

2007 - 2008

COUNTY BOARD PROCEEDINGS

COUNTY BOARD OF SUPERVISORS OF MANITOWOC COUNTY



APRIL 17, 2007 THROUGH MARCH 18, 2008 SESSIONS

CHAPTER 59.17(1)(2) WISCONSIN STATUTES

2007/2008 OFFICIAL PROCEEDINGS

MANITOWOC COUNTY BOARD OF SUPERVISORS STATE OF WISCONSIN, MANITOWOC COUNTY

Chairperson of the County Board

James N. Brey

Vice Chairpersons

Kevin Behnke

Ed Rappe

**Prepared by: Jamie J. Aulik, County Clerk
April 2008**

2007/2008 OFFICIAL PROCEEDINGS
MANITOWOC COUNTY BOARD OF SUPERVISORS

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MEETING OF THE COUNTY BOARD OF SUPERVISORS (Amended)
MANITOWOC COUNTY, WISCONSIN

April 17, 2007

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 April, 2007 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:05 P.M.

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

Roll call: 25 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt.

Chairperson Brey introduced County Clerk Jamie Aulik, who was elected by a Special Election on April 3.

On a motion by Supervisor Behnke, and seconded by Supervisor Vogt, the March 20, 2007, meeting minutes were approved by a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Zigmunt moved, seconded by Supervisor Heyroth, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

Chairperson Brey declared public input open on non-Health Care Center issues at 7:10 p.m.

No one present wished to speak on non-Health Care Center issues, subsequently Chairperson Brey declared public input open on Health Care Center issues.

Michael Thomas, Town of Newton, addressed the Board stating he spoke last month as an employee and gave a positive report on the status of the Health Care Center. At this meeting, he communicated as a citizen and talked about the man who came to the Health Care Center with frost bitten hands, the chronically ill, the mentally ill, and the alzheimers patients who have no ability to pay. This is about their ability to find someone to care for them. He asked the Board to take time to look at this issue before making a decision to sell the Health Care Center.

Matt Kadow, Manitowoc, spoke on the County Executive's proposal to privatize the Health Care Center. He agreed this is a serious issue, but felt citizens have been provided with a quick fix proposal to sell the Health Care Center. He expressed his opinion that the Health Care Center is a good investment, and stressed the importance to consider the whole County budget. There are other services not mandated that could be contracted out, such as paving of highways. He stated Manitowoc County is one of fourteen counties in the State that does not have a county tax which could generate approximately \$4.2 million a year.

Keith Spruce, Town of Two Rivers, addressed the Board regarding the proposal to sell the Health Care Center stating compassionate values echo in the County's mission statement to improve the quality of life in Manitowoc County by providing services to individuals and families. He spoke in opposition to the privatization of the Health Care Center and stated he wants to pay for this service.

Kathleen Schuette, Town of Centerville, spoke in opposition to the proposed privatization of the Health Care

Center. She stated the Health Care Center is a prime example of government operating at its highest and best form, and merits continued support and preservation. She expressed concern her 90 year old mother, a resident of the Health Care Center, who has dementia, would not be accepted in a private facility. Reasons to retain ownership of the Health Care Center include: private nursing homes are mandated not to care for patients who cannot pay; and there is a proposed federal rule change anticipated to be passed by Congress that could increase yearly subsidies to the Health Care Center by an estimated

\$500,000 to \$1 million. She stated that the Health Care Center is the crown jewel of the County.

Robert Kaiser, Manitowoc, addressed the Board regarding the proposed privatization of the Health Care Center and the Committee that is being created to study the Health Care Center issues. He requested that the Committee talk with the citizens before making a recommendation. He asked the Board to consider the impact on wounded veterans returning from the current war.

Dr. Tracy Hoffman, Manitowoc, spoke in opposition to the privatization of the Health Care Center stating that she is concerned that many patients will have to leave the County for their care which will be an increased cost. The residents at the Health Care Center have excellent care and she is proud to live in Manitowoc because it has cared for the aging population and individuals with special needs.

Darlene Wellner, Manitowoc, addressed the Board regarding the proposed privatization of the Health Care Center urging the Board to not only make this difficult decision on a financial basis, but also on a humane basis. She asked the Board to consider the potential impact on the chronic and mentally ill.

Kay Wallander, Whitelaw, spoke as an employee of the Health Care Center expressing concern that it will be costly to house patients in other facilities if the Health Care Center becomes privatized. This facility has been known for the excellent care the staff has given to patients. She asked the Board to not make their decision in haste.

Dan Watton, Manitowoc, addressed the Board as a family member of a patient in the Health Care Center. He stated that the Health Care Center was the only facility that would accept his mother who was antibiotic resistant and near death. He is willing to pay more taxes to keep the County owned facility.

Diane Geraldson, Town of Manitowoc Rapids, a registered nurse at the Health Care Center spoke in opposition to the proposed sale of the Health Care Center. She is proud to work at the Health Care Center and stated the residents have the best care and administration. This is an important decision and the community needs to be heard and educated on the issues.

Jennie Hanstedt, Manitowoc, a social worker at the Health Care Center cited a study that proved publically funded nursing homes provide a higher level of care than private nursing homes.

Rita Metzger, Manitowoc, expressed concern the proposed Ad Hoc Health Care Study Committee is not a good representation of the entire County.

Dan Langnese, Manitowoc, addressed the Board stating that he is a taxpayer researching where he could go if he became in need of a nursing home in the future. His wife became ill and used \$1 million of her health insurance policy in one year.

Patricia Zimmerman, Manitowoc, explained that the option is no longer available to send patients in need of specialized care out of the County to other nursing homes due to a change in state law.

Chairman Brey closed public input on Health Care Center issues at 7:58 p.m.

UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKE AT LAST MEETING

Chairperson Brey removed from the table Resolution Amending County Board Rule 11(a) (Hearing Times). Upon vote, the motion carried by unanimous consent. Chairperson Brey moved Substitute Resolution Amending County Board Rule 11(a) (Hearing Times). Upon vote, the motion carried by unanimous consent. Discussion followed. Upon vote, the motion carried unanimously to adopt Substitute Resolution (2007/2008-1) Amending County Board Rule 11(a) (Hearing Times).

No. 2007/2008 - 1

**SUBSTITUTE RESOLUTION AMENDING COUNTY BOARD RULE 11(a)
(Hearing Times)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County and its various boards, committees, and commissions conduct
2 hearings in order to obtain public input on matters of interest to the community; and
3

4 WHEREAS, the Executive Committee believes that any public hearing should be held at a time that
5 provides as many citizens as possible with an opportunity to attend the hearing and recommends that the
6 county board rules be amended to require that all public hearings be held toward the end of the day or in the
7 evening;
8

9 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board Rule 11(a) is amended as
10 follows:
11

12 11 Meetings, Agenda, and Documents. (a) The person presiding over a board, commission, or
13 committee may schedule and call such meetings as are appropriate and necessary. Any public hearing must
14 be scheduled to start at or after 4:00 p.m. unless the person presiding over the hearing has asked and been
15 granted permission by the County Board Chair to start the hearing at an earlier time.
16

17 BE IT FURTHER RESOLVED that this amendment will take effect on May 1, 2007 in order to
18 provide the various boards, committees, and commissions with an opportunity to adjust their meeting
19 schedules as necessary.

Dated this 17th day of April 2007.

Respectfully submitted by the Executive Committee.

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

Bob Ziegelbauer, County Executive.

MISCELLANEOUS: Supervisor Gauger moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2007/2008 - 2) Commending Rachel Herrmann, Manitowoc County's Outgoing Fairest of the Fair. Upon vote, the motion carried unanimously.

**RESOLUTION COMMENDING RACHEL HERRMANN
MANITOWOC COUNTY’S OUTGOING FAIREST OF THE FAIR**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Rachel Herrmann, a native of Cato, has reigned as Manitowoc County’s Fairest of the
2 Fair from spring 2006 through spring 2007; and
3

4 WHEREAS, the Fairest of the Fair is a demanding position that requires time, patience, and a
5 willingness to share one’s experiences with many people; and
6

7 WHEREAS, Rachel Herrmann has done an outstanding job in representing Manitowoc County when
8 appearing at various events and parades during her one-year reign; and
9

10 WHEREAS, Rachel Herrmann competed in the State of Wisconsin Fairest of the Fairs competition
11 and represented Manitowoc County extremely well; and
12

13 WHEREAS, Rachel Herrmann has been an active representative of Manitowoc County agriculture
14 and has gained and shared valuable knowledge and experiences; and
15

16 WHEREAS, Rachel Herrmann has inspired others to promote agriculture, the Manitowoc County
17 Fair, and the Manitowoc County Fairest of the Fair position for years to come;
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
20 commends Rachel Herrmann for her time, effort, and the positive impact of her reign as the 2006 Manitowoc
21 County Fairest of the Fair.

Dated this 17th day of April 2007.

Respectfully submitted by James N. Brey, County Board Chair.

APPROVED: Bob Ziegelbauer, County Executive.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Public Works Director Jeff Beyer presented a Proclamation Commending Rachel Herrmann, Manitowoc County’s Outgoing Fairest of the Fair. Rachel thanked the Manitowoc County Expo Board for giving her the opportunity to represent the County.

Human Services Director Tom Stanton presented Nancy Randolph, Supervisor of the Family Resource Center, with a Proclamation for Foster Care Month. She introduced Robin Krall who has been a foster Mom for more than thirty years.

Chairperson Brey presented Human Services Director Tom Stanton with a Proclamation for Child Abuse and Neglect Prevention Month, April 2007.

Chairperson Brey presented disabled veteran Augie Krieser with a Proclamation for Paralyzed Veterans of America Awareness Week. Augie thanked the Board for their recognition of paralyzed veterans.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointments of Shirley Fessler, Jamie Lee, Lisa Behnke and Don Goeke to the Transportation Coordinating Committee for a three year term expiring April 2010. Supervisor Behnke moved, seconded by Supervisor Bauknecht, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski moved, seconded by Supervisor Markwardt, to adopt Resolution 2 Supporting Statewide Workplace Smoking Ban. Upon discussion and vote, the motion failed with 6 ayes and 19 noes. Supervisors Janowski, Zigmunt, Konen, Rappe, Dufek, and Markwardt voted aye; all other supervisors voted no.

Supervisor Janowski moved, seconded by Supervisor Muench, to adopt Resolution 3 (2007/2008-3) Accepting DOT Grant (Child Passenger Safety Fitting Stations). Upon vote, the motion carried unanimously.

No. 2007/2008 - 3

**RESOLUTION ACCEPTING DOT GRANT
(Child Passenger Safety Fitting Stations)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the leading cause of death in children is injury; and

2
3 WHEREAS, child safety seats and other child restraints are intended to reduce injury to children in
4 the event of a motor vehicle accident, but nearly 90% of car seats installed by the general public are not
5 installed correctly; and

6
7 WHEREAS, both Holy Family Memorial and Aurora Medical Center have added trained car seat
8 installation technicians to their staff, and both Holy Family Memorial and the Two Rivers Fire Department
9 have agreed to provide space for a permanent child passenger safety fitting station;

10 WHEREAS, the Manitowoc County Health Department, as fiscal agent for the Manitowoc County
11 Safe Communities Coalition, has received a \$2,500 grant from the Wisconsin Department of Transportation
12 to establish additional permanent child passenger safety fitting stations in Manitowoc County;

13
14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
15 authorizes the Health Department to accept a Department Of Transportation grant in the amount of \$2,500
16 and to spend the funds to establish two permanent child passenger safety fitting stations, that the 2007 Annual
17 Budget is amended by the amount of the grant received, and that the Comptroller/Auditor is directed to record
18 such information in the official books of the County for the year ending December 31, 2007 as may be
19 required.

Dated this 17th day of April 2007.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increase revenues and expenditures by an equal amount not to exceed \$2,500.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Janowski reported they continue training sessions for temporary food stands. Their next meeting will be May 10.

Executive Committee: Chairperson Brey moved, seconded by Supervisor Behnke, to adopt Resolution 4 (2007/2008-4) Creating Special Health Care Center Study Committee. Discussion followed. Supervisor Dobbs moved, seconded by Supervisor Bauknecht, to amend line 13 Ad Hoc Health Care Center Committee “to include four citizen members; one from Manitowoc, Two Rivers, Kiel, and the Towns Association;.” Upon vote, the motion failed with 7 ayes and 18 noes. Supervisors Wagner, Janowski, Tittl, Markwardt, Dobbs, Bauknecht, and Mueller voted aye; all other supervisors vote no.

Upon discussion and vote upon the main motion, the motion carried with 17 ayes and 8 noes. Supervisors Wagner, Janowski, Tittl, Heyroth, Konen, Henrickson, Dobbs, and Bauknecht voted no; all other supervisors vote aye.

No. 2007/2008 - 4

**RESOLUTION CREATING SPECIAL
HEALTH CARE CENTER STUDY COMMITTEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Executive has asked that the County Board adopt a resolution stating its intent
2 to sell the operations of the Manitowoc Health Care Center to a private operator in 2008 and to sell or lease
3 the building, equipment, and real estate to the new operator; and
4

5 WHEREAS, the Executive Committee believes that the decision about whether to sell the Health Care
6 Center operations requires careful consideration of the best way in which to meet the County’s obligation to
7 provide the full range of mandated services to the public; and
8

9 WHEREAS, the Executive Committee believes that the decision about whether to sell the Health Care
10 Center operations impacts many different aspects of county government and that a Special Health Care Center
11 Study Committee should be created which includes the members of the Executive Committee and the Chairs
12 of the Finance, Health Care Center, Personnel, and Public Works Committees and the Chair of the 2000 Ad
13 Hoc Health Care Center Study Committee; and
14

15 WHEREAS, the Executive Committee recommends that the Special Health Care Center Study
16 Committee collect information, discuss the implications, conduct public hearings, and make a
17 recommendation to the County Board regarding the County Executive’s request for a statement of intent and
18 any subsequent proposal regarding the sale of the Health Care Center;
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board hereby creates
21 a Special Health Care Center Study Committee to examine and make recommendations to the
22 County Board regarding the County Executive’s request for a Statement of Intent regarding the
23 Health Care Center; and
24

25 BE IT FURTHER RESOLVED that the Special Health Care Center Study Committee be comprised
26 of the members of the Executive Committee, the chairs of the Finance, Health Care Center, Personnel, and
27 Public Works Committee, and the chair of the 2000 Ad Hoc Health Care Center Study Committee. The Study
28 Committee Chair will be appointed by the County Board Chair and the Committee will continue to function
29 until discharged from its duties by a vote of the County Board or order of the County Board Chair.

