
Parks - Devils River State Rec. Trail	52000.43570.08	Revenue	\$150,000.00
Emergency Mgmt. - Special Training Grnt.	25000.53034	Expense	\$7,952.00
Emergency Mgmt. - Special Training Grnt.	25000.43520.12	Revenue	\$7,952.00
Emergency Mgmt. - Homeland Sec. Grnt.	25450.58119	Expense	\$31,329.00
Emergency Mgmt. - Homeland Sec. Grnt.	25450.43520.23	Revenue	\$31,329.00

**Aging Services Special Revenue Fund #205**

<u>Description / Purpose</u>	<u>Account</u>	<u>Category</u>	<u>Amount</u>
ARDC-Center Grant	46400.53005	Expense	\$41,250.00
ARDC-Center Grant 2005 portion carryover	46400.43566.18	Revenue	\$41,250.00; and

103 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such  
104 information in the official books of the County for the year ended December 31, 2005 and for the  
105 year ending December 31, 2006 as may be required.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over the amounts specified from the 2005 budget to the 2006 budget  
and amends the 2006 Annual Budget as stated.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Nate, to adopt Resolution 6 (2005/2006-174) Authorizing  
Memorandum of Understanding (Handicapped-Accessible Voting Equipment). Upon vote, the motion  
carried unanimously.

No. 2005/2006 - 174

**RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING  
(Handicapped-Accessible Voting Equipment)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Help America Vote Act (HAVA) requires that each local unit of government provide  
2 a handicapped-accessible voting machine (VOTING MACHINE) at every polling place so that persons with  
3 disabilities can vote privately and independently; and  
4

5 WHEREAS, federal funds in the amount of \$6,000 per polling place have been allocated to those  
6 municipalities whose polling places are handicapped-accessible; and  
7

8 WHEREAS, Manitowoc County is willing to purchase equipment and software on behalf of  
9 participating units of government within Manitowoc County in order to secure a better price; and  
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
12 the County Clerk to enter into a Memorandum of Understanding with each qualifying municipality that wants  
13 the County to provide services necessary to comply with HAVA requirements; and  
14

15 BE IT FURTHER RESOLVED the 2006 budget is amended by the amount of allocated funds  
16 received, but not more than \$252,000, and that the Comptroller/Auditor is directed to record such information  
17 in the official books of the County for the year ending December 31, 2006 as may be required; and  
18

19 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to  
20 the State Elections Board to show Manitowoc County's compliance with HAVA.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by \$6,000 per participating polling place, with the total change not to exceed \$252,000.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 5 (2005/2006-175) Authorizing the Restatement of Various Activity, Revenue, and Expense Appropriations. Upon vote, the motion carried unanimously.

No. 2005/2006 - 175

**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 2005 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  
22  
23

Description / Purpose	Account	Category	Amount
Sheriff - Water Patrol - Outlay	21400.58100	Expense	\$50,000.00
Sheriff - Water Patrol - Grant Revenue	21400.43520.03	Revenue	\$50,000.00
General Fund Transfer to Expo SRF	1.71225	Transfer Expense	\$57,500.00



30	Expo SRF received from G.F.	54600.61100	Transfer Revenue	\$57,500.00
31				
32	Transfer From G.F. Balance	1.69999	Transfer F.B.	\$57,500.00
33	Expo Expenses	54600.52720	Expense	\$57,500.00
34				
35	Airport Improvement Grant	35100.58275	Expense	\$350,097.00
36	Airport Improvement Grant	35100.43532	Revenue	\$350,097.00
37	Airport - Sale of Equipment	35100.48300	Revenue	\$34,022.00
38	Airport - Maintenance	35100.52417	Expense	\$34,022.00
39	Airport - Outlay	35100.58275	Expense	\$17,803.00
40	Transfer From Designated Fund Balance	1.69999	Transfer F.B.	\$17,803.00
41				
42	Clerk of Courts - Co. Ordinance Forfeitures	12100.45203	Revenue	\$4,500.00
43	Clerk of Courts - Co. Share State Fines	12100.45205	Revenue	\$10,750.00
44	Clerk of Courts - Outlay	12100.58100	Expense	\$12,500.00
45	Clerk of Courts - Wages Represented	12100.51200	Expense	\$26,550.00
46	Executive - Health Insurance	14100.51554	Expense	\$9,125.00
47	County Board - Meeting Compensation	11000.51300	Expense	\$75.00
48	Coroner - Fees	27000.46200.80	Revenue	\$2,800.00
49	Coroner - Mileage Reimbursements	27000.53038	Expense	\$765.00
50	Corporation Counsel - Attorney/Legal	13200.52110	Expense	\$227,750.00
51	Contingent Fund	1.59990	Expense	(\$179,702.00)
52	D.A. - Wages Represented	13100.51200	Expense	\$8,241.00
53	D.A. - Accrued Vacation	13100.51490	Expense	\$3,000.00
54	D.A. - Office Supplies	13100.53001	Expense	\$3,000.00
55	D.A. - Outlay Equipment	13100.58100	Expense	\$3,000.00
56	Treasurer - Interest on Taxes	15200.41800	Revenue	\$96,254.00
57	Parks - Snowmobile Trail Expense	54400.52417	Expense	\$50,462.00
58	Parks - Snowmobile Trail Revenue	54400.43570.02	Revenue	\$50,462.00;

59  
60 and

61  
62 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such  
63 information in the official books of the County for the year ended December 31, 2005 as may be  
64 required.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases net appropriated 2005 revenues and expenses by \$674,188.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Marquardt, to adopt Resolution 7 (2005/2006-176) Authorizing Transfer of Tax Delinquent Foreclosed Property to the Village of Cleveland. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 176

**RESOLUTION AUTHORIZING TRANSFER OF TAX DELINQUENT  
FORECLOSED PROPERTY TO THE VILLAGE OF CLEVELAND**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Treasurer petitioned the Manitowoc County Circuit Court for an  
2 order granting Manitowoc County title to a tax delinquent parcel commonly known as the Eugene A.  
3 Stoeckigt property (parcel no. 31-028-011-008.00) located in the Village of Cleveland ("Property"); and  
4

5 WHEREAS, the Circuit Court granted a judgment vesting title to the Property in Manitowoc County  
6 on September 21, 1987; and  
7

8 WHEREAS, the Property, which is located on the northeast corner of South Cleveland Avenue and  
9 Westview Street, is low, swampy, unbuildable, and unimproved; has a snowmobile trail running through it;  
10 and is of little or no commercial value to the County; and  
11

12 WHEREAS, the Village of Cleveland has offered to take title to the Property from the County;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
15 the transfer of the Property to the Village of Cleveland, provided that the Village of Cleveland agrees to  
16 defend, indemnify, and hold Manitowoc County harmless for any liability claims related to the Property, and  
17 directs the County Executive, the County Clerk, and the Corporation Counsel to take such action as may be  
18 necessary to effectuate the transfer.