Dated this 17th day of April 2007.

Respectfully submitted by the Executive Committee.

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

Bob Ziegelbauer, County Executive.

Finance Committee: Supervisor Kozlowski reported they met on April 9 where they discussed the past ten years of Health Care Center finances. They met this evening with the Public Works Committee where they transferred \$100,000 to address electrical safety issues at the Expo Activity Center.

Health Care Center Committee: Supervisor Graunke reported supervisors received Health Care Center financial information for their review. They may contact the Health Care Center Administrator or the Comptroller with any questions.

Highway Committee: Supervisor Bundy reported they will be hosting the annual Towns and Villages meeting at Seven Lakes Golf Course and all supervisors are invited; and they are working on the National Association of County Engineers Conference to be held in Milwaukee April 19-26.

Human Services Board: Supervisor Rappe reported Manitowoc County lost 3,000 factory jobs over the past ten years; Economic Support Services continues to be understaffed; and a \$450,000 grant was received from the Wisconsin Medical College to develop the Lakeshore Lodge Clubhouse that will serve the mentally ill with treatment and job training.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Zigmunt, to adopt Resolution 5 (2007/2008-5) Authorizing Grant Application (Branch River Obstruction Removal). Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 5

**RESOLUTION AUTHORIZING GRANT APPLICATION
(Branch River Obstruction Removal)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, obstructions in the Branch River channel restrict aquatic life habitat, increase sediment
2 loads, and increase water temperatures; and
3

4 WHEREAS, engineering plans and permits have been completed for removal of the obstructions; and
5

6 WHEREAS, the Land Conservation Committee recommends that Manitowoc County apply for a grant
7 to fund the removal of obstructions from the Branch River;
8

9 NOW, THEREFORE, BE IT RESOLVED that the Soil & Water Conservation Department Director
10 is authorized to apply for and accept a grant not to exceed \$30,000 from the Wisconsin Department of Natural

1 Resources, Office of the Great Lakes for Branch River Obstruction Removal;
2 and

3
4 BE IT FURTHER RESOLVED that the 2007 budget is amended by the amount of any grant received
5 and that the Comptroller/Auditor is directed to record such information in the official books of the County
6 for the year ending December 31, 2007 as may be required.

Dated this 17th day of April 2007.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts not to exceed \$30,000. No local match.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt reported the Stockroom Clerk Position at the Highway Department will be held open for one year after it is vacated due to retirement and the Highway Committee is going to request RFP's for a contracted parts department.

Supervisor Vogt moved, seconded by Supervisor Rasmussen, to adopt Resolution 6 (2007/2008-6) Amending Non-Represented Employee Policy and Procedure Manual (Hiring Procedures). Up vote, the motion carried unanimously.

No. 2007/2008 - 6

**RESOLUTION AMENDING NON-REPRESENTED
EMPLOYEE POLICY AND PROCEDURE MANUAL
(Hiring Procedures)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted a Non-Represented Employee Policy and Procedure
2 Manual to ensure fair and equal treatment of County employees and compliance with Federal and State
3 employment laws; and

4
5 WHEREAS, providing qualified employees the first opportunity for consideration for promotions
6 provides an incentive to employees that enhances morale, increases retention, and assists in succession
7 planning; and

8
9 WHEREAS, allowing the County Executive to waive the requirement to advertise temporary or extra
10 hire positions when time sensitive circumstances warrant allows the county to better respond to staffing
11 needs; and

12
13 WHEREAS, the Personnel Committee has provided the County Board with a copy of proposed
14 amendments to the Non-Represented Employee Policy and Procedure Manual and recommends that they be
15 adopted;

16
17 NOW, THEREFORE, BE IT RESOLVED that sections 4.01 and 4.02 of the Non-Represented
18 Employee Manual be amended as indicated.

Dated this 17th Day of April 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Indeterminable. Savings in advertising costs for non-represented positions may result, but cannot be predicted.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Bauknecht, to adopt Resolution 7 (2007/2008-7) Authorizing On-Site Blood Drive. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008- 7

RESOLUTION AUTHORIZING ON-SITE BLOOD DRIVE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Blood Center of Wisconsin must collect 700 units of blood each and every day in
2 order to meet the needs of patients in the State of Wisconsin; and

3

4 WHEREAS, the Blood Center is the only source of blood for local hospitals; and

5

6 WHEREAS, half of the needed blood supply is collected through on-site blood drives organized by
7 businesses, high schools, colleges, and community organizations; and

8

9 WHEREAS, Manitowoc County recently completed an on-site blood drive that was so successful that
10 the Blood Center has asked whether the county would be interested in conducting additional blood drives;
11 and

12 WHEREAS, hosting a blood drive offers an opportunity for Manitowoc County employees to rally
13 around an important community cause; and

14

15 WHEREAS, the Wellness Committee is interested in continuing to coordinate on-site blood drives;
16 and

17 WHEREAS, the total time for an employee to donate blood is less than 60 minutes and a minimum of
18 20 employees willing to donate blood is required to host an on-site blood drive; and

19

20 NOW, THEREFORE, BE IT RESOLVED that, subject to approval by the Personnel Committee, the
21 Manitowoc County Wellness Committee is authorized to coordinate on-site blood drives; and

22

23 BE IT FURTHER RESOLVED that with supervisory approval, an employee may donate blood during
24 his or her regularly scheduled work hours, but that no overtime or compensatory time will be paid to any
25 employee who donates blood outside of his or her regularly scheduled hours.

Dated this 17th day of April 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Indeterminable. The total for hourly wages and associated benefits for employees who donate blood during regularly scheduled work hours will depend on the number of employees who participate.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 8 (2007/2008-8) Amending Zoning Map (Lisa Dennis). Upon discussion and vote, the motion carried with 23 ayes and 2 noes. Supervisors Janowski and Henrickson voted no; all other supervisors vote aye.

No. 2007/2008 - 8

**ORDINANCE AMENDING ZONING MAP
(Lisa Dennis)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on April 2, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
5 examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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 10, T20N-R24E, Town of Mishicot,
12 commencing at the NW Corner of said Section 10; thence southerly approximately 660 feet;
13 thence easterly approximately 33 feet to the east r/w of Saxonburg Road which is the point of
14 real beginning; thence continue easterly approximately 545 feet; thence southerly approximately
15 400 feet; thence westerly approximately 545 feet; thence northerly along the east r/w of
16 Saxonburg Road approximately 400 feet to the point of real beginning, said parcel containing
17 approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2
18 Agriculture.

Dated this 17th day of April 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 9 (2007/2008-9) Amending Zoning Map (Gerald LesMonde). Upon discussion and vote, the motion carried with 23 ayes and 2 noes. Supervisors Schneider and Rappe voted no; all other supervisors vote aye.

No. 2007/2008 - 9

**ORDINANCE AMENDING ZONING MAP
(Gerald LesMonde)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on April 2, 2007 after providing the required notice; and
3

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

7 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as
8 follows with respect to two parcels of land located in Section 19 and Section 30, T21N-R23E, Town of
9 Gibson:

10
11 Parcel No. 1, commencing at the SE Corner of said Section 19; thence westerly approximately
12 22 feet to the west r/w of Melnik Road which is the point of real beginning; thence northerly
13 along the west r/w of Melnik Road approximately 251 feet; thence westerly along the south r/w
14 of Melnik Road approximately 609.35 feet; thence southerly approximately 680.68 feet; thence
15 easterly approximately 622.06 feet to the west r/w of Melnik Road; thence northerly along the
16 west r/w of Melnik Road approximately 495.64 feet to the point of real beginning, said parcel
17 containing approximately 10.83 acres of land, shall be and is hereby rezoned from A3
18 Agriculture to A2 Agriculture;

19
20 and

21
22 Parcel No. 2, commencing at the SE Corner of said Section 30; thence southerly approximately
23 495.64 feet; thence westerly approximately 33 feet to the west r/w of Melnik Road which is the
24 point of real beginning; thence southerly along the west r/w of Melnik Road approximately
25 501.38 feet; thence westerly approximately 429.80 feet; thence northerly approximately 493.68
26 feet; thence easterly approximately 401.53 feet to the point of real beginning, said parcel
27 containing approximately 5.122 acres of land, shall be and is hereby rezoned from A3
28 Agriculture to A2 Agriculture.

Dated this 17th day of April 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 10 (2007/2008-10)
Amending Zoning Map (Erwin Waack). Upon discussion and vote, the motion carried with 24 ayes and 1
no. Supervisor Rappe voted no; all other supervisors vote aye.

No. 2007/2008 - 10

**ORDINANCE AMENDING ZONING MAP
(Erwin Waack)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on April 2, 2007 after providing the required notice; and

3 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
4 examination of the facts, recommends that the petition be approved for the reasons stated in the attached
5 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, NW¼, Section 10, T18N-R21E, Town of Eaton,
11 commencing at the center of said Section 10; thence northerly approximately 1070 feet; thence

12 westerly approximately 797 feet which is the point of real beginning; thence continue westerly
13 approximately 523 feet to the east r/w of CTH W; thence northerly along the east r/w of CTH
14 W approximately 250 feet; thence easterly approximately 523 feet; thence southerly
15 approximately 250 feet to the point of real beginning, said parcel containing approximately 3.0
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to SE Small Estate.

Dated this 17th day of April 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported the increasing local inmate population is creating a reduction in available room to house state prisoners which could result in a loss of state revenue.

Supervisor Henrickson moved, seconded by Supervisor Tittle, to adopt Resolution 12 (2007/2008-11) Authorizing Out-of-State Travel (Jason Orth). Upon vote, the motion carried unanimously.

No. 2007/2008 - 11

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Commercial Equipment Direct Assistance Program (CEDAP), on behalf of the United
2 States Department of Homeland Security, has approved the Manitowoc County Sheriff's Department's
3 application to receive a TACSIGHT S1 Thermal Imager for Law Enforcement; and
4

5 WHEREAS, the TACSIGHT S1 Thermal Imager enables law enforcement personnel to see heat
6 signatures of objects, people, and other sources in darkness and through smoke and fog; and
7

8 WHEREAS, the Thermal Imager, which needs no light to operate, is especially well-suited for tactical
9 operations in poorly lit conditions; and
10

11 WHEREAS, CEDAP will fund hands-on training for an officer in New Orleans, Louisiana, including
12 expenses related to travel, lodging, limited per diem, and an allowance of \$90 to cover partial expenses;
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
15 Sgt. Jason Orth to attend the CEDAP training program in New Orleans, Louisiana on May 29-31, 2007.

Dated this 17th day of April 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. U.S. Department of Homeland Security will be pay approximately \$700 for travel, lodging, and meals. Upon completion of the program, Manitowoc County will receive thermal imaging equipment worth approximately \$11,850.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Vogt, to adopt Resolution 13 (2007/2008-12) Authorizing Cooperative Agreements for Electronics Collection Program. Upon vote, the motion carried unanimously.

No. 2007/2008 - 12

**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENTS
FOR ELECTRONICS COLLECTION PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1989 Wisconsin Act 335 established the reduction of the amount of solid waste being sent
2 to landfills as a goal and provided for the development of programs to 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; and
8

9 WHEREAS, a cooperative agreement between Manitowoc County and any interested municipality
10 would commercially benefit both the county and the municipality and would benefit the health, safety, and
11 welfare of their respective citizens; and
12

13 WHEREAS, the Public Works Committee has reviewed and recommends that Manitowoc County enter
14 into Electronics Collection Program Agreements with interested municipalities;
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
17 the Public Works Director to enter into Electronics Collection Program Agreements with interested
18 municipalities.

Dated this 17th day of April 2007.

Respectfully submitted by the Public Works Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported they met on March 22 where they approved the s. 85.21 Elderly and Disabled Transportation Program, the s. 53.10 Vehicle Acquisition Program, and the s. 85.21 Financial Report.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Janowski, to adopt Resolution 14 (2007/2008-13) Approving Town of Newton Zoning Ordinance (Greg Grotegut). Upon vote, the motion carried with 22 ayes and 3 noes. Supervisors Heyroth, Schneider, and Rappe voted no; all other supervisors voted aye.

No. 2007/2008 - 13

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Greg Grotegut)**

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 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which
4 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County
5 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
11 approves the zoning ordinance that was adopted by the Town Board of the Town of Newton for Greg
12 Grotegut on March 28, 2007.

Dated this 17th day of April 2007.

Respectfully submitted by Kevin L. Behnke, Supervisor.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 15 (2007/2008-14) Accepting Funding, Amending Budget, and Authorizing Additional Positions (ADRC and Human Services). Discussion followed.