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None. Transfers a 1987 tax-deeded parcel from the County to the Village of Cleveland.

APPROVED: Dan Fischer, County Executive.

Supervisor Brey moved, seconded by Supervisor Gauger, to adopt Resolution 8 (2005/2006-177) Denying Claim (Eric Moffatt). Upon vote, the motion carried unanimously.

**RESOLUTION DENYING CLAIM  
(Eric Moffatt)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1        WHEREAS, Eric Moffatt of Two Rivers, Wisconsin filed a Claim on December 28, 2005 seeking  
2 damages for pain and suffering because of an alleged failure to receive timely medical treatment while he  
3 was incarcerated in the Manitowoc County Jail; and  
4

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

8        WHEREAS, the insurance carrier has investigated the claim, referred the matter to outside legal  
9 counsel for review, and recommends that the claim be denied; and  
10

11       WHEREAS, the Corporation Counsel has reviewed the matter and concurs in the recommendation that  
12 the claim be denied; and  
13

14       WHEREAS, the Finance Committee also concurs in the recommendation that the claim be denied;  
15

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

Dated this 21st day of March 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:        Indeterminable.

APPROVED:        Dan Fischer, County Executive.

Health Care Center Committee: Supervisor Vogt reported absences were up slightly due to the flu; 50 beds continue to be open in nursing homes throughout the county, but the HCC is full; the last of the Developmentally Disabled clients will be moved out this week; there are currently 20 medicare patients; outside maintenance charges continue when repairs could be done in-house; and Administrator Michael Thomas has been invited to sit on a committee to develop a new model for nursing home reimbursement.

Highway Committee: Supervisor Skubal moved, seconded by Supervisor Behnke, to adopt Resolution 9 (2005/2006-178) Authorizing Highway Committee to set Airport Lease Rates. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING HIGHWAY COMMITTEE TO SET AIRPORT LEASE RATES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates the Manitowoc County Airport and has leased  
2 property at the airport to various persons for aviation related activities, including the construction of aircraft  
3 hangars; and  
4

5 WHEREAS, many of the initial hangar site leases have been in place for nearly 20 years, are coming  
6 due for renewal, and permit the lease rates to be increased based on the consumer price index; and  
7

8 WHEREAS, the County Board adopted a resolution in 1995 that specified the lease rates, but has not  
9 reviewed those rates in nearly a decade, and the Wisconsin Bureau of Aeronautics has indicated that the rates  
10 charged by Manitowoc County are well below average for comparable airports; and  
11

12 WHEREAS, the Highway Committee is responsible for oversight of airport operations, including  
13 agreements, contracts, and leases, and recommends that the County Board delegate the authority to set lease  
14 rates to the Highway Committee in order to assure the effective administration of leases, to maximize  
15 revenue to the county, and to maintain lease rates that are comparable to and competitive with the rates  
16 charged at other airports in the area;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors delegates  
19 the authority to set lease rates at the Manitowoc County Airport to the Highway Committee and instructs the  
20 Highway Committee to establish lease rates for all new and renewed leases that maximize revenue to the  
21 county and that are comparable to and competitive with the rates charged at other airports in the area.

Dated this 21st day of March 2006.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Dan Fischer, County Executive.

Human Services Board: Supervisor Bundy reported the Human Services Department has been presented with the "Beyond Blue Ribbon Award" for first place along with a \$500 grant from "The Prevent Child Abuse Wisconsin Project." Jeff Jenswold, Clinical Services Manager, will be giving a presentation at the Regional Crisis Intervention Conference on Manitowoc County's Crisis Program which has been recognized as one of the best in the state.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the groundwater contamination in Brown County has sensitized rural home owners to monitor their wells and there has been an increase in requests for water sample bottles to test well water. The Town of Franklin has

budgeted \$10,000 for the testing of nitrates and bacteria, and the Towns of Gibson and Kossuth will be sampling well water for nitrates and bacteria with a grant they received last year. The Soil and Water Department and UW-Extension will offer a seminar April 6 on methods to reduce and respond to animal waste runoff incidents. She also reported there was a meeting in December for all County Departments and agencies to better plan and be prepared to respond to manure spills.

Legislative Review Committee: Supervisor Markwardt reported there will be no meeting in April.

Personnel Committee: Supervisor Vogt reported there are six excellent candidates for the final round of interviews for shift supervisors at the Joint Dispatch Center; a marketing position planned in the 2006 budget for the Health Care Center will remain vacant; and they will be looking at the feasibility of a part time psychiatrist on staff versus continuing with contracting the position at Human Services.

Supervisor Vogt moved, seconded by Supervisor Nate, to adopt Resolution 10 (2005/2006-179) Amending Represented and Non-Represented Employee Policy and Procedure Manuals. Upon discussion and vote, the motion carried with 22 ayes and 1 no. Supervisor Goeke voted no; all other supervisors voted aye.

No. 2005/2006 - 179

**RESOLUTION AMENDING REPRESENTED AND NON-REPRESENTED  
EMPLOYEE POLICY AND PROCEDURE MANUALS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted Represented and Non-Represented Employee Policy  
2 and Procedure Manuals to ensure fair and equal treatment of County employees and compliance with Federal  
3 and State employment laws; and  
4

5 WHEREAS, both the Represented and Non-Represented Employee Policy and Procedure Manuals  
6 contain a Travel Policy which defines the terms and conditions of authorized travel and eligibility for  
7 reimbursement of reasonable and necessary travel expenses actually incurred in the performance of official  
8 duties; and  
9

10 WHEREAS, it is necessary to amend this policy to control the County's risk of liability which may  
11 occur as the result of an employee transporting a passenger or being transported as a passenger on a  
12 motorcycle or similar means of transportation; and  
13

14 WHEREAS, the current practice of permitting a vehicle allowance in lieu of mileage reimbursement  
15 for the positions of Highway Commissioner, Road Superintendent, Sheriff, and Inspector should be updated  
16 and included as part of this comprehensive travel policy; and  
17