No. 2007/2008 - 14

**RESOLUTION ACCEPTING FUNDING, AMENDING
BUDGET, AND AUTHORIZING ADDITIONAL POSITIONS
(ADRC and Human Services)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Aging and Disability Resource Center has been notified that it is eligible to receive
2 \$147,508 in medical assistance dollars that can be used to fund two Information and Assistance Benefit
3 Specialists, one Secretary/Clerk, and a .70 FTE Disability Benefit Specialist; and

4
5 WHEREAS, the Aging and Disability Resource Center contracted services line item contains
6 sufficient funds to create a full-time Economic Support Specialist position in the Human Services Department
7 to provide needed economic support services; and

8
9 WHEREAS, the 2007 budget must be amended to accept the additional funding and authorize the
10 additional positions and corresponding revenues and expenditures;

11
12 NOW, THEREFORE, BE IT RESOLVED that the 2007 Aging and Disability Resource Center
13 Budget is amended by the amount of the additional medical assistance funds that are received; and

14
15 BE IT FURTHER RESOLVED that two Information and Assistance Benefit Specialists, one
16 Secretary/Clerk, and a .70 FTE Disability Benefit Specialist are authorized to be added to the Aging and
17 Disability Resource Center staffing and an Economic Support Specialist position is authorized to be added
18 to Human Services Department staffing; and

19
20 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information
21 in the official books of the County for the year ending December 31, 2007 as may be required.

Dated this 17th day of April 2007.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenses by \$147,508 and moves previously budgeted contracted services money to personnel services.

APPROVED: Bob Ziegelbauer, County Executive.

ORIGINAL TEXT

15 BE IT FURTHER RESOLVED that two Information and Assistance Benefit Specialists, one
16 Secretary/Clerk, and a .70 FTE Disability Benefit Specialist are authorized to be added to the Aging and
17 Disability Resource Center staffing and an Economic Support Specialist position is authorized to be added
18 to Human Services Department staffing; and

AMEND LINES 15 THROUGH 18 AS FOLLOWS

15 BE IT FURTHER RESOLVED that two Information and Assistance Benefit Specialists, one
16 Secretary/Clerk, and a .70 FTE Disability Benefit Specialist are authorized to be added to the Aging and
17 Disability Resource Center staffing and that these positions are authorized to be continued for so long as they
18 are fully funded by federal or state funds, and that an Economic Support Specialist position is authorized to
19 be added to Human Services Department staffing and that this position is authorized to be continued for so
20 long as the ADRC positions are fully funded by federal or state funds; and

Amendment: Supervisor Hansen moved, seconded by Supervisor Graunke to amend lines 17 and 18 adding.....Disability Resource Center staffing and “that these positions are authorized to be continued for so long as they are fully funded by federal or state funds, and that” an Economic Support Specialist position is authorized to be added to Human Services Department staffing “and that this position is authorized to be continued for so long as the ADRC positions are fully funded by federal or state funds;”

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

Other Business: Supervisor Zigmunt announced he will be submitting a resolution in May to withdraw the \$10.00 fee for Temporary Food Permits.

Supervisor Rappe requested the Health Department Director attend the May County Board Session.

Supervisor Maresh moved to adjourn. Supervisor Muench seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:17 P.M.

Respectfully submitted,
Jamie Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

(Amended)

May 15, 2007

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 May, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:05 P.M.

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

Roll call: 24 members present; Bauknecht, Behnke, Brey, Bundy, Dufek, Gauger, Graunke, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisor Dobbs was excused.

The County Clerk announced an amendment to the April 17, 2007, minutes. On Page 3 under the Health Care Center Committee, "Supervisor Graunke reported supervisors received Health Care Center financial information for their review. They may contact the Health Care Center Administrator or the Comptroller with any questions." On a motion by Supervisor Bauknecht, and seconded by Supervisor Behnke, the April 17, 2007, the meeting minutes, as amended, were approved by a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Zigmunt moved, seconded by Supervisor Graunke, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Curt Drumm, President of Lakeshore Aviation, spoke on the upcoming 15th annual 2007 "Thunder on the Lakeshore" Airshow scheduled for June 2-3, 2007. He gave an overview of the performers and events offered this year. Mr. Drumm also added that the economic impact for Manitowoc County is \$1 to \$2 million.

Chairperson Brey declared public input open at 7:22 P.M.

Kathleen Schuette, Town of Centerville, spoke regarding the Health Care Center. She stated that she did not appreciate Mr. Brey and the Herald Times Reporter connecting a county sales tax to the Health Care Center and would like that idea to stop. Mr. Brey replied by saying he did not make that connection and that he felt the Herald Times Reporter has done a fine job with the media coverage regarding the subject of the Health Care Center.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed 7:25 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Tim Ryan of Planning and Parks presented a Certificate of Appreciation to Mike Flentje, who is retiring after 30 years of service to Manitowoc County. Mr. Flentje reviewed some of the accomplishments of the Park system and thanked all those who have worked under his supervision over the years. He also thanked Manitowoc County for the opportunity to serve. He hopes that the County Park system will continue to grow.

Chairperson Brey held Certificates of Appreciation for Patricia Zimmerman and Larry Zimmerman who are retiring from 29 years of service with the Health Care Center and 19 years of service with the Highway Department, respectfully. Mr. and Mrs. Zimmerman were not in attendance.

Laurie Gehrke, UW-Extension Department Director, unveiled the proposed Manitowoc County logo and introduced the committee members who were instrumental in developing the new Manitowoc County logo. She also introduced the local artist who created the logo, John Peroutka. Mr. Peroutka gave a short presentation explaining the meaning behind each characteristic of the logo. Ms. Gehrke described the logo as solid, stable, yet progressive and free flowing. A resolution will be brought forward in June to approve the new logo.

Health Department Director Jim Blaha gave a presentation on the Temporary Food Stand Ordinance. Mr. Blaha reported that the ordinance training has been well-received. He stated it is difficult to know exactly how many people become ill from food-borne illnesses since many go unreported. Mr. Blaha pointed out that there are still many recalls such as the recent one for 125,000 pounds of beef. The question was asked whether or not food stands to raise funds for things that do not benefit the whole community need a license. Mr. Blaha stated that they would.

Human Services Director Tom Stanton gave a presentation on the Family Care Initiative. There are approximately 71 elderly currently on waiting lists and similar numbers of developmentally disabled and physically disabled people also waiting to receive state aid that will enable the community to support them. When an emergency arises, such as an elderly parent is no longer able to care for a disabled child, the county has to act. Family Care simplifies the process to care for these people. The Family Care concept was begun by former Governor Thompson and continued by Governor Doyle. Fond du Lac, Manitowoc and Winnebago counties, which are very similar counties, are developing a Family Care partnership. This partnership would be more efficient and have more resources to help those in need of this type of service. The three counties are presently working on the legal instruments necessary to create the partnership. It is hoped that this partnership will eliminate the waiting list.

County Executive Bob Ziegelbauer spoke regarding the historic collective bargaining and the 5-year contracts that have been settled. Mr. Ziegelbauer said the HSA structure will provide greater hope to contain healthcare costs into the future and that employees will now have control over healthcare dollars spent on themselves and their families. Additionally, employees will be able to build savings toward their retirement. With one remaining Collective Bargaining Agreement yet to be settled, there is still work to be done. Mr. Ziegelbauer strongly urged employees not to waste anymore time. The more time passes, the more opportunity to save money is lost.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Joe Collins, Travis Waack, and Roger Vetting, with Nicki Davis as alternate, to the Local Emergency Planning Committee for two-year terms expiring June 2009. Supervisor Gauger moved, seconded by Supervisor Maresh, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2007/2008-15) Accepting DOT Grant (Child Passenger Safety Seats for Low Income Families). Upon vote, the motion carried unanimously.

No. 2007/2008 - 15
**RESOLUTION ACCEPTING DOT GRANT
(Child Passenger Safety Seats for Low Income Families)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, injury is the leading cause of death in children; and
2

3 WHEREAS, the Manitowoc County Sheriff's Department is participating in the CLICK IT OR
4 TICKET project in May and June and will be increasing enforcement of the child passenger restraint law;
5 and
6

7 WHEREAS, nearly 90% of car seats installed by the general public are installed incorrectly; and
8 many people ticketed for not having a child safety seat state that they cannot afford to purchase a seat;
9

10 WHEREAS, the Department of Transportation has funds available to provide child passenger safety
11 seats to low income families and the Health Department has received a \$2,500 grant to purchase child
12 passenger safety seats for distribution to low income families in conjunction with the CLICK IT OR
13 TICKET project;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
16 authorizes the Health Department to accept a Department of Transportation Grant for Child Passenger Safety
17 Seats for Low Income Families in the amount of \$2,500; and
18

19 BE IT FURTHER RESOLVED that the 2007 budget is amended by the amount stated above and that
20 the Comptroller/Auditor is directed to record such information in the official books of the County for the year
21 ending December 31, 2007 as may be required.

Dated this 15th day of May 2007.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by \$2,500.

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel.

APPROVED: Bob Ziegelbauer, County Executive.

Executive Committee: Chairperson Brey had no report other than to remind the supervisors of the Memorial Day Parade. The supervisors may join the parade as Entry #16.

Expo Board: Supervisor Behnke invited the county board supervisors to a Fair Appreciation Reception and the 2007 Fairest of the Fair competition on May 30 at 7:00 P.M.

Supervisor Hansen left the meeting at 8:05 P.M.

Finance Committee: Supervisor Kozlowski reported that the Finance Committee met on May 14. Funding of the EDC dominated the discussion. He stated that \$75,000 would be needed to fund the EDC in 2008. The Finance Committee has decided that it is too soon in the budget planning process to decide if the funds

are available to continue the EDC. The Committee also decided to let the budget process develop and wait for more detailed budget information. The next meeting will be June 11 at 4:30 P.M. Mr. Brey encouraged the supervisors to contact the county executive for further discussion.

Health Care Center Committee: Supervisor Graunke referred the committee report to Supervisor Rappe who reported that the Committee met and discussed behavioral tracking for the 2475 incidents that have happened at the Health Care Center. The large number of incidents may be related to the fact that the Health Care Center cares for many patients sent there because other facilities cannot care for them.

Chairperson Brey has sent a letter to Congressman Petri asking that intergovernmental transfer money be released to the County, not via the state.

Highway Committee: Supervisor Bundy reported that the Highway Department will be busy during the construction season repairing the damage done by the water pipeline installation. Supervisor Bundy moved, seconded by Supervisor Konen, to adopt Resolution 2 (2007/2008-16) Adopting Statement of Project Intentions (Manitowoc County Airport). Upon vote, the motion carried unanimously.

No. 2007/2008 - 16

**RESOLUTION ADOPTING STATEMENT OF PROJECT INTENTIONS
(Manitowoc County Airport)**

1 WHEREAS, Manitowoc County owns and operates the Manitowoc County Airport and has a desire
2 to maintain and improve the airport,
3

4 WHEREAS, Wisconsin Statutes require a statement of project intentions from airport owners
5 contemplating federal or state aid within the next six years, and this statement is used by the Department of
6 Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition for federal
7 or state aid; and
8

9 WHEREAS, the Highway Committee has reviewed the projects listed below and recommends that
10 the Manitowoc County Board of Supervisors adopt them as its Six-Year Statement of Project Intentions for
11 the Manitowoc County Airport;
12

13 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts
14 the following as its Six-Year Statement of Project Intentions for airport improvement projects: reconstruct
15 parallel taxiway 17/35, reconstruct parallel taxiway 7/25, FBO hangar project, construct helipad, new airport
16 beacon & tower, land acquisition, and realign and install security fence, with the understanding that each
17 project, petition for grant funding, and budget appropriation will be brought before the county board for
18 approval before starting the project.

Dated this 15th day of May 2007.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: No tax levy impact. Each project, petition for grant funding, and budget appropriation will be brought to the County Board for approval before starting the project.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe discussed the Manitowoc Dairy Promotion Committee. Also discussed was the proposal to eliminate the law that states juveniles who commit crimes at age 17 be handled in adult court. The juveniles are not getting the help they need from the DOC, which is ill-equipped to deal with young adult males who are incarcerated.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner gave a report on the dairy industry in our county. Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 3 (2007/2008-17) Proclaiming June Dairy Month. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 17

RESOLUTION PROCLAIMING JUNE DAIRY MONTH

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, agriculture accounts for over 6,000 jobs in Manitowoc County and provided annual
2 cash receipts of approximately 150 million dollars in 2006; and
3

4 WHEREAS, Manitowoc County agriculture accounts for a combined total economic impact of over
5 800 million dollars per year; and
6

7 WHEREAS, Manitowoc County ranks in the top five Wisconsin counties and in the top one percent
8 of all counties in the United States in annual milk production; and
9

10 WHEREAS, Manitowoc County's approximately 340 dairy farms and nearly 45,000 cows produced
11 more than 900,000,000 pounds of milk in 2006; and
12

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 15th day of May 2007.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt moved, seconded by Supervisor Janowski, to jointly adopt Resolution 4 (2007/2008-18) Approving Settlement of 2006-2010 Collective Bargaining Agreement with Highway Department Employees Represented by Local 986, AFSCME, AFL-CIO; Resolution 5 (2007/2008-19) Approving Settlement of 2006-2010 Collective Bargaining Agreement with Supportive Services Employees Represented by Local 986-A, AFSCME, AFL-CIO; Resolution 6 (2007-2008-20) Approving Settlement of 2006-2010 Collective Bargaining Agreement with Human Services Department Employees Represented by Local 986-A, AFSCME, AFL-CIO; and Resolution 8 (2007/2008-21) Approving Settlement of 2006-2010 Collective Bargaining Agreement with Health Care Center Employees Represented by Local 1288, AFSCME, AFL-CIO. Upon discussion and vote, the motion carried unanimously.

RESOLUTION APPROVING SETTLEMENT OF 2006 – 2010 COLLECTIVE BARGAINING AGREEMENT WITH HIGHWAY DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 986, AFSCME, AFL-CIO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Highway Department
2 employees represented by Local 986, AFSCME, AFL-CIO for a 2006-2010 collective bargaining agreement;
3 and
4

5 WHEREAS, the employees have agreed to implement a high deductible health plan effective August
6 1, 2007 and each employee will have a choice of either an employer contribution to a health savings account
7 or health reimbursement account; and
8

9 WHEREAS, wage schedules will be increased by 3.0% effective January 1 of each year of the
10 contract; and
11

12 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to
13 accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and
14

15 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Highway
16 Department employees represented by Local 986, AFSCME, AFL-CIO has been provided to the County
17 Board of Supervisors;
18

19 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2010 collective bargaining
20 agreement negotiated between the Personnel Committee and the employees represented by Local 986 is
21 ratified, confirmed, and approved with pay schedules, benefits, and terms set forth, and
22

23 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and
24 Personnel Director are authorized to execute this settlement.

Dated this 15th Day of May 2007.

Respectfully submitted by the Personnel Committee.

FISCAL NOTE:

<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Health Insurance</u>	<u>Total</u>
2006	\$ 57,477.89	\$ 4,397.06	\$ 5,977.70	\$109,637.04	\$177,489.69
2007	\$ 59,202.22	\$ 4,528.97	\$ 6,275.44	\$ 56,325.36	\$126,331.99
2008	\$ 60,978.29	\$ 4,664.84	\$ 6,463.70	(\$173,743.68)	(\$101,636.85)
2009	\$ 62,807.64	\$ 4,804.78	\$ 6,657.61	(\$173,743.68)	(\$ 99,473.65)
<u>2010</u>	<u>\$ 64,691.87</u>	<u>\$ 4,948.93</u>	<u>\$ 6,857.34</u>	<u>(\$173,743.68)</u>	<u>(\$ 97,245.54)</u>
Total	\$305,157.91	\$23,344.58	\$32,231.79	(\$355,268.64)	\$ 5,465.64

This fiscal note assumes that the 2007 Wisconsin Retirement System contribution rate remains the same for 2008, 2009, and 2010 Health insurance for 2008, 2009, and 2010 is calculated based on the difference in 2007 premium costs between the PPO plan and the high deductible health plan. The annual cost difference is \$1,257.44 per single plan and \$3,894.36 per family plan.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 19

RESOLUTION APPROVING SETTLEMENT OF 2006 – 2010 COLLECTIVE BARGAINING AGREEMENT WITH SUPPORTIVE SERVICES EMPLOYEES REPRESENTED BY LOCAL 986-A, AFSCME, AFL-CIO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Supportive Services
2 employees represented by Local 986-A, AFSCME, AFL-CIO for a 2006-2010 collective bargaining
3 agreement; and

4

5 WHEREAS, the employees have agreed to implement a high deductible health plan effective August
6 1, 2007 and each employee will have a choice of either an employer contribution to a health savings account
7 or health reimbursement account; and

8

9 WHEREAS, wage schedules will be increased by 3.0% effective January 1 of each year of the
10 contract; and

11

12 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to
13 accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and

14

15 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Supportive
16 Services employees represented by Local 986-A, AFSCME, AFL-CIO has been provided to the County
17 Board of Supervisors;

18

19 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2010 collective bargaining
20 agreement negotiated between the Personnel Committee and the employees represented by Local 986-A is
21 ratified, confirmed, and approved with pay schedules, benefits, and terms set forth, and

22

23 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
24 Director are authorized to execute this settlement.

Dated this 15th Day of May 2007.

Respectfully submitted by the Personnel Committee.

FISCAL NOTE:

<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Health Insurance</u>	<u>Total</u>
2006	\$ 111,481.32	\$ 8,528.32	\$11,594.06	\$208,540.80	\$340,144.50
2007	\$114,825.76	\$ 8,784.17	\$12,171.53	\$107,137.44	\$242,918.90
2008	\$118,270.53	\$ 9,047.70	\$12,536.68	(\$326,145.12)	(\$186,290.21)
<u>2009</u>	<u>\$121,818.65</u>	<u>\$ 9,319.13</u>	<u>\$12,912.78</u>	<u>(\$326,145.12)</u>	<u>(\$182,094.56)</u>
Totals	\$591,869.47	\$45,278.02	\$62,515.21	(\$662,757.12)	\$ 36,905.58

This fiscal note assumes that the 2007 Wisconsin Retirement System contribution rate remains the same for 2008, 2009, and 2010. Health insurance for 2008, 2009, and 2010 is calculated based on the difference in 2007 premium costs between the PPO plan and

the high deductible health plan. The annual cost difference is \$1,257.44 per single plan and \$3,894.36 per family plan.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 20

RESOLUTION APPROVING SETTLEMENT OF 2006 – 2010 COLLECTIVE BARGAINING AGREEMENT WITH HUMAN SERVICES DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 986-A, AFSCME, AFL-CIO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Human Services
2 Department employees represented by Local 986-A, AFSCME, AFL-CIO for a 2006-2010 collective
3 bargaining agreement; and
4

5 WHEREAS, the employees have agreed to implement a high deductible health plan effective August
6 1, 2007 and each employee will have a choice of either an employer contribution to a health savings account
7 or health reimbursement account; and
8

9 WHEREAS, wage schedules will be increased by 3.0% effective January 1 of each year of the
10 contract; and
11

12 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to
13 accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and
14

15 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Human
16 Services Department employees represented by Local 986-A, AFSCME, AFL-CIO has been provided to the
17 County Board of Supervisors;
18

19 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2010 collective bargaining
20 agreement negotiated between the Personnel Committee and the employees represented by Local 986-A is
21 ratified, confirmed, and approved with pay schedules, benefits, and terms set forth, and
22

23 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
24 Director are authorized to execute this settlement.

Dated this 15th Day of May 2007.

Respectfully submitted by the Personnel Committee.

FISCAL NOTE:

<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Health Insurance</u>	<u>Total</u>
2006	\$ 75,345.64	\$ 5,763.94	\$ 7,835.95	\$101,833.92	\$190,779.45
2007	\$ 77,606.01	\$ 5,936.86	\$ 8,226.24	\$ 52,317.00	\$144,086.11
2008	\$ 79,934.19	\$ 6,114.97	\$ 8,473.02	(\$159,178.20)	(\$ 64,656.02)
2009	\$ 82,332.22	\$ 6,298.41	\$ 8,727.22	(\$159,178.20)	(\$ 61,820.35)
<u>2010</u>	<u>\$ 84,802.19</u>	<u>\$ 6,487.37</u>	<u>\$ 8,989.03</u>	<u>(\$159,178.20)</u>	<u>(\$ 58,899.61)</u>
Totals	\$400,020.25	\$30,601.55	\$42,251.46	(\$323,383.68)	\$149,489.58

This fiscal note assumes that the 2007 Wisconsin Retirement System contribution rate remains the same for 2008, 2009, and 2010. Health insurance for 2008, 2009, and 2010 is calculated based on the difference in 2007 premium costs between the PPO plan and the high deductible health plan. The annual cost difference is \$1,257.44 per single plan and \$3,894.36 per family plan.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 21

RESOLUTION APPROVING SETTLEMENT OF 2006 – 2010 COLLECTIVE BARGAINING AGREEMENT WITH HEALTH CARE CENTER EMPLOYEES REPRESENTED BY LOCAL 1288, AFSCME, AFL-CIO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Health Care Center
2 employees represented by Local 1288, AFSCME, AFL-CIO for a 2006-2010 collective bargaining
3 agreement; and

4
5 WHEREAS, the employees have agreed to implement a high deductible health plan effective August
6 1, 2007 and each employee will have a choice of either an employer contribution to a health savings account
7 or health reimbursement account; and

8
9 WHEREAS, wage schedules will be increased by 3.0% effective January 1 of each year of the
10 contract; and

11
12 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to
13 accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and

14
15 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Health Care
16 Center employees represented by Local 1288, AFSCME, AFL-CIO has been provided to the County Board
17 of Supervisors;

18
19 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2010 collective bargaining
20 agreement negotiated between the Personnel Committee and the employees represented by Local 1288 is
21 ratified, confirmed, and approved with pay schedules, benefits, and terms set forth, and

22
23 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
24 Director are authorized to execute this settlement.

Dated this 15th Day of May 2007.

Respectfully submitted by the Personnel Committee.

FISCAL NOTE:

<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Health Insurance</u>	<u>Total</u>
2006	\$ 98,634.73	\$ 7,545.56	\$10,258.01	\$195,371.04	\$311,809.34
2007	\$101,593.77	\$ 7,771.92	\$10,768.94	\$100,372.44	\$220,507.07
2008	\$104,641.59	\$ 8,005.08	\$11,092.01	(\$300,908.52)	(\$177,169.84)

2009	\$107,780.83	\$ 8,245.23	\$11,424.77	(\$300,908.52)	(\$173,457.69)
<u>2010</u>	<u>\$111,014.26</u>	<u>\$ 8,492.58</u>	<u>\$11,767.51</u>	<u>(\$300,908.52)</u>	<u>(\$169,634.17)</u>
Total	\$523,665.18	\$40,060.37	\$55,311.24	(\$606,982.08)	\$ 12,054.71

This fiscal note assumes that the 2007 Wisconsin Retirement System contribution rate remains the same for 2008, 2009, and 2010. Health insurance for 2008, 2009, and 2010 is calculated based on the difference in 2007 premium costs between the PPO plan and the high deductible health plan. The annual cost difference \$1,257.44 per single plan and \$3,894.36 per family plan.

APPROVED: Bob Ziegelbauer, County Executive.

Resolution 7 Approving Settlement of 2006-2010 Collective Bargaining Agreement with Sheriff's Department Employees Represented by Local 986-B, AFSCME, AFL-CIO was pulled from the agenda.

Public Safety Committee: Supervisor Henrickson informed the board that in June there will be a jail inspection during which the supervisors may tour the facilities. The dates will be coming in June.

Public Works Committee: Supervisor Behnke reported that there will be a Clean Sweep May 18-19.

Special Health Care Center Study Committee: Chairperson Brey reported that there have been two meetings thus far of the Committee. The Committee has listened to an excellent presentation by the County Homes Association of Wisconsin. There will be a meeting on May 16 at 4:30 P.M. to discuss the possibility of holding a referendum election.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Graunke, to adopt Resolution 9 (2007/2008-22) Approving Town of Newton Zoning Ordinance (Luckow Revocable Living Trust). Upon vote, motion carried with 22 ayes and 1 no. Supervisor Heyroth voted no; all other supervisors voted aye.

No. 2007/2008 - 22

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Luckow Revocable Living Trust)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County Board; and

WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County Board of Supervisors for approval;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves the zoning ordinance that was adopted by the Town Board of the Town of Newton for Luckow Revocable Living Trust on April 10, 2007.

Dated this 15th day of May, 2007.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zigmunt explained that he would like the \$10 fee requirement removed from the Non-Profit Food Stand Permit. Supervisor Zigmunt moved, seconded by Supervisor Tittl, to enact Ordinance 10 (2007/2008-23) Amending Manitowoc County Code Chapter 7, Appendix A (Non-Profit Food Stands). Upon lengthy discussion and vote, motion carried with 12 ayes and 11 noes. Supervisors Janowski, Bundy, Kozlowski, Vogt, Konen, Schneider, Rappe, Graunke, Gauger, Bauknecht, and Mueller noted no; all other supervisors voted aye.

No. 2007/2008 - 23

**ORDINANCE AMENDING MANITOWOC COUNTY CODE
CHAPTER 7, APPENDIX A
(Non-Profit Food Stands)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, many non-profit organizations operate food stands as part of their fund-raising activities;
2 and
3

4 WHEREAS, Manitowoc County has adopted a permit requirement for non-profit, non-licensed food
5 stands in order to assure safe food handling and preparation and to protect the public health, but charges a
6 reduced fee when a non-profit organization staffs its food stand with one or more persons who have received
7 training in safe food handling and preparation practices; and
8

9 WHEREAS, Manitowoc County believes that it is in the public interest to maximize the fund raising
10 ability of non-profit organizations who operate temporary food stands;
11

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

15 Manitowoc County Code Ch. 7, Appendix A is amended as follows:

16 Non-Profit Food Stand Permit (trained personnel on-site) ~~\$10~~No Charge
17

Dated this 15th day of May 2007.

Respectfully submitted by Ted Zigmunt, Supervisor

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Bauknecht moved to adjourn, Supervisor Mueller seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:45 P.M.

Respectfully submitted,
Jamie Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

June 19, 2007

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 June, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:08 P.M.

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

Roll call: 23 members present; Bauknecht, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Behnke and Maresh were excused.

The County Clerk announced an amendment to the May 15, 2007, minutes. On Page 2, paragraph 3, sentence 2, "There are approximately 71 elderly currently on waiting lists and similar numbers of developmentally disabled and physically disabled people also waiting to receive state aid that will enable the community to support them." On a motion by Supervisor Markwardt, and seconded by Supervisor Henrickson, the May 15, 2007, meeting minutes, as amended, were approved by a unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Zigmunt moved, seconded by Supervisor Bauknecht, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Todd Reckelberg, Comptroller, introduced Michael Konecny, External Auditor from Schenk Business Solutions, who summarized results of the 2006 Comprehensive Annual Financial Report and indicated that there are no significant deficiencies. He explained that Health Care Center revenues increased while state aid decreased, which contributed to a net loss of \$2.9 million. He summarized that while the Highway Department and the Health Care Center showed a decrease in the operating cash, the County as a whole, is in sound financial condition.

MISCELLANEOUS: Chairperson James N. Brey

Chairperson Brey moved, seconded by Supervisor Vogt, to adopt Resolution 2 (2007/2008-24) Adopting Manitowoc County Logo. Upon vote, the motion carried unanimously.