18 WHEREAS, Wisconsin law requires that the vehicle allowance provided to the Sheriff must be  
19 established before the earliest time for filing nomination papers for office and that this compensation can not  
20 be increased or decreased during the officer's term; and  
21  
22

23 WHEREAS, a copy of the proposed revisions to the Travel Policy has been provided to the County  
24 Board;

25  
26 NOW, THEREFORE, BE IT RESOLVED that the Represented and Non-Represented Employee  
27 Policy and Procedure Manuals are amended to include the proposed revisions which have been provided to  
28 the County Board; and  
29

30 BE IT FURTHER RESOLVED that the vehicle allowance for the Sheriff is set at \$7,501.85 for 2007,  
31 \$7,824.51 for 2008, \$8,147.17 for 2009, and \$8,469.83 for 2010 and is to be paid on a pro-rated basis; and  
32

33 BE IT FURTHER RESOLVED that the vehicle allowance for Inspector, Road Superintendent, and  
34 Highway Commissioner is to be calculated in July 2006; will become effective January 1, 2007; and will be  
35 paid in accordance with the revised Represented and Non-Represented Employee Policy and Procedure  
36 Manual.

Dated this 21st day of March 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: No tax levy impact. An amount equal to the vehicle allowance is already  
included in the budget.

APPROVED: Dan Fischer, County Executive.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Rasmussen, to adopt  
Resolution 11 (2005/2006-180) Authorizing 2006-07 Snowmobile Trail Program. Upon discussion and  
vote, the motion carried unanimously.

No. 2005/2006 - 180

## **RESOLUTION AUTHORIZING 2006-07 SNOWMOBILE TRAIL PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Manitowoc County has completed 33 years of participation in the Wisconsin Snowmobile  
5 Aids Program by acquiring, developing, insuring, and maintaining public snowmobile trails in the county  
6 in accordance with Wisconsin Department of Natural Resources standards; and  
7

8 WHEREAS, Manitowoc County is eligible to continue its participate in the Snowmobile Aids Program  
9 and has budgeted \$58,775 for a Snowmobile Trail Program to cover the costs for 235.1 miles of trail; and  
10

11 WHEREAS, the Planning and Park Commission has provided the County Board with a trail system  
12 map showing the 235.1 miles of trail that are included in the Snowmobile Trail Program;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves  
15 the trail system map provided by the Planning and Park Commission; and  
16

17 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors designates the  
18 Planning and Park Commission as the agency to act on behalf of Manitowoc County in submitting  
19 applications for state snowmobile aids for acquisition, bridge rehabilitation, development, insurance, and  
20 maintenance costs of the county's public snowmobile trail system; and  
21

22 BE IT FURTHER RESOLVED that the Planning and Park Director is authorized to sign documents  
23 and take the actions necessary to undertake, direct, and complete the 2006-07 Snowmobile Trail Program;  
24 and  
25

26 BE IT FURTHER RESOLVED that upon completion of the acquisition, development, and  
27 redevelopment of the snowmobile trails through the Snowmobile Trail Program, the trails will be designated  
28 as public snowmobile trails; and  
29

30 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limits of funds  
31 appropriated for such purposes, provide for adequate maintenance of the trails and facilities that have been  
32 funded for acquisition and maintenance through the Wisconsin Snowmobile Trail Program in accordance  
33 with DNR requirements and funding criteria; comply with state and federal rules for the program; maintain  
34 the completed project in an attractive, inviting, and 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 21st day of March 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: \$58,775 is included in the 2006 approved budget. The State will reimburse the  
County the total amount spend on this program.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Mueller, to enact Ordinance 12 (2005/2006-181)  
Amending Zoning Map for Andrew Dexheimer and Ordinance 13 (2005/2006-182) Amending Zoning Map  
for Barbara Wake. Upon discussion and vote, the motion carried with 20 ayes and 3 noes. Supervisors  
Henrickson, Rappe and Goeke voted no; all other supervisors voted aye.

No. 2005/2006 - 181

**ORDINANCE AMENDING ZONING MAP**  
**(Andrew Dexheimer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on February 27, 2006 at 10:00 a.m. at the Manitowoc County  
2 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

3 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of  
4 testimony and an examination of the facts attendant with the petition, recommends the petition be approved  
5 for the reasons stated in the attached report;

6  
7 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does  
8 ordain as follows:

9  
10 A parcel of land located in the NW¼, SE¼, Section 16, T18N-R21E, Town of Eaton,  
11 commencing at the Center of said Section 16, which is the point of real beginning; thence  
12 easterly approximately 808.79 feet; thence southerly approximately 370.50 feet; thence westerly  
13 approximately 414.02 feet to the east r/w of Carstens Lake Road; thence northwesterly  
14 approximately 500 feet; along the east r/w of Carstens Lake Road to the point of real beginning,  
15 said parcel containing approximately 5.001 acres of land, shall be and is hereby rezoned from  
16 A3 Agriculture to A1 Agriculture.

Dated this 21st day of March 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 182

**ORDINANCE AMENDING ZONING MAP  
(Barbara Wake)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on February 27, 2006 at 10:00 a.m. at the Manitowoc County  
2 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 and an examination of the facts attendant with the petition, recommends the petition be approved  
6 for the reasons stated in the attached report;

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

10  
11 A parcel of land located in the SE¼, Section 5, T21N-R22E, Town of Cooperstown, commencing at  
12 the SE Corner of said Section 5; thence westerly approximately 434.19 feet; thence northerly  
13 approximately 226.08 feet which is the point of real beginning; thence continue northerly  
14 approximately 318.80 feet; thence westerly approximately 398.60 feet; thence southerly approximately  
15 400 feet to the north r/w of Zander Road; thence southeasterly along the north r/w of Zander Road  
16 approximately 175 feet; thence northeasterly approximately 287.36 feet to the point of real beginning,



17 said parcel containing approximately 4.39 acres of land, shall be and is hereby rezoned from A3  
18 Agriculture to A2 Agriculture.

19 Dated this 21st day of March 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Bauknecht, to enact Ordinance 14 Amending Zoning Map for Randy Pelishek. Discussion followed. Supervisor Behnke requested the Town's letter be included with the report. Supervisor Behnke moved, seconded by Supervisor Braunel to table the motion and send it back to Planning and Park. Upon vote, the motion to table Ordinance 14 carried with 18 ayes and 5 noes. Supervisors Skubal, Rasmussen, Rappe, Dobbs and Mueller voted no; all other supervisors voted aye.