No. 2007/2008 - 24

RESOLUTION ADOPTING MANITOWOC COUNTY LOGO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the county seal is used by the county's officers, officials, and employees in the
2 performance of their official duties, but a county logo will give Manitowoc County an opportunity to project
3 a graphical representation of its central mission and vision that is appropriate for everyday and promotional
4 use;

5 WHEREAS, input and designs for a new logo were reviewed by a committee comprised of citizens,
6 the county board chair, county employees, and municipal officials, and the committee commissioned local
7 artist John Peroutka, who volunteered his time, to create a logo that presents a design that reflects the county's
8 strengths and its vision for the future; and
9

10 WHEREAS, the following image depicts the proposed Manitowoc County logo that was presented
11 to the county board at its May 2007 meeting:
12
13



14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts
15 the image depicted above as the official Manitowoc County logo.

Dated this 19th day of June 2007.

Respectfully submitted by James N. Brey, County Board Chair.

FISCAL IMPACT: Indeterminable. There will be staff time, materials, and other costs associated with setting up letterhead, envelopes, and business cards and with updating the county's website, computer applications, and other materials once existing stock is depleted

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey and Manitowoc County UW-Extension Director Laurie Gehrke presented John Peroutka, a local artist, with a plaque in recognition for creating the new County logo. John expressed he was fortunate to be a part of the committee that gave him an opportunity to influence future generations of artists. Chairperson Brey thanked Laurie Gehrke for spearheading the project.

PUBLIC INPUT

Dr. Philip Moy, UW Manitowoc, discussed invasive species in the Great Lakes. He explained that some ways to control zebra mussels include avoiding the transfer of fish bait from one body of water to another and rinsing boats when they are removed from a lake. He explained that the increase of algae is partly due to deeper light penetration in Lake Michigan by as much as one hundred feet. He answered supervisors' questions.

Chairperson Brey declared public input open at 7:43 P.M.

Marilyn Sontag, Manitowoc, spoke as a member of the League of Women Voters. She stated that they voted at their last meeting that Manitowoc County should continue ownership of the Health Care Center. She noted the citizens of Manitowoc County have made a large investment in this institution, and that it sets high standards for a nursing home caring for residents of mixed needs. The League of Women Voters support an increase in revenues to provide for these services and believe government must fund services at an adequate level in order to provide for public well-being. Counties need to have more leeway in controlling their taxing

authority. She urged supervisors to listen to citizens and retain ownership of the Health Care Center. Arlene Knauer, Manitowoc, spoke in favor of the sale of the Health Care Center. She stated that patients may be giving up some legal rights if they reside there.

Kate Schuette, Town of Centerville, spoke as a member of the Citizens Opposed to the Privatization/Sale of the Health Care Center. She stated constituents will support the fiscally responsible decision to keep the Health Care Center. She urged supervisors to work with their colleagues and look at the budget in its totality.

Don Goeke, Manitowoc, addressed the board regarding the sale of the Health Care Center. He is concerned with false claims that residents in private nursing homes are not receiving good care. He stated that we cannot afford the Health Care Center and we do not belong in the health care business.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 8:07 P.M.

UNFINISHED BUSINESS, INCLUDING ANY MOTION TO RECONSIDER ACTIONS TAKEN AT THE LAST MEETING

Supervisor Zigmunt moved, seconded by Supervisor Heyroth, to override County Executive Bob Ziegelbauer's veto of Ordinance No. 2007/2008-23 Amending Manitowoc County Code Chapter 7, Appendix A (Non-Profit Food Stands). Upon vote, the motion which required a two-thirds vote of the county board, failed with 13 ayes and 10 noes. Supervisors Bundy, Dobbs, Dufek, Gauger, Janowski, Konen, Kozlowski, Rasmussen, Schneider, and Vogt voted no; all other supervisors voted yes.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Amy Wergin, Director of Public Health Nursing, and Jim Blaha, Director of the Health Department, presented a Certificate of Appreciation to Georgia Kohlwey, who is retiring after 33 years of service to Manitowoc County.

Georgia stated she has been proud to be an employee of Manitowoc County and also noted she has been a frugal guardian of county money as a sick call nurse at the jail.

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented Joel Aulik, a supervisor in the Town of Liberty, with a Proclamation for their Sesquicentennial Anniversary. Joel thanked the supervisors and invited everyone to their Sesquicentennial celebration on June 30.

Corporation Counsel Steve Rollins discussed email, elected officials, and the public record law. He explained that while an elected official's email is subject to the public records law, not all email is open to the public for inspection. Because some communications contain confidential or privileged information, the decision about whether to disclose a particular record requires balancing the factors favoring disclosure against the factors favoring nondisclosure. Additionally, specific procedural steps are required before certain information – such as information from employee personnel files – may be disclosed. He asked supervisors to contact him with any questions.

County Executive Bob Ziegelbauer, discussed proposals regarding the future of the Manitowoc County Health Care Center. He noted that every question has been answered and it is time to make a decision. He explained that everyone who needs care will receive it and patients will continue to receive high quality care throughout the community. He expressed concern that inaction and fear spreading are dividing the community. The operating losses are real and threaten the ability of County government to deliver other needed services. He stated a referendum is not needed and he will veto any attempt to increase taxes. He also

noted that this Board was elected to make these decisions and has a responsibility to the people to do so. He answered supervisors' questions.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Melvin Bourgeois to the Aging and Disability Resource Center Board for a three year term expiring July 2010. Supervisor Wagner moved, seconded by Supervisor Rasmussen, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Laurel Vondrachek to the Board of Adjustment for a three year term expiring July 2010. Supervisor Gauger moved, seconded by Supervisor Konen, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Tony Yaggie to the Board of Health to complete a vacant position expiring March 2009. Supervisor Janowski moved, seconded by Supervisor Bauknecht, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor Jan Graunke to the Manitowoc Public Library Board of Trustees for a three year term expiring July 1, 2010. Supervisor Henrickson moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor Clyde Mueller to the Bay Area Agency on Aging for a two year term expiring June 30, 2009. Supervisor Wagner moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of David Less and alternates Ken Stubbe and Dan Pawlitzke to the Northeast Wisconsin Regional Economic Partnership for a one year term expiring July 2008. Supervisor Tittl moved, seconded by Supervisor Zigmunt, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor Clyde Mueller to the Planning and Park Commission for a seven year term expiring July 2014. Supervisor Muench moved, seconded by Supervisor Markwardt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski reported the non-profit food permit system is working well to bring knowledgeable people on site to supervise food service. 1,058 people have been trained since the inception of the program. He also reported beach samples have been taken with mixed results.

Executive Committee: Chairperson Brey reported they will meet before the next County Board meeting.

Finance Committee: Supervisor Kozlowski reported that the Finance Committee met on June 11.

Supervisor Kozlowski moved, seconded by Supervisor Hansen, to adopt Resolution 3 (2007/2008-25) Reaffirming Participation in the Local Government Property Insurance Fund. Upon vote, the motion carried unanimously.

No. 2007/2008 - 25

**RESOLUTION REAFFIRMING PARTICIPATION IN THE
LOCAL GOVERNMENT PROPERTY INSURANCE FUND**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has insured its property against loss through the Local Government
2 Property Insurance Fund (LGPIF) for a number of years; and
3

4 WHEREAS, a recent audit revealed that many of the authorizing resolutions filed with LGPIF are
5 incorrect, out of date, or incomplete; and
6

7 WHEREAS, the company that administers LGPIF has asked that all participating agencies enact a
8 current resolution authorizing participation in the LGPIF;
9

10 NOW, THEREFORE, BE IT RESOLVED that from and after January 1, 2007, the buildings and
11 other property belonging to the county of Manitowoc, Wisconsin be insured in the Local Government
12 Property Insurance Fund under Wis. Stat. Ch. 605, as amended; and
13

14 BE IT FURTHER RESOLVED that the Manitowoc County Clerk is directed to provide a certified
15 copy of this resolution to the Manitowoc County Comptroller and that the Manitowoc County Comptroller
16 is directed to take such action as necessary to carry out the provisions of this resolution.

Dated this 19th day of June 2007.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Graunke, to adopt Resolution 4 (2007/2008-26) Adopting Agreement and Plan for Public Library Service. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Dobbs voted no; all other supervisors voted yes.

No. 2007/2008 - 26

**RESOLUTION ADOPTING AGREEMENT
AND PLAN FOR PUBLIC LIBRARY SERVICE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has had an Agreement and Plan with what is now known as the
2 Manitowoc-Calumet Library System since 1973; and
3

4 WHEREAS, the purpose of the Agreement and Plan is to assure equitable and timely access to a full

5 range of public library services to all Manitowoc County residents who live in municipalities that do not
6 maintain a public library; and

7

8 WHEREAS, Manitowoc County wishes to continue to participate as a member of the Manitowoc-
9 Calumet Library System and maintain the same level of cooperation as it historically enjoyed, but changes
10 to Wis. Stat. § 43.12 that became effective on June 2, 2006 require changes to the Agreement and Plan; and

11

12 WHEREAS, the County Board has been provided with a copy of a revised Agreement and Plan for
13 Public Library Service;

14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
16 approves the revised Manitowoc County Agreement and Plan for Public Library Service.

Dated this 19th day of June 2007.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Increases property taxes by an estimated total of \$46,000 for municipalities not
having their own library. This amount includes libraries in contiguous counties,
which state law now requires be reimbursed at least 70% of their cost of service to
Manitowoc County residents who reside in municipalities that do not include
support for a local library on their municipal tax bill.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Muench, to adopt Resolution 5 (2007/2008-27)
Making Transfer from General Fund to Human Service Special Revenue Fund. Upon discussion and vote,
the motion carried unanimously.

No. 2007/2008 - 27

**RESOLUTION MAKING TRANSFER FROM GENERAL FUND
TO HUMAN SERVICES SPECIAL REVENUE FUND**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Board passed resolution no. 2006/2007-135 authorizing the restatement of
2 various activity, revenue, and expense appropriations based on pre-audit numbers compiled by the
3 Comptroller's Office, subject to additional adjustments that may be needed at the completion of the County's
4 external audit; and

5

6 WHEREAS, the Comptroller's Office has completed work on closing the County's books for 2006
7 and the external auditors have completed their field work; and

8

9 WHEREAS, the Comptroller/Auditor recommends the transfer of \$299,337 from the General Fund
10 to the Human Services Special Revenue Fund so that the Special Revenue Fund will have a zero balance; and

11

12 WHEREAS, the Finance Committee has reviewed and concurs in the Comptroller's recommendation;

13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors directs
15 the Comptroller to transfer \$299,337 from the General Fund to the Human Services Special Revenue Fund
16 on the official records of the County for the year ended December 31, 2006.

Dated this 19th day of June 2007.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Reduces General Fund Undesignated balance by \$299,337 and increases Human Services Special Revenue Fund Undesignated balance by \$299,337 so that the Human Services Special Revenue Fund Balance Total equals zero.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski reported that their next meeting will be July 9.

Health Care Center Committee: Supervisor Graunke explained that the rule change addressed in the resolution before the board this evening would require states to return all federal money secured from county nursing home losses directly back to the nursing homes. This could generate an additional \$1 million in IGT funds to the Health Care Center.

Supervisor Graunke moved, seconded by Supervisor Hansen, to adopt Resolution 6 (2007/2008-28) Supporting Rule Change on Certified Public Expenditures. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 28

**RESOLUTION SUPPORTING RULE CHANGE
ON CERTIFIED PUBLIC EXPENDITURES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates a 150-bed skilled nursing facility that cares for
2 a safety net population that has difficulty securing services elsewhere because of the special and expensive
3 care that is required; and
4

5 WHEREAS, the facility operates at a loss each year because of the difficulty and high cost of providing
6 care, and Manitowoc County has been forced to add more than \$2,600,000 on its property tax levy to
7 supplement the facility's operating losses; and
8

9 WHEREAS, the State of Wisconsin claims those losses in reports to the federal government and
10 receives 58% matching funds to compensate for the reported losses under the Certified Public Expenditure
11 (CPE) program; and
12

13 WHEREAS, the State of Wisconsin claimed \$90,000,000 in Federal funds for state-wide
14 governmental nursing home losses in budget years 2005-2007, but did not return all of the funds to the
15 facilities that experienced the losses and diverted \$53,000,000 to the state's Medicaid trust fund; and
16

17 WHEREAS, the Federal Center for Medicaid and Medicare services has published a rule change that
18 will go into effect September 1, 2007 that is intended to promote the fiscal integrity of the Medicaid program
19 and that requires that states return CPE funds to the entities that actually experienced the losses; and
20

21 WHEREAS, the rule makes each state more accountable for properly financing the non-federal share
22 of Medicaid expenditures and allows states to pay reasonable rates to the governmental providers, such as
23 the Manitowoc County Health Care Center which would receive approximately \$900,000 additional funding
24 annually; and
25

26 WHEREAS, recent bills to fund the Iraq war have contained language that would delay this rule
27 change; and
28

29 WHEREAS, any delay in this change will adversely affect the local taxpayer and will jeopardize the
30 very existence of nursing homes that are charged with caring for this special population;
31

32 THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports the
33 scheduled implementation of this rule change in order to bring direct tax relief to the citizens of Manitowoc
34 County and to restore the integrity of the Medicaid program on a national level; and
35

36 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this
37 resolution to Congressman Tom Petri.

Dated this 19th day of June 2007.

Respectfully submitted by the Health Care Center Committee.

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

Bob Ziegelbauer, County Executive

Supervisor Graunke reported that financial conditions at the Health Care Center have improved due to the medicare census with approximately \$210,000 of additional revenue for this period compared to last year. She also noted there were 12,081 reported behaviors that required staff intervention.

Highway Committee: Supervisor Bundy reported that a \$950,00 grant has been awarded to reconstruct the main runway at the airport. She also noted the airshow was a success.