Public Safety: Supervisor Henrickson moved, seconded by Supervisor Goeke, to adopt Resolution 15 (2005/2006-183) Proclaiming Telecommunicators Week. Upon vote, the motion carried unanimously.

No. 2005/2006 - 183

## **RESOLUTION PROCLAIMING TELECOMMUNICATORS WEEK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Joint Dispatch Center provides emergency communications for  
2 Manitowoc County, the City of Manitowoc, the City of Two Rivers, and the City of Kiel on a 24-hour basis;  
3 and  
4

5 WHEREAS, the President of the United States and Congress 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 most  
9 critical link between our citizens and emergency service providers; that the services they provide are vital  
10 to the health, safety, and welfare of the community; and their commitment and devotion to public service  
11 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 9-15, 2006 as National Telecommunicators  
15 Week in Manitowoc County to honor these dedicated employees whose diligence and professionalism keep  
16 our county and communities safe.

Dated this 21st day of March 2006.

Respectfully submitted by the Public Safety Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Henrikson moved, seconded by Supervisor Janowski, to adopt Resolution 16 (2005/2006-184) Authorizing Clerk of Court to Charge a Fee for the Use of a Credit Card, Debit Card, and Payment Plan. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 184

**RESOLUTION AUTHORIZING CLERK OF COURT TO CHARGE A FEE FOR THE USE OF  
A CREDIT CARD, DEBIT CARD, AND PAYMENT PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 2005 Wisconsin Act 59 contains the following provisions that will become effective on  
2 April 2, 2006:

- 3
- 4 • The clerk of circuit court may accept a credit card or debit card for any required payment
- 5 to the clerk of circuit court;
- 6
- 7 • The clerk of circuit court may charge and collect a reasonable service fee for the use of
- 8 a credit card or debit card in an amount established by the county board;
- 9
- 10 • The clerk of circuit court may charge and collect a fee for the establishment and
- 11 monitoring of a payment plan for persons ordered to make payments to the clerk of
- 12 circuit court if the fee does not exceed \$15 and is set using a sliding scale based on the
- 13 ability to pay as measured by income;
- 14

15 and

16

17 WHEREAS, permitting the use of credit cards, debit cards, and payment plans would greatly assist  
18 the clerk of the circuit court in the efficient collection of money ordered to be paid to the clerk of circuit  
19 court; and

20

21 WHEREAS, the Manitowoc County taxpayers will benefit if the clerk of circuit court is authorized  
22 to accept credit cards and debit cards and to establish and monitor payment plans; and

23

24 WHEREAS, it is appropriate that the clerk of circuit court be authorized to charge a reasonable service  
25 fee to those persons who use a credit card or debit card or who wish to enter into a payment plan so that most  
26 of the cost of these special services is paid by those persons who elect to use these services, rather than by  
27 property taxpayers; and

28

29 NOW, THEREFORE, BE IT RESOLVED that the clerk of circuit court is authorized to accept a credit  
30 card or debit card for any required payment to the clerk of circuit court; and

32 BE IT FURTHER RESOLVED that the clerk of circuit court is authorized to charge and collect a  
33 service fee for the use of a credit card or debit card that may not exceed 3.5%; and  
34

35 BE IT FURTHER RESOLVED that the clerk of circuit court is authorized and directed to charge and  
36 collect a reasonable fee, which shall not exceed \$15 and which shall be on a sliding scale based upon ability  
37 to pay as measured by income, to establish and monitor payment plans for persons ordered to make payments  
38 to the clerk of circuit court.

Dated this 21st day of March 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. The fees cover the cost of providing the services.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke reported the Clean Sweep Program will be conducted this Spring and the Wetland Bank Plan that was presented to the DNR has been tentatively approved.

Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 17 (2005/2006-185) Authorizing Out-of-State Travel for Dave Tice. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2005/2006 - 185

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL  
(Dave Tice)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Public Works Department provides maintenance staff for the  
2 operation of the Health Care Center, but presently contracts for HVAC services at a cost of approximately  
3 \$7,000; and  
4

5 WHEREAS, training County staff to handle the programming of HVAC equipment could save the  
6 county money in the same way that a \$6,000 training investment has saved approximately \$17,000 a year in  
7 the cost to service the Jail's security system; and  
8

9 WHEREAS, the cost to train County staff to handle programming the Health Care Center's HVAC  
10 equipment would not exceed \$3,000 for all expenses, including airfare, hotel, meals, and surface  
11 transportation;  
12

13 WHEREAS, training for the HVAC system is only available in Kennesaw, Georgia;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes  
16 Dave Tice to travel out of state from April - May 6, 2006 to attend HVAC training in Kennesaw, Georgia.

Dated this 21st day of March 2006.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: \$3,000 is included in the 2006 Health Care Center budget for this training.

APPROVED: Dan Fischer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported they approved the 2<sup>nd</sup> semester s. 85.21 and 5310 reports and the DOT will be giving instructions for aging transportation in Manitowoc County.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski reported they met three times this month to complete work on the large wind towers. On February 25, committee members and members of the Board of Adjustment visited Montfort Wind Farm in Iowa County. Their next meeting will be on March 22, and on March 27 they will be making their recommendations to the Planning and Park Commission. Supervisors were urged to attend this meeting.

Miscellaneous: Supervisor Henrickson moved, seconded by Supervisor Brey, to adopt Resolution 18 (2005/2006-186) Accepting Interoperability Grant, Authorizing Engineering Contract, and Transferring Funds. Upon vote, the motion carried unanimously.

No. 2005/2006 - 186

**RESOLUTION ACCEPTING INTEROPERABILITY GRANT, AUTHORIZING ENGINEERING CONTRACT, AND TRANSFERRING FUNDS**

1 TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

2  
3 WHEREAS, the Office of Justice Assistance/Homeland Security is willing to provide a grant for 75%  
4 of Manitowoc County's total interoperability program expenses; and  
5

6 WHEREAS, Leonard J. Koehnen & Associates has provided the County Board with a report on the  
7 state of the county's communication system (including the Joint Dispatch Center, communications  
8 equipment, and towers) that estimates the total cost of upgrading the county's communications system could  
9 be \$3.8 million or more; and  
10

11 WHEREAS, Leonard J. Koehnen & Associates is willing to provide engineering services related to  
12 the county's communications system for a contract price of \$62,500; and  
13

14 WHEREAS, this engineering work is necessary to ensure that compatible equipment and technology  
15 is selected for the various phases of this project and is necessary to provide a more precise estimate of the  
16 total project cost;  
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts  
19 the Office of Justice Assistance/Homeland Security Grant award of a grant in an amount up to \$142,560  
20 toward the County's total interoperability program expenses of \$190,080; and

21 BE IT FURTHER RESOLVED that the Comptroller Auditor is directed to transfer an amount not to  
22 exceed \$47,520 from the General Fund to an appropriate account to provide the County's 25% match for the  
23 grant; and  
24

25 BE IT FURTHER RESOLVED that the Comptroller Auditor is directed to transfer \$62,500 from the  
26 General Fund to an appropriate account for the purpose of contracting with Leonard J. Koehnen & Associates  
27 for engineering services; and  
28

29 BE IT FURTHER RESOLVED that the County may repay the General Fund out of the proceeds of  
30 any future bond issue relating to upgrading the county's communications system; and  
31

32 BE IT FURTHER RESOLVED that the budget is amended by the amounts stated and that the  
33 Comptroller/Auditor is directed to record the transfers and such other information in the official books of  
34 the County for the year ending December 31, 2006 as may be required.

Dated this 21st day of March 2006.

Respectfully submitted by the Public Safety Committee.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases grant revenue by up to \$142,560, reduces the General Fund by  
\$110,020, and increases authorized expenditures by \$252,580.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Bauknecht, to adopt Resolution 19 (2005/2006-187)  
Urging Enactment of Fair Utility Tax-Sharing Laws. Upon vote, the motion carried unanimously.

No. 2005/2006 - 187

**RESOLUTION URGING ENACTMENT OF  
FAIR UTILITY TAX-SHARING LAWS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, utility property was once taxed at the local level by counties and local units of  
2 government in the same way as most other property; and  
3

4 WHEREAS, the statutes were revised in 1929 to provide for the state to uniformly value all utility  
5 property in Wisconsin, levy a tax on that property, and return 83 percent of the collected tax receipts to the  
6 counties and municipalities where the utilities were located as compensation for these local governments  
7 losing the right to impose property taxes on utilities; and  
8

9 WHEREAS, the state changed the utility tax system about 30 years ago so that only 19 percent of tax  
10 collections are returned to utility-site counties and municipalities; and  
11

12 WHEREAS, the state converted the utility tax to a gross receipts tax about 20 years ago, but didn't  
13 change the archaic formula for compensating utility-site counties and municipalities; and  
14

15 WHEREAS, the disparity between utility tax dollars collected by the state and the meager payments  
16 from the state to those counties and municipalities that host power generation sites has stifled the  
17 development of power generation capacity for years, and the increasing shortfall between power generation  
18 needs and power generation capacity gravely affects the Wisconsin economy and seriously impacts growth  
19 in this state;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges  
22 the State Legislature to repeal the present outdated statutory system and to enact legislation that fairly  
23 compensates counties and local governments for hosting existing and new power generation sites; and  
24

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

Dated this 21st day of March 2006.

Respectfully submitted by Glen Skubal, Supervisor.

APPROVED: Dan Fischer, County Executive.

Supervisor Hansen moved, to adopt Resolution 20 (2005/2006-188) Honoring Dan Fischer. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Dan noted that he has attended more than 275 County Board meetings and this Board has been one of the best he has had the honor to serve with.

No. 2005/2006 - 188

### **RESOLUTION HONORING DAN FISCHER**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Dan Fischer became Manitowoc County's first County Executive in April 2002, is  
2 serving a four-year term that ends in April 2006, and has decided not to run for a second term; and  
3

4 WHEREAS, Dan Fischer was Manitowoc County Clerk from January 1985 through April 16, 2002;  
5 served as Administrative Coordinator and Acting County Administrator when called upon to do so; and has  
6 been the historian, treasurer, secretary, vice-president, and president of the Wisconsin County Clerk's  
7 Association; and  
8

9 WHEREAS, Dan Fischer was elected as a representative from Manitowoc County to the Wisconsin  
10 State Assembly in 1976 and served 3 terms; and  
11

12 WHEREAS, Dan Fischer has been a valued and dedicated public servant for more than 27 years, has  
13 shown a true concern for the issues facing the county and a genuine regard for the citizens of this county, and  
14 has continually strived to control the cost to the taxpayer of providing necessary public services; and  
15

16 WHEREAS, Dan Fischer has been active within the community and has helped to enrich its quality  
17 of life through his involvement with the American Red Cross Manitowoc/Calumet Chapter and Big  
18 Brothers/Big Sisters; and  
19

20 WHEREAS, the County Board wishes to honor Dan Fischer for his public service, dedication, and  
21 commitment to the citizens of Manitowoc County and the State of Wisconsin;  
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors expresses  
24 its appreciation to Dan Fischer for the public service that he has performed; and  
25

26 BE IT FURTHER RESOLVED that the County Clerk is directed to provide Dan Fischer with a  
27 certified copy of this resolution.

Dated this 21st day of March 2006.

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

APPROVED: Dan Fischer, County Executive.

Supervisor Maresh moved to adjourn. Supervisor Henrickson seconded, and the motion was adopted by  
acclamation. The meeting adjourned at 9:31 P.M.

Respectfully submitted,

Char Peterson, County Clerk

## COUNTY BOARD PROCEEDINGS INDEX

### APPOINTMENTS

#### April 19, 2005 Session:

- ▶ Loan Review Board: Cindy Huhn.

#### May 17, 2005 Session:

- ▶ Local Emergency Planning Committee: Joe Collins, John Kost, alternate Nicki Davis and Roger Vetting.

- ▶ Wind Energy Systems Advisory Committee: Supr. Kevin Behnke, Supr. Don Goeke, Supr. Joe Janowski, Supr. Ralph Kozlowski, Supr. Glen Skubal, Jenny Eigenberger, Dave Korinek.

**June 21, 2005 Session:**

- ▶ Board of Adjustment: Earl Glaeser and Orville Bonde.
- ▶ Planning & Park Commission: Jim ValLanen.
- ▶ Bay Area Agency on Aging Board of Directors: Vida Willins.

**August 16, 2005 Session:**

- ▶ Loan Review Board: Joel Aulik and Cindy Huhn.
- ▶ Local Emergency Planning Committee: Pat Pankratz, Mary Coenen and alternate Mary Stangel.

**September 13, 2005 Session:**

- ▶ Joint Dispatch Board: Mark Busse.
- ▶ Long Term Support Planning Committee: Supervisor Norb Vogt.