Human Services Board: Supervisor Rappe reported they met May 24 where they discussed the sale of the Health Care Center. The Children's Unit child welfare process was commended for a job well done when reviewed by a State Quality Service Committee. Mental illness cases are on the rise in the County. The Clubhouse Program has been successful in working with the mentally ill in a support group setting.

Supervisor Rappe moved, seconded by Supervisor Henrickson, to adopt Resolution 7 (2007/2008-29) Authorizing Out-of-State Travel (Nancy Randolph). Upon vote, the motion carried unanimously.

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department has partnered with the Wisconsin Medical College and
2 the National Association for the Mentally Ill to develop a mental health clubhouse, and attendance at
3 Clubhouse Development Training is a prerequisite for establishing a clubhouse; and
4

5 WHEREAS, Nancy Randolph has been selected by the Wisconsin Medical College to attend a
6 Clubhouse Development Training program in San Diego, California in June 2007; the Wisconsin Medical
7 College will pay for registration, travel, lodging, and other training expenses; and the next training
8 opportunity won't be until 2008 in Norway;
9

10 WHEREAS, this program presents a tremendous opportunity to prove crisis outreach services,
11 transitional employment programming, effective health and wellness practices, and strategies to maximize
12 opportunities for people with mental illness;
13

14 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of Supervisors
15 authorizes Nancy Randolph to travel out-of-state to attend the International Center for Clubhouse
16 Development Training in San Diego, California scheduled for June 24-28, 2007; and
17

18 BE IT FURTHER RESOLVED the budget shall amended by the amount of grant funds required for
19 this travel and that the Comptroller/Auditor is directed to record such information in the official books of the
20 County for the year ending December 31, 2007 as may be required.

Dated this 19th day of June 2007.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts. All costs will be paid by a grant from the Wisconsin Medical College for the Clubhouse Development.

APPROVED: Bob Ziegelbauer, County Executive.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reminded everyone that the Dairy Promotion Committee will be serving ice cream after the meeting.

Personnel Committee: Supervisor Vogt reported that 95% of eligible County employees have enrolled in the new Health Savings Account and the remainder chose the Health Savings Reimbursement. He referred to a memo from the Personnel Director regarding the grievance arbitration on the 2006 temporary layoffs of Supportive Services and Human Service Professional employees. The arbitrator ruled in favor of the Union because the contract stated the term "guaranteed hours." Their next meeting will be July 10.

Planning & Park Commission: Supervisor Mueller moved, seconded by Supervisor Ramussen, to adopt Resolution 9 (2007/2008-30) Adopting Public Participation Procedures for Comprehensive Planning. Upon vote, the motion carried unanimously.

RESOLUTION ADOPTING PUBLIC PARTICIPATION PROCEDURES FOR COMPREHENSIVE PLANNING

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, Manitowoc County is preparing a comprehensive plan under Wis. Stat. § 66.1001; and

WHEREAS, Wis. Stat. § 66.1001(4)(a) requires that the county board adopt written procedures that are designed to foster public participation in every stage of the preparation of a comprehensive plan, including its development, adoption, and amendment;

WHEREAS, the Planning and Park Commission has prepared and publicly reviewed written Public Participation Procedures For Comprehensive Planning, has provided a copy of the procedures to the county board, and recommends that the county board adopt the procedures;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts the Public Participation Procedures For Comprehensive Planning.

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Bauknecht, to adopt Resolution 10 (2007/2008-31) Authorizing Recreational Trail Grant Application. Upon discussion and vote, the motion carried unanimously.

RESOLUTION AUTHORIZING RECREATIONAL TRAIL GRANT APPLICATION

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, the Wisconsin Legislature has enacted legislation providing matching grants for development projects in governmental parks and recreation facilities, and

WHEREAS, the Department of Natural Resources, the Department of Transportation, and the Manitowoc County Planning and Park Commission have determined that development of a public recreational trail on an abandoned railroad right-of-way in Manitowoc County has a high priority, and

WHEREAS, the total cost of the trail development will be approximately \$400,000 and Manitowoc County has previously received grant and matching funds for this project that total \$200,000; and

WHEREAS, Manitowoc County now has an opportunity to request an additional \$100,000 grant from the Department of Transportation and an additional \$100,000 in matching funds may be available from the State of Wisconsin; and

15 WHEREAS, the County Board has previously approved this project and the Planning and Park
16 Commission now recommends that Manitowoc County apply for the additional grant and matching funds;
17

18 NOW, THEREFORE, BE IT RESOLVED that the County Executive, the County Clerk, and
19 Planning and Park Department are authorized to apply for and accept a Department of Natural Resources
20 grant of \$100,000 and to seek and secure an additional \$100,000 in matching funds from the State of
21 Wisconsin for the purpose of development of a public recreational trail on an abandoned railroad right-of-way
22 in Manitowoc County and are authorized to sign documents and take the actions necessary to undertake,
23 direct, and complete the project authorized in the grant; and
24

25 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal rules for
26 the program; will be responsible for updating plans and monitoring ongoing operations; will obtain written
27 approval from the Wisconsin Department of Natural Resources before making changes in the project; and
28 will maintain a record of expenditures; and
29

30 BE IT FURTHER RESOLVED that the 2007 Budget is amended by the amount of the grant and
31 matching funds received and that the Comptroller/Auditor is directed to record such information in the official
32 books of the County for the year ending December 31, 2007 as may be required.

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by the amount of the grant
and matching funds received, not to exceed a total of \$200,000.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Heyroth, to adopt Resolution 11 (2007/2008-32)
Authorizing Cooperative Agreements with Municipalities for the Preparation of Comprehensive Plans. Upon
vote, the motion carried unanimously.

No. 2007/2008 - 32

**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENTS WITH MUNICIPALITIES
FOR THE PREPARATION OF COMPREHENSIVE PLANS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 66.1001 establishes requirements for comprehensive planning —
2 commonly known as “Smart Growth” — by cities, counties, towns, and villages; and
3

4 WHEREAS, Wis. Stat. § 66.0301 authorizes governmental bodies to enter into mutual agreements
5 and Manitowoc County has accepted a grant from the Wisconsin Department of Administration, Division of
6 Intergovernmental Relations to help jurisdictions within the county to develop Smart Growth plans; and
7

8 WHEREAS, the Planning and Park Commission recommends that Manitowoc County enter into a
9 cooperative agreement for the preparation of comprehensive plans with any interested municipality in the
10 county; and
11

12 WHEREAS, a copy of the proposed cooperative agreement has been presented to the County Board;

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
14 authorizes the County Executive or the County Executive's designee to execute a cooperative agreement to
15 assist any interested municipality in the county with its comprehensive plan.

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 12 (2007/2008-33) Amending Zoning Map (Frederic Hartel Jr.), Ordinance 13 (2007/2008-34) Amending Zoning Map (John Johnson Sr.), Ordinance 14 (2007/2008-35) Amending Zoning Map (Roman Lulloff), Ordinance 15 (2007/2008-36) Amending Zoning Map (Joseph Quist), Ordinance 16 (2007/2008-37) Amending Zoning Map (Mike Rusch), and Ordinance 17 (2007/2008-38) Amending Zoning Map (James Schlies). Upon vote, the motion carried with 20 ayes and 3 noes. Supervisors Wagner, Schneider, and Rappe voted no; all other supervisors voted aye.

No. 2007/2008 - 33

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on June 4, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 24, T21N-R23E, Town of Gibson,
12 commencing at the Center of said Section 24; thence northerly approximately 33 feet to the
13 north r/w of Hillview Road which is the point of real beginning; thence continue northerly along
14 the section line approximately 835.00 feet; thence westerly approximately 255.00 feet; thence
15 southwesterly approximately 550.00 feet; thence southerly approximately 340.00 feet; thence
16 easterly along the north r/w of Hillview Road approximately 490.00 feet to the point of real
17 beginning, said parcel containing approximately 8.0 acres of land, shall be and is hereby
18 rezoned from A3 Agriculture to A2 Agriculture.

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

**ORDINANCE AMENDING ZONING MAP
(John Johnson Sr.)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on June 4, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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, Section 28, T21N-R23E, Town of Gibson, commencing
12 at the W¼ Corner of said Section 28; thence southerly along the section line approximately
13 1324.20 feet; thence easterly along the 1/16th line approximately 644.23 feet which is the point
14 of real beginning; thence northeasterly approximately 166.22 feet; thence northerly
15 approximately 125.00 feet; thence easterly approximately 225.00 feet; thence southerly
16 approximately 259.94 feet; thence westerly approximately 148.64 feet; thence southerly
17 approximately 95.46 feet; thence southwesterly along the north r/w of Lovers Lane
18 approximately 166.38 feet; thence northerly approximately 108.87 feet to the point of real
19 beginning, said parcel containing approximately 1.97 acres of land, shall be and is hereby
20 rezoned from A3 Agriculture to A1Agriculture.
21

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

**ORDINANCE AMENDING ZONING MAP
(Roman Lulloff)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on May 7, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 7, T17N-R21E, Town of Schleswig, commencing
12 at the S¼ Corner of said Section 7; thence northerly approximately 33 feet to the north r/w of
13 CTH X which is the point of real beginning; thence continue northerly approximately 1413.49
14 feet; thence easterly approximately 302.99 feet; thence southerly approximately 1150.83 feet;
15 thence westerly approximately 66.50 feet; thence southerly approximately 217.50 feet; thence
16 easterly approximately 54.60 feet; thence southerly approximately 25.00 feet; thence westerly
17 along the north r/w of CTH X approximately 322.58 feet to the point of real beginning, said
18 parcel containing approximately 9.99 acres of land, shall be and is hereby rezoned from PA
19 Principle Agriculture to GA General Agriculture.

20 Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 36

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on May 7, 2007 after providing the required notice; and

3
4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 7, T19N-R21E, Town of Rockland,
12 commencing at the Center of said Section 7; thence southerly approximately 33 feet to the south
13 r/w of Boxwood Road which is the point of real beginning; thence easterly along the south r/w
14 of Boxwood Road approximately 1320 feet; thence southerly approximately 495 feet; thence
15 westerly approximately 1320 feet to the east r/w of Beech Road; thence northerly along the east
16 r/w of Beech Road approximately 495 feet to the point of real beginning, said parcel containing
17 approximately 15.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to
18 A2Agriculture.

19 Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 37

**ORDINANCE AMENDING ZONING MAP
(Mike Rusch)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning ordinance amendment on June 4, 2007 after providing the required notice; and

WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an examination of the facts, 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:

A parcel of land located in the SE¼, NE¼, Section 35, T19N-R22E, Town of Cato, commencing at the E¼ Corner of said Section 35; thence northerly approximately 740.70 feet; thence westerly approximately 28.00 feet to the west r/w of Madson Road which is the point of real beginning; thence continue westerly approximately 412.00 feet; thence northerly approximately 245.30 feet; thence easterly approximately 413.07 feet; thence southerly along the west r/w of Madson Road approximately 252.48 feet to the point of real beginning, said parcel containing approximately 2.52 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1Agriculture.

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 38

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning ordinance amendment on May 7, 2007 after providing the required notice; and

WHEREAS, the Planning and Park Commission, after a careful consideration of testimony

6 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
7 attached report;

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

11
12 A parcel of land located in the NE¼, NW¼, Section 6, T21N-R23E, Town of Gibson,
13 commencing at the N¼ Corner of said Section 6; thence southerly approximately 33 feet to the
14 south r/w of CTH BB; thence westerly along the south r/w of CTH BB approximately 800 feet
15 which is the point of real beginning; thence southerly approximately 450 feet; thence westerly
16 approximately 225 feet; thence northeasterly approximately 477 feet; thence easterly
17 approximately 100 feet along the south r/w of CTH BB to the point of real beginning, said
18 parcel containing approximately 1.56 acres of land, shall be and is hereby rezoned from A3
19 Agriculture to A1Agriculture.
20

Dated this 19th day of June 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported that the jail inspection will take place on July 15 and all supervisors are invited to join them on the tour.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 18 (2007/2008-39) Authorizing Out-of-State Travel (Joseph Keil). Upon vote, the motion carried unanimously.

No. 2007/2008 - 39

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, impaired driving continues to be one of the greatest and most persistent threats to public
2 safety; and

3
4 WHEREAS, the Drug Recognition Expert (DRE) Program has proven to be effective in training
5 officers to detect and remove impaired drivers from our roadways; and
6

7 WHEREAS, the 13th International Association of Chiefs of Police (IACP) DRE Training Conference
8 on Drugs, Alcohol, and Impaired Driving will present updates on drug trends, legal issues, innovative
9 technology, research, and initiatives for officers, trainers, prosecutors, and other professionals; and
10

11 WHEREAS, Deputy Joseph Keil holds National Instructor Drug Recognition Expert Status and DRE
12 training will allow him to provide other Sheriff's Department officers with medical and scientific foundations
13 of the various components of the DRE protocol; 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 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
18 authorize Deputy Joseph Keil to attend the 13th IACP DRE Training Conference on Drugs, Alcohol, and
19 Impaired Driving in Las Vegas, Nevada from July 31 through August 2, 2007.

Dated this 19th day of June 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Wisconsin Department of Transportation will pay approximately \$900 for travel, lodging, registration, and meals.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Vogt moved, seconded by Supervisor Gauger, to adopt Resolution 20 (2007/2008-40) Commending Clean Sweep Program Volunteers and Staff. Upon vote, the motion carried unanimously.