**November 15, 2005 Session:**

- ▶ Ethics Board: Jim Morrow.
- ▶ Expo Board: Supervisor Kevin Behnke, Marie Kohlbeck, Dan Newberg, Dan Schaut, Jerome Vetting.
- ▶ Human Services Board: Maura Yost.
- ▶ Local Emergency Planning Committee: Nancy Crowley, Jim Blaha and alternate Amy Wergin, Randy Neils, Chris Meyer, Gerald Wiesner.
- ▶ Veterans Service Commission: Kent Reeves.
- ▶ Wisconsin Works Steering Committee: Paul Blashka, David Greenwood, Darlene Hoffman, Tony Scherer, Sheila Schetter.
- ▶ Manitowoc-Calumet Library System Board of Trustees: Julie Grinde, Carol Wagner, Kerry Trask, James VandenBoom.

**December 20, 2005 Session:**

- ▶ Aging and Disability Resource Center Board: Melvin Bourgeois, Irma Gosselin, Howard Kluczinski, Tomas Keil.
- ▶ Expo Board: Rob Voss.
- ▶ Local Emergency Planning Committee: Supervisor Joe Janowski and alternate Supervisor Ed Rappe.
- ▶ Wisconsin Works Steering Committee: Jamie Lee

**APPOINTMENTS cont...**

**February 21, 2006 Session:**

- ▶ Board of Health: Dr. Todd Nelson, M.D., Mary Jo Capodice, D.O.
- ▶ Health Care Center Committee: Supervisor Bob Dobbs.
- ▶ Expo Board: Jody Beyer



**March 21, 2006 Session:**

- ▶ Board of Health: Dr. Todd Nelson.
- ▶ Long Term Support Planning Committee: Lisa Behnke, James Loersch, Mike Huck, Marilyn Quirk, Judy Rank, Amy Wergin, Alternate Georgia Kohlwey.
- ▶ Long Term Support Planning Committee: Kathleen Rabe.
- ▶ Transportation Coordinating Committee: Rose Mary Hickman, Marge Jehle, Steve Roeckle.
- ▶

**COMMUNICATIONS****April 19, 2005 Session:**

1. Russell Steeber - Letter Regarding Vehicle Allowance.
2. Jackson County, Florence County and Price County - Resolution Regarding ICF-MR Downsizing.

3. LaCrosse County and Marathon County - Resolution Supporting Increase Cigarette Excise Tax.
4. Brown County - Brown County Comprehensive Plan for Review. (On CD in the County Clerk's Office)
5. Florence County - Resolution Opposing Limitations on Counties' Ability to Levy Necessary Taxes.
6. Eau Claire County - Resolution Opposing DNR Use of Wildlife Funds for Chronic Wasting Disease.

**May 17, 2005 Session:**

1. Outagamie County - Resolution Opposing Real Estate Transfer Fees now Retained by the County to be Transferred to another Entity.
2. Dunn County and Langlade County - Resolution Supporting Increase Cigarette Excise Tax.
3. Jackson County - Resolution Opposing Senate Bill 144. (Classify Jailers Under Protective Status)
4. Langlade County - Resolution Opposing Limitations on Counties' Ability to Levy Necessary Taxes.
5. Juneau County - Resolution Opposing DNR use of Wildlife Funds for Chronic Wasting Disease.
6. Marinette County - Resolution Supporting State Efforts to Address Non-Native Aquatic Invasive Species Problems in our State Waters.
7. Village of Mishicot - Village Ordinance Adopting Chapter 24 Wind Energy System Ordinance.
8. Village of Mishicot - Village Resolution Supporting "Interim Control Ordinance" prohibiting Approval of Future Wind Energy Systems Until Environmental and Economic Effects are Assessed.
9. Village of Mishicot - Village Resolution Declaring Control of Wind Farms within One and One-half Mile of Village Limits.
10. Wisconsin Department of Transportation - Letter of Thanks for Copy of Resolution Supporting Governor's Proposed Two percent Increase in Local Transportation Aids.
11. Repr. Bob Ziegelbauer - Letter of Thanks for copies of Resolution Supporting Governor's Proposed Two Percent Increase in Local Transportation Aids and the Resolution Opposing AB 225 and SB 114.

**June 21, 2005 Session:**

1. Columbia County - Resolution Opposing Downsizing of Intermediate Care Facilities for the Mentally Retarded.
2. LaCrosse County - Resolution Opposing SB114 and AB225 Regarding Jailers Under Protective Status.
3. Wood County - Resolution Supporting Legislation to Re-emphasize the Transportation User Fee Concept.
4. Douglas county - Resolution Opposing AB412 Regarding Condemnation of Public Land.
5. Florence County and Racine County - Resolution Supporting State Efforts to Address Non-Native Aquatic Invasive Species Problems in our State Waters.
6. Senator Joe Leibham - Letter Acknowledging Receipt of Resolution Opposing AB64, Resolution Supporting AB257, and Resolution Supporting AB296.

**July 19, 2005 Session:**

1. Adams County, Bayfield County and Marathon County - Resolution Supporting State Efforts to Address Non-Native Aquatic Invasive Species Problems in our State Waters.
2. Russell Steeber - Letter Regarding Compensation.
3. Jackson County and Langlade County - Resolution Urging Full State Funding for Circuit Courts and Human Services Programs.

**COMMUNICATIONS cont...**

4. Adams County - Resolution Opposing 2005 SB114 and AB225 Classifying County Jailers as Protective Occupation participants.

5. Adams County - Resolution Opposing DNR Use of Wildlife Damage Funds for Chronic Wasting Disease.
6. Adams County - Resolution Opposing AB412 Regarding Condemnation of Public Land.
7. Monroe County - Resolution Supporting Legislation to Re-emphasize the Transportation User Fee Concept.
8. Douglas County - Resolution Endorsing Wisconsin Cigarette Tax Increase.

**August 16, 2005 Session:**

1. Sauk County - Resolution Expressing Concern Over the Help America Vote Act.
2. Russell Steeber - Letter Regarding Washington County Ordinance Relating to Use of County Owned Vehicles.
3. Outagamie County and Waushara County - Resolution Requesting legislators to Re-Emphasize the Transportation User Fee Concept.
4. Outagamie County - Resolution Requesting Legislators to Use Funds for Their Designated Purpose.
5. Outagamie County - Resolution Requesting Legislators to Address Underfunded Mandates.