No. 2007/2008 - 40

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1
2 WHEREAS, Manitowoc County held a household, very small quantity generator, and agricultural
3 hazardous waste collection "Clean Sweep" at the Manitowoc County Highway Department Building on
4 Highway 310 on May 18 and 19, 2007 and at the City of Two Rivers Cemetery Facility on May 18, 2007;
5 and
6

7 WHEREAS, this year's Clean Sweep program serviced a total of 897 households from Manitowoc
8 County; and
9

10 WHEREAS, the success of the Clean Sweep program is due in large part to the efforts of the
11 volunteers and county staff who work on the collection days; and
12

13 WHEREAS, the efforts of the volunteers and county staff saved Manitowoc County more than \$5,000
14 compared to what the same work would cost if it had been performed by a contractor, as is done in most other
15 Wisconsin Clean Sweep programs;
16

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

Dated this 19th day of June 2007.

Respectfully submitted by the Public Works Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Special Health Care Center Study Committee: Chairperson Brey reported the third meeting of the committee took place in Kellnersville on June 14 and the next meeting will be held in St. Nazianz on June 21. The

committee will then meet June 27 at the Office Complex to evaluate information and prepare a recommendation for the County Board. He explained there have been alternatives discussed in regard to potentially selling or leasing the facility; to do nothing; to hold a referendum election to enact a sales tax; or to hold a referendum election to increase the county tax levy. There may be a special County Board meeting scheduled in the near future.

Supervisor Bauknecht moved to adjourn, Supervisor Mueller seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:14 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

July 17, 2007

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 July, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

Supervisor Ted Zigmunt gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage. A moment of silence was held in honor of Harvey Strouf, former Clerk of Circuit Courts.

Roll call: 23 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Rappe and Hansen were excused.

On a motion by Supervisor Zigmunt, and seconded by Supervisor Mueller, the June 19, 2007, meeting minutes were approved by unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Bauknecht moved, seconded by Supervisor Rasmussen, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

Chairperson Brey declared public input open at 7:06 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Dr. Philip Moy, UW Manitowoc, gave a presentation on invasive species in the Great Lakes. He explained that the lakes had oceans and waterfalls as protection from the species, but commercial activity has circumvented the natural barriers. Ways to prevent further contamination include watercraft inspection programs, disposing of live bait in trash, draining bilge water, and removing weeds from boats.

Chairperson Brey declared public input on non-Health Care Center related issues at 7:25 p.m.

No one present wished to speak on non-Health Care Center issues, subsequently Chairperson Brey declared public input open on Health Care Center issues.

Matt Kadow, Manitowoc and a member of the Citizens Opposing Privatization/ Sale of the Health Care Center, spoke in opposition to the sale or lease of the Health Care Center.

Kim Marheine, from Neenah and a member of the Alzheimers Association, spoke in opposition to the sale of the Health Care Center facility.

Becky Gilbert, Manitowoc, spoke in opposition to the sale of the Health Care Center.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:34 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Highway Commissioner Gary Kennedy presented a review of the budget for 2003-2007. He also gave out a handout with bar charts that provided information regarding decreases in the tax levy, downsizing the number of employees, and the increase in fuel and asphalt oil costs. Mr. Kennedy then answered supervisors' questions.

County Executive Bob Ziegelbauer, addressed the board on the status of the Health Care Center proposal. He stated that it is time for us to make a decision and asked the board to take a vote on the resolution he proposed in March.

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

Special Health Care Center Study Committee: Chairperson Brey moved, seconded by Supervisor Graunke, to adopt Resolution .1 (2007/2008-41) Authorizing County Executive to Explore Health Care Center Options. Discussion followed.

No. 2007/2008 - 41

(ENGROSSED)

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO EXPLORE HEALTH CARE CENTER OPTIONS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County government has an obligation to its citizens to see that their tax
2 dollars are used to provide mandated services in the most efficient and effective manner possible; and
3

4 WHEREAS, Manitowoc County has an additional responsibility to provide care for the indigent in
5 our community and has sought to fulfill this "safety net" responsibility by constructing and operating the
6 Manitowoc Health Care Center; and
7

8 WHEREAS, the Health Care Center was originally intended and built to serve the safety net
9 population, but its mission has changed and its initial focus is now to "serve those in need who either select
10 the center as a personal choice or who are unable to obtain needed services from other providers within the
11 County"; and
12

13 WHEREAS, the current economic burden of supporting the Health Care Center has increased from
14 about \$481,000 in 1998 to more than \$2.9 million in 2006, and future tax levy requirements for the Health
15 Care Center are unknown; and
16

17 WHEREAS, the cost to the taxpayers of operating the Health Care Center significantly exceeds the
18 cost required to provide care for the safety net population; and
19

20 WHEREAS, the public subsidy for the Health Care Center, which is nearly \$3 million and growing,
21 reduces the amount of money available to fund other programs, and jeopardizes the county's ability to provide
22 sufficient staff and adequate facilities to provide other necessary and mandated services to the citizens of
23 Manitowoc County into the future; and
24

25 WHEREAS, the Special Health Care Center Study Committee has concluded that continued operation
26 of the Health Care Center in its present form is not possible if the county is to provide all the services it is
27 mandated to provide; and
28

29 WHEREAS, the Special Health Care Center Study Committee wants to be sure that it explores the

30 broadest range of options for providing high quality nursing home care and meeting the county's
31 responsibility to serve the safety net population in an effective and efficient manner;

32
33 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
34 authorizes the County Executive to explore options for the Health Care Center, including the following:

- 35
36 • focusing on the original mission of serving the safety net population;
- 37
38 • eliminating services that duplicate or compete with services provided by the private sector;
- 39
40 • reducing the size of the facility;
- 41
42 • shifting capacity to provide care for more Alzheimer's patients with special behavioral
43 needs;
- 44
45 • providing mental health services not available in the community;
- 46
47 • entering into one or more intergovernmental cooperation agreements with other counties to
48 operate a regional health care center;
- 49
50 • entering into one or more contracts with private service providers to meet the needs of the
51 safety net population;
- 52
53 • leasing or selling all or part of the operations to a private operator; and
- 54
55 • leasing or selling all or part of the building, equipment, and real estate to a private operator;
- 56 and

57
58 BE IT FURTHER RESOLVED that the Special Health Care Center Study Committee authorizes the
59 County Executive to solicit, collect, and review proposals and to present a recommendation and proposal and
60 explain the impact of the proposal on the long-term care of the safety net population at a special meeting of
61 the County Board to be held in October 2007.

^
no later than

Dated this 17th day of July 2007.

Respectfully submitted by the Special Health Care Center Study Committee.

FISCAL IMPACT: Indeterminable.

Veto of Resolution No. 2007/2008-41: Bob Ziegelbauer, County Executive.

Motion by Supervisor Maresh, seconded by Supervisor Dobbs to postpone the Resolution Authorizing County Executive to Explore Health Care Center Options until the next County Board meeting. Upon discussion and vote, the motion failed with 4 ayes and 19 noes. Supervisors Dobbs, Maresh, Tittl, and Zigmunt voted aye; all other supervisors voted no. Discussion on the main motion followed.

Amendment 1: Supervisor Dobbs moved, seconded by Supervisor Graunke to amend: line 18: "Whereas, the cost to the taxpayers of operating the Health Care Center may exceed the cost required to provide care for the safety net population **as defined by the current mission statement of the**

facility, and...” line 21: “Whereas, the public subsidy for the Health Care Center, which is nearly \$3 million ~~and growing~~, reduces the amount of money available to fund other programs, and ~~jeopardizes~~ **impacts** the county’s...” line 61: add **“BE IT FURTHER RESOLVED that the County Board will not consider any proposal for sale or lease of the Health Care Center until all above options are explored and presented to the County Board for approval.”**

Upon discussion and vote, the motion failed with 5 noes and 18 ayes. Supervisors Dobbs, Graunke, Schneider, Tittl, and Zigmunt voted aye; all other supervisors voted no. Discussion followed.

Amendment 2: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt to amend line 64 “.....special meeting of the County Board to be held **“no later”** than October 2007.”

Upon vote, the motion carried with 18 ayes and 5 noes. Supervisors Dobbs, Dufek, Konen, Markwardt, and Schneider voted no; all other supervisors voted aye.

Supervisors voted on the main motion as amended Authorizing County Executive to Explore Health Care Center Options. Upon vote, the motion carried with 14 ayes and 9 noes. Supervisors Dobbs, Dufek, Heyroth, Konen, Maresh, Markwardt, Schneider, Tittl, and Wagner voted no; all other supervisors voted aye.

No action took place on Resolution .2 to Exceed Operating Levy Limit.

Economic Development Corporation: Supervisor Maresh reported that Executive Director Ken Stubbe will give a semi-annual report before the Board in August or September.

Executive Committee: Chairperson Brey reported that they will meet before the next County Board meeting.

Finance Committee: Supervisor Kozlowski gave a brief report. Their next meeting will be August 13.

Health Care Center Committee: Supervisor Graunke gave a brief report.

Personnel Committee: Supervisor Vogt gave a brief report. Their next meeting will be August 14.

Planning & Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 1 (2007/2008-42) Amending Zoning Map (Roger Baetke). Upon vote, the motion carried unanimously.

No. 2007/2008 - 42

**ORDINANCE AMENDING ZONING MAP
(Roger Baetke)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on June 25, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 NW¼, NW¼, Section 35, T19N-R22E, Town of Cato,
11 commencing at the W¼ Corner of said Section 35; thence easterly along the centerline of
12 Rainbow Court approximately 1320 feet; thence northerly along the centerline of Old Wooden
13 Bridge Road approximately 1450 feet; thence westerly approximately 33 feet to the west r/w
14 of Old Wooden Bridge Road; thence southwesterly along the north r/w of an existing railroad
15 grade approximately 290 feet which is the point of real beginning; thence continue
16 southwesterly approximately 28 feet; thence westerly approximately 70 feet; thence northerly
17 approximately 160 feet; thence northeasterly approximately 380 feet; thence southwesterly
18 approximately 310 feet; thence southerly approximately 150 feet to the point of real beginning,
19 said parcel containing approximately .50 acres of land, shall be and is hereby rezoned from A3
20 Agriculture to A2 Agriculture.
21

Dated this 17th day of July 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson gave a brief report.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 2 (2007/2008-43) Accepting Career Development Training Scholarship Award. Upon vote, the motion carried unanimously.

No. 2007/2008 - 43

**RESOLUTION ACCEPTING CAREER DEVELOPMENT
TRAINING SCHOLARSHIP AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department strives to provide its management officers
2 with command-level training; and
3

4 WHEREAS, Sgt. Scott Senglaub is currently enrolled in a comprehensive 10-week management
5 studies program at Fox Valley Technical College in Appleton; and
6

7 WHEREAS, the Wisconsin Department of Justice, Training & Standards Bureau has awarded a \$2,000
8 scholarship to the Manitowoc County Sheriff's Department to support and partially fund management
9 training;
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accept
12 a scholarship award from Wisconsin Department of Justice, Training & Standards Bureau in the amount of
13 \$2,000; and
14

15 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the 2007 budget
16 are amended by the amount of the scholarship funds received and that the Comptroller/Auditor is directed
17 to record such information in the official books of the county for the year ending December 31, 2007 as may
18 be required.

Dated this 17th day of July 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21100.43520.01) and expenditures (21100.53033) by equal amounts of \$2,000. The remaining training cost (\$1,200) will be paid from funds already included in the budget.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 3 (2007/2008-44) Accepting Donation for Firearms and Equipment. Upon vote, the motion carried unanimously.

No. 2007/2008 - 44

RESOLUTION ACCEPTING DONATION FOR FIREARMS AND EQUIPMENT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, officers on the Manitowoc County Sheriff's Department Special Operations Squad (SOS)
2 respond to high-risk calls associated with potential serious injury; and
3

4 WHEREAS, SOS officers are equipped with a variety of specialty firearms and equipment;
5

6 WHEREAS, the Sheriff's Department is replacing two 15-year-old firearms with upgraded sniper
7 rifles, scopes, and related equipment; and
8

9 WHEREAS, the Point Beach Nuclear Plant is donating \$3,400 to purchase the firearms;
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts
12 a donation from the Point Beach Nuclear Plant in the amount of \$3,400 to purchase two Remington 700P .308
13 caliber rifles, scopes, and related equipment; and
14

15 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the 2007 budget
16 are amended by the amount of the donated funds received and that the Comptroller/Auditor is directed to
17 record such information in the official books of the county for the year ending December 31, 2007 as may
18 be required.

Dated this 17th day of July 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21200.48500) and expenditures (21200.58100) by equal amounts of \$3,400.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor, to adopt Resolution 4 (2007/2008-45) Authorizing Out-of-State Travel. (Brian Nack and Curtis Raube). Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Brian Nack and Curtis Raube)**

1 WHEREAS, crimes involving computer equipment are on the increase and require that law
2 enforcement officers have the skills necessary to seize, retrieve, and present computer evidence; and
3

4 WHEREAS, the Midwest Counterdrug Training Center in Johnston, Iowa will conduct a four-day
5 Seized Computer Evidence Recovery training program that will address the seizure, preservation, and
6 presentation of computer evidence in a legally sufficient manner; and
7

8 WHEREAS, training topics will also include chain of custody issues, retrieving and handling of digital
9 evidence, the role of the forensic investigator, first responder standards, legal concerns, seizure concepts, and
10 other matters critical to investigations; and
11

12 WHEREAS, the Midwest Counterdrug Training Center will fund 100% of the cost of tuition, lodging,
13 and meals;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
16 Lt. Brian Nack and Deputy Curtis Raube to attend the Seized Computer Evidence Recovery training program
17 in Johnston, Iowa from October 22 through October 25, 2007.

Dated this 17th day of July 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Estimated transportation cost of \$175 is included in the Sheriff’s Department
budget. Training, lodging, and meals will be provided by the Midwest
Counterdrug Training Center at no cost to the County.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke gave a brief report.