**September 13, 2005 Session:**

1. Taylor County - Resolution Supporting State Efforts to Address Non-native Aquatic Invasive Species.
2. Price County - Resolution Expressing Concern Over the Help America Vote Act.
3. Dr. Henry Loomans - Letter Resigning from the Board of Health.
4. Ozaukee County and Langlade County - Resolution Requesting legislators to Re-Emphasize the Transportation User Fee Concept.
5. Langlade County - Resolution Opposing Legislation Allowing Condemnation of Public Land.
6. Oconto County and Marinette County - Resolution Concurring with the 2005 Annual Report of Comprehensive Economic Development Strategy.
7. Outagamie county - Resolution Supporting Legislation Addressing Driver's Use of Portable Electronic Devices.
8. Florence County - Resolution Opposing AB575 Classifying Social Workers as Protective Occupation Participants for WRS Purposes.
9. Manitowoc County Villages Association - Invitation to Quarterly Meeting of Manitowoc County Villages Association.

**October 11, 2005 Session:**

1. Wood County - Resolution Supporting AB 208 Regarding the Establishment of Rural Enterprise Zones.
2. Oconto County - Resolution Requesting Legislature Amend Laws Governing Use Value Assessments for Agricultural Land.
3. Juneau County - Resolution Opposing AB 412 Allowing Condemnation of Public Land.
4. Congressman Tom Petri - Letter of Thanks Regarding Communication on HAVA Issues.
5. Florence County - Resolution Concurring with 2005 Comprehensive Development Strategy to Compensation.
6. Vilas County - Resolution Supporting AB 675 Relating to Compensation for the Reduction in the Fair Market Value of Private Real Property.

**November 7, 2005 Session:**

1. Waushara County - Resolution Supporting Assembly Bill 662 Relating to Study of Impact of Removing large Amounts of Land from Tax Rolls
2. Waushara County - Resolution Expressing Concern Over the Help America Vote Act.
3. Waushara County - Resolution Supporting Assembly Bill 208 Regarding Establishment of Rural Enterprise Zones.
4. Brown County - Resolution Opposing DNR Use of Wildlife Damage Funds for Chronic Wasting Disease.
5. Brown County - Resolution Concurring with District Comprehensive Economic Development Strategy 2005 Annual Report.
6. Oneida County - Resolution Supporting AB 675 Relating to Compensation for the Reduction in Fair Market Value of Private Real Property.
7. Winnebago County - Resolution Supporting AB 257 and Senate Bill 126 Relating to Publishing Requirements for Ordinances.
8. Langlade County - Resolution Opposing AB 575 that would Classify Social Workers as Protective Occupation Participants in the Wisconsin Retirement System.
9. Langlade County - Resolution Supporting Legislation Addressing a Driver's use of Portable Electronic Devices.

**November 15, 2005 Session:**

1. W. Michael Slattery - Proposal for Referendum on Troop Withdrawal from Iraq.
2. Ozaukee County - Resolution Opposing Library District Legislation.
3. Ozaukee County - Resolution Requesting Alternate Exemption from County Library Tax.
4. Bay-Lake Regional Planning Commission - October Work Program Activity Report.
5. Repr. Bob Ziegelbauer - Letter Regarding LRB-3832 (n/k/a AB 802) Relating to Supplemental Medical Assistance Payments to County and Municipal Nursing Homes.
6. Senator Leibham - Legislative Proposal to Capture Additional Medicaid Reimbursement for County Nursing Homes.

**December 20, 2005 Session:**

1. Columbia County, Dunn County, Grant County, Marathon County, Ozaukee County, Polk County, Racine County and Rock County - Resolution Supporting Legislation Requiring Equitable Sharing of Federal IGT Funds with Local Governments that Operate Nursing Homes.
2. Adams County and Dunn County - Resolution Supporting AB 257 and SB 126 Relating to Publishing Requirements for Ordinances.
3. Dunn County - Resolution Supporting AB 208 Relating to the Creation of Rural Enterprise Zones.
4. Senator Joe Leibham - letter Regarding AB 802 and SB 5.
5. Columbia County and Ozaukee County - Resolution Supporting Legislation to Remove Costs of Mental Health Inpatient Costs from the Property Tax Rolls.
6. Langlade County and Chippewa County - Resolution Requesting State to take Financial Responsibility for Human Services and Court Related Services.
7. Racine County - Resolution Opposing AB 756 Relating to Sheriff's Department Patrol and Investigative Costs.
8. Linda Dueno-Dufek - E-mailed Communication Regarding the Proposed County Seal.
9. Ozaukee County - Resolution Requesting Independent Audits of Wisconsin Counties' Sales Taxes.

10. Rosetta Wiley - Letter of Resignation from the Expo Board.
11. Donald Nellessen - Letter to Mark O'Connell Regarding SB 215 Relating to Sales Tax.

### **COMMUNICATIONS cont...**

12. Waushara County - Resolution Opposing AB 575 Relating to Social Workers Classified as Protective Occupation Participants.
13. Waushara County - Resolution Opposing Public Library District Legislation.
14. Clark County - Resolution Requesting State Legislators to Return to Part-time Status.
15. Russell Steeber - letter Regarding Car Allowances.

#### **January 17, 2006 Session:**

1. Jackson County - Resolution Regarding Referendums to Fund Human Services and Court-Related Services.
2. Adams County, Brown County, Wood County and Grant County - Resolution Opposing AB 575 Relating to Classifying Social Workers as Protective Occupation Participants in Wisconsin Retirement System.
3. Kewaunee County - Resolution Concurring 2005 Annual Report of Comprehensive Economic Development Strategy.
4. Russell Steeber - letter Regarding Access to Government Information.
5. Ozaukee County - Resolution Regarding Amendment SB 273 Relating to Library Tax.
6. Ozaukee County - Resolution Supporting AB 726 Relating to Motor Vehicle Fuel Tax.
7. Ozaukee County - Resolution Regarding Referendum for County Board Supervisor Term Limits.
8. Ozaukee County - Resolution Opposing AB 129 and SB 117 Relating to Collection of Delinquent Property Taxes.
9. Ozaukee County - Resolution Requesting State Assembly Amend SB 272 Regarding Funding of Public Libraries.
10. Ozaukee County - Resolution Requesting State Assembly Eliminate Sec. 43.53(4) in SB 272.
11. Dunn county - Resolution Urging Legislation Requiring State to be Responsible for Costs of Placements in Mental Health Institutions.
12. Brown County - Resolution Supporting AB 790 Relating to Appropriated funding for Mandates.
13. Brown County - Resolution Requesting Legislation Re-emphasize Transportation User Fee Concept.
14. Brown County - Resolution Supporting AB 208 Regarding Rural Enterprise Zones.
15. Brown County - Resolution Supporting AB 802 Requiring State to Share IGT Funds with Local Governments that Operate Nursing Homes.
16. Repr. Bob Ziegelbauer - Letter Regarding SB 4083 (Concealed Carry), SB 398 (Fire-Safe Cigarettes), and SB 367 (Disposal of Electronic Equipment).

#### **February 21, 2006 Session:**

1. Russell Steeber - Letter Regarding Car Allowances and Highway Satellite Shops.
2. Douglas County - Resolution Supporting AB 857 Regarding Limits on Collective Bargaining Agreements.
3. Lee Zirbel - Letter of Resignation from the Expo Board.
4. Supervisor Bob Dobbs - Letter of Resignation from the Board of Health.
5. Ozaukee County - Resolution Amending Reimbursement Formula for ESLS Library.

6. Ozaukee County - Resolution Urging Legislative Action to Address Wisconsin Retirement System Liabilities.
7. Chair Paul Hansen - Letter of Resignation from the Health Care Center Committee.
8. Jerry Vetting, Expo Board Chairperson - Letter Recommending the Appointment of Jody Beyer to the Expo Board.
9. Greg Buckley, Two Rivers City Manager - Resolution Opposing Making Manitowoc County a Rifle Deer Hunting Zone.

### **COMMUNICATIONS cont...**

#### **March 21, 2006 Session:**

1. Langlade County - Resolution Requesting Independent Audit of Past Sale Tax Calculations and Examination.
2. Representative Bob Ziegelbauer and Senator Leibham - Letters Regarding AB 15 (Ethanol in Gasoline), SB 535 (Medicaid Rate Increases), AB 1073 (Medical Malpractice), and Removing State Mental Health Institute Placements from the Property Tax.
3. Brown County and Kewaunee County - Resolution Opposing AB 756 Relating to Sheriff's Department patrol and Investigative Costs.
4. Waushara County - Resolution Supporting AB 857 Relating to Compensation and Fringe Benefits.
5. Waushara County - Resolution Supporting AB 657 Relating to Prohibition of Condemnation of Property.

## **PETITIONS**

### **April 19, 2005 Session:**

1. Town of Mishicot, Interim Control Ordinance - Manitowoc County.
2. Mark Blatz - Town of Eaton.
3. Brad Schuler - Town of Eaton.
4. Scott Skinkis - Town of Rockland.
5. Raymond Zelewske - Town of Maple Grove.

### **May 17, 2005 Session:**

1. Glen and Mary Floyd - Town of Eaton.
2. Joseph Kocourek - Town of Kossuth.
3. David Meyer - Town of Eaton.
4. Eugene Neuser - Town of Manitowoc Rapids.
5. George Novitski - Town of Mishicot.
6. Scott Bubolz - Town of Maple Grove.
7. Dorothy Christopherson - Town of Eaton.
8. James Schmidt - Town of Gibson.

### **June 21, 2005 Session:**

1. Greg Herrmann - Town of Kossuth.
2. Daniel Peterson - Town of Eaton.
4. James Reindl - Town of Cato.
5. Jerome Tenhaken - Town of Schleswig.

### **July 19, 2005 Session:**

1. Kory Deering - Town of Liberty.
2. Stanley Swetlik - Town of Kossuth.
3. Jason Thiel - Town of Gibson.
4. Earl Weber - Town of Two Rivers.

### **August 16, 2005 Session:**

1. Matt Harms - Town of Schleswig.
2. Manitowoc County Planning & Park commission - Manitowoc County.

**September 13, 2005 Session:**

1. Jean Becker - Town of Meeme.
2. Normand Brisson - Town of Meeme.
3. Keonard Koch - Town of Cato.
4. Harold Koerner - Town of Manitowoc Rapids.

**October 11, 2005 Session:**

1. Andy Foytik - Town of Maple Grove.
2. Karen Mahler - Town of Meeme.
3. Kenneth Prahll - Town of Schleswig.
4. Manitowoc Co. Planning and Park Commission - Manitowoc County Zoning Text Amendment.
5. Manitowoc Co. Planning and Park Commission - Manitowoc County Ag Preservation Plan.

**PETITIONS cont...****November 7, 2005 Session:**

1. Diane Chupita - Town of Cooperstown.
2. Jason Duchow - Town of Rockland.
3. Leonard Harrington - Town of Rockland.
4. Steve Mauer - Town of Kossuth.
5. David Melnarik - Town of Cooperstown.

**December 20, 2005 Session:**

1. Town of Centerville - B-36-0024 Bridge.
2. Town of Eaton - B-36-163 (Quarry) Bridge.
3. Town of Franklin - Holschbach Bridge, Krajnik Bridge, Novy Bridge, Wegner Bridge.
4. Town of Gibson - B-36-162 (Melnik) Bridge, B-36-161 (Zander) Bridge.
5. Town of Kossuth - Schroeder Bridge.
6. Town of Liberty - Sabo Bridge.
7. Town of Manitowoc - B-36-165 (Silver Creek) Bridge.
8. Town of Manitowoc rapids - B-36-175 (Village Drive) Bridge.
9. Town of Maple Grove - Christel Bridge, Mack Bridge.
10. Town of Meeme - B-36-167 (Spring Valley) Bridge.
11. Town of Two Creeks - Stewardship Bridge.
1. James Hansen - Town of Schleswig.
2. Daniel Karbon - Town of Manitowoc Rapids.
3. Manitowoc County Planning and Park Commission - Manitowoc County (Addition to Code)

**January 17, 2006 Session:**

1. Jeffrey Fencil - Town of Mishicot.
2. James Meissner - Town of Mishicot.
3. Randy Pelishek - Town of Cooperstown.
4. Helen Gryboski - Town of Cooperstown.

**February 21, 2006 Session:**



1. Andrew Dexheimer - Town of Eaton.
2. Barbara Wake - Town of Cooperstown.

**March 21, 2006 Session:**

1. Urban Binversie - Town of Meeme.
2. Robert Burrows - Town of Meeme.
3. Herbert Garlieb, etal - Town of Meeme.
4. Manitowoc Co. Plan & Park Commission - Zone Text Amendment (Feed Lots and Commercial Poultry).
5. Manitowoc Co. Plan & Park Commission - Zone Text Amendment (Wind Energy System).

\* Denotes an Ordinance.

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