Miscellaneous: Supervisor Janowski moved, seconded by Supervisor Rasmussen, to adopt Resolution 5
(2007/2008-46) Approving Town of Newton Zoning Ordinance (Henry L. Tompkins). Upon discussion and
vote, the motion carried with 22 ayes and 1 abstention. Supervisor Heyroth abstained; all other supervisors
vote aye.

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Henry L. Tompkins)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has adopted a new zoning ordinance in accordance with Wis. Stat.
2 § 60.62; and
3

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which

5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County
6 Board; and

7
8 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County
9 Board of Supervisors for approval;

10
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
12 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Henry L. Tompkins
13 on June 13, 2007.

Dated this 17th day of July 2007.

Respectfully submitted by Joe Janowski, Supervisor.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Maresh moved to adjourn, Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:01 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

SPECIAL MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

July 30, 2007

Monday, 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 30th day of July, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 6:30 P.M.

Chairperson James Brey gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Graunke and Rappe were excused.

On a motion by Supervisor Behnke, and seconded by Supervisor Zigmunt, the July 17, 2007, meeting minutes were approved by unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Bauknecht moved, seconded by Supervisor Gauger, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

Chairperson Brey declared public input open at 6:34 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Don Vogt, Manitowoc, spoke in favor of the sale of the Health Care Center.

Grace Peppard, Manitowoc, addressed the board stating she does not want the UW-Extension Office funding cut from the budget.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 6:45 P.M.

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

Chairperson Brey: Supervisor Hansen moved, seconded by Supervisor Muench, to override County Executive Veto of Resolution 1 (2007/2008-41) Authorizing County Executive to Explore Health Care Center Options. Upon discussion and vote which required a two thirds majority, the motion failed with 12 ayes and 11 noes. Supervisors Behnke, Bundy, Dufek, Gauger, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Markwardt, and Vogt voted no; all other supervisors voted aye.

Chairperson Brey moved, seconded by Supervisor Behnke, to adopt Resolution 2 Stating Intent to Sell Health Care Center Operations and Sell or Lease Health Care Center Building, Equipment, and Real Estate. Upon discussion and vote, the motion failed with 6 ayes and 17 noes. Supervisors Bundy, Gauger, Henrickson, Kozlowski, Markwardt, and Vogt voted aye; all other supervisors voted no.

Chairperson Behnke moved, seconded by Supervisor Maresh, to adopt Resolution 3 (2007/2008-47) to Exceed Operating Levy Limit. Upon discussion and vote, the motion carried with 14 ayes and 9 noes.

Supervisors Bundy, Dobbs, Gauger, Hansen, Henrickson, Kozlowski, Markwardt, Mueller, and Vogt voted no; all other supervisors voted aye.

Announcement: Chairperson Brey announced there will be a Special County Board meeting on Wednesday, August 8 at 6:30 p.m.

Supervisor Bauknecht moved to adjourn, Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:57 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

SPECIAL MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

August 7, 2007

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 August, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

Chairperson James Brey gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 23 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Hansen, Henrickson, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Heyroth and Schneider were excused.

On a motion by Supervisor Behnke, and seconded by Supervisor Henrickson, the July 30, 2007, meeting minutes were approved by unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Bauknecht moved, seconded by Supervisor Rasmussen, to approve the agenda as amended. Upon a voice vote, the motion carried unanimously.

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

Chairperson Brey: Supervisor Behnke moved, seconded by Supervisor Muench, to override County Executive Veto of Resolution 1 (2007/2008-47) to Exceed Operating Levy Limit. Upon discussion and vote which required a two-thirds majority, the motion failed with 10 ayes and 13 noes. Supervisors Behnke, Brey, Dufek, Graunke, Maresh, Muench, Rappe, Rasmussen, Wagner, and Zigmunt voted aye; all other supervisors voted no.

Supervisor Dobbs moved to adjourn, Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:37 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

August 21, 2007

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, in the City of Manitowoc, being the 21st day of August, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

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

Roll call: 25 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt.

On a motion by Supervisor Zigmunt, and seconded by Supervisor Behnke, the August 7, 2007, meeting minutes were approved by unanimous vote.

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

Chairperson Brey declared public input open at 7:10 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Caryn Nickels of the Manitowoc County Tobacco Control Coalition, spoke in favor of Senate Bill 150 regarding a smoking ban in public places. She played an informational video.

Matt Kadow, Manitowoc, spoke in favor of maintaining the Health Care Center as a County owned facility.

Mike Kleckner, Town of Two Rivers, urged the Board to keep the Health Care Center and try to work through the budget problems.

Don Goeke, Manitowoc, spoke in opposition to the proposed \$1.25 cigarette tax increase. He also spoke in support of the sale of the Health Care Center.

Roger Treece, Town of Centerville, addressed the Board regarding the job posting for a Veterans' Services Officer and voiced his concern that another department is answering phone calls for the Veterans Service Office.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:29 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Brey presented a Proclamation Honoring former Clerk of Circuit Court Harvey F. Strouf. Marcia Strouf Boler introduced her family and thanked Chairperson Brey and County Executive Ziegelbauer.

Chairperson Brey presented a Proclamation Honoring former County Board Supervisor Paul J. Holschbach. Members of the family donated County Board proceedings books from 1948 through 1957 to Manitowoc County.

County Executive Ziegelbauer and Chairperson Brey presented a Proclamation to retiring Human Services Director Tom Stanton. Tom thanked the board for their service over the past 21 years.

Chairperson Brey read a Certificate of Appreciation for Faye Jaeckel who retired after 17 years of service with Manitowoc County.

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

Miscellaneous: Supervisor Hansen moved, seconded by Supervisor Kozlowski, to adopt Resolution 1 (2007/2008-47) Stating Intent to Sell Health Care Center Operations and Sell or Lease Health Care Center Building, Equipment, and Real Estate. Discussion followed.

Supervisor Dobbs moved, seconded by Supervisor Schneider to adopt Substitute Amendment 1.

Upon discussion and vote on the Substitute Amendment, the motion failed with 6 ayes and 19 noes. Supervisors Dobbs, Graunke, Konen, Maresh, Rappe, and Schneider voted aye; all other supervisors voted no.

Upon discussion and vote on the main resolution, the motion carried with 18 ayes and 7 noes. Supervisors Dobbs, Dufek, Graunke, Konen, Maresh, Schneider, and Rappe voted no; all other supervisors voted aye.

No. 2007/2008 - 47

RESOLUTION STATING INTENT TO SELL HEALTH CARE CENTER OPERATIONS AND SELL OR LEASE HEALTH CARE CENTER BUILDING, EQUIPMENT, AND REAL ESTATE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County government has an obligation to its citizens to see that their tax
2 dollars are used to provide mandated services in the most efficient and effective manner possible; and
3

4 WHEREAS, Manitowoc County has an additional responsibility to provide care for the indigent in
5 our community and has sought to fulfill this “safety net” responsibility by constructing and operating the
6 Manitowoc Health Care Center; and
7

8 WHEREAS, the Health Care Center was originally intended and built to serve the safety net
9 population, but its mission has changed so dramatically that its initial focus is now to “serve those in need
10 who either select the center as a personal choice or who were unable to obtain needed services from other
11 providers within the County”; and
12

13 WHEREAS, the property tax levy required to fully support the Health Care Center’s changing
14 mission has increased over the past ten years, exceeded \$2.9 million in 2006, and will likely continue to
15 significantly increase in the coming years because the county has a limited ability to control costs or increase
16 revenues; and
17

18 WHEREAS, the cost to the taxpayers of operating the Health Care Center significantly exceeds the
19 cost required to provide care for the safety net population; and
20

21 WHEREAS, the public subsidy for the Health Care Center, which is nearly \$3 million and growing,
22 places an economic burden on Manitowoc County taxpayers, reduces the amount of money available to fund
23 other programs, and jeopardizes the county’s ability to provide sufficient staff and adequate facilities to

24 provide other necessary and mandated services to the citizens of Manitowoc County into the future; and
25

26 WHEREAS, under a private operator, the Health Care Center will continue to operate as a high
27 quality nursing home and Manitowoc County will continue to meet its responsibility to serve the safety net
28 population in an effective and efficient manner;
29

30 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors states
31 its intent, pending receipt and evaluation of an acceptable proposal or proposals that will continue to fulfill
32 Manitowoc County's responsibility to serve the safety net population, to sell the operations of the Manitowoc
33 Health Care Center to a private operator in 2008 and to sell or lease the building, equipment, and real estate
34 to the new operator; and
35

36 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the
37 County Executive to invite proposals from the marketplace and to seek, secure, and bring a proposal or
38 proposals to sell the operations of the Manitowoc Health Care Center to a private operator in 2008 and to sell
39 or lease the building, equipment, and real estate to the new operator before the County Board.

Dated this 21st day of August 2007.

Respectfully submitted by Paul B. Hansen and Ralph Kozlowski, Supervisors.

FISCAL IMPACT: Indeterminable. Net tax levy impact depends on value of proposal accepted by county board and estimated cost of providing services to the safety net population.

APPROVED: Bob Ziegelbauer, County Executive.

Aging & Disability Resource Center Board: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 2 (2007/2008-48) Amending 2007 Budget (Aging and Disability Resource Center). Upon vote, the motion carried unanimously.

No. 2007/2008 - 48

**RESOLUTION AMENDING 2007 BUDGET
(Aging and Disability 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 and Disability 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 2007 Budget:
6

7	Revenue or	Account		
8	<u>Expense</u>	<u>Number</u>	<u>Description</u>	<u>Amount</u>
9				
10	Revenue	46100.43566.01	Congregate Meal Program	9,013
11	Expense	46100.52940	Contracted Food	9,013
12				
13	Revenue	46250.43566.02	Home-delivered meals	1,038
14	Expense	46250.52940	Contracted Food	1,038
15				

16	Revenue	46410.43566.19	ADRC Prevention Grant	0
17	Expenses	46410.52175	Contracted Workers	0
18				
19	Revenue	46325.43566.05	Title IIIB Grant	(1,079)
20	Expense	46325.51100	Personnel Services	(1,079)
21				
22	Revenue	46430.43566.14	Family Caregiver Support Grant	(346)
23	Expense	46430.52999	Contracted Services	(346)
24				

25 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
 26 2007 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record
 27 such information as may be required in the official books of the County for the year ending December 31,
 28 2007.

Dated this 21st day of August 2007.

Respectfully submitted by the Aging & Disability Resource Center Board.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenues and expenses by equal amounts.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Janowski gave a brief report.

Economic Development Corporation: Supervisor Maresh gave a brief report.

Executive Committee: Chairperson Brey reported that they will meet August 28.

Expo Board: Supervisor Behnke gave a brief report.

Finance Committee: Supervisor Kozlowski gave a brief report.

Highway Committee: Supervisor Bundy gave a brief report.

Human Services Board: Supervisor Rappe gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Heyroth, to adopt Resolution 3 (2007/2008-49) Authorizing Urban 4-H Club Grant Funding. Upon vote, the motion carried unanimously.

No. 2007/2008 - 49

RESOLUTION AUTHORIZING URBAN 4-H CLUB GRANT FUNDING

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the 4-H community club program has been a proven vehicle to deliver youth development
 2 programs for over 100 years; and
 3

4 WHEREAS, youth who participate in 4-H clubs develop life skills in leadership, communication,
 5 planning, organizing, decision making, and teamwork; and

6 WHEREAS, creating 4-H clubs in neighborhoods where urban youth reside helps balance the
7 geographic disparity that currently exists in the Manitowoc County 4-H community club program; and
8

9 WHEREAS, funds have been requested through a UW-Extension Eastern District Resource
10 Management Grant to create new 4-H clubs in the cities of Manitowoc and Two Rivers;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is
13 authorized to accept \$1,800 from the UW-Extension Eastern District Resource Management Grant to help
14 create new 4-H clubs in Manitowoc County; and
15

16 BE IT FURTHER RESOLVED the 2007 budget is amended by the amount of grant funds received
17 and that the Comptroller/Auditor is directed to record such information in the official books of the County
18 for the year ending December 31, 2007 as may be required.

Dated this 21st day of August 2007.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by \$1,800.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2007/2008-50) Approving Settlement of 2006-2010 Collective Bargaining Agreement with Sheriff's Department Employees Represented by Local 986-B, AFSCME, AFL-CIO. Upon vote, the motion carried unanimously.

No. 2007/2008- 50

RESOLUTION APPROVING SETTLEMENT OF 2006 - 2010 COLLECTIVE BARGAINING AGREEMENT WITH SHERIFF'S DEPARTMENT EMPLOYEES REPRESENTED BY LOCAL 986-B, AFSCME, AFL-CIO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Sheriff's Department
2 employees represented by Local 986-B, AFSCME, AFL-CIO for a 2006-2010 collective bargaining
3 agreement; and
4

5 WHEREAS, the employees have agreed to implement a high deductible health plan effective August
6 1, 2007, and each employee will have a choice of either an employer contribution to a health savings account
7 or health reimbursement account; and
8

9 WHEREAS, wage schedules will be increased by 3.0% effective January 1 of each year of the contract;
10 and
11

12 WHEREAS, this voluntary agreement provides terms that both parties have voluntarily agreed to
13 accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and
14

15 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Sheriff's
16 Department employees represented by Local 986-B, AFSCME, AFL-CIO has been provided to the County
17 Board;

18 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2010 collective bargaining
19 agreement negotiated between the Personnel Committee and the employees represented by Local 986-B is
20 ratified, confirmed, and approved with pay schedules, benefits, and terms set forth; and

21
22 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
23 Director are authorized to execute this settlement.

Dated this 21st day of August 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

Year	Wages	FICA	WRS	Health Insurance	Total
2006	\$ 74,180.87	\$5,674.84	\$7,714.81	\$110,112.48	\$197,683.00
2007	76,406.30	5,845.08	8,099.07	56,570.40	146,920.85
2008	78,698.49	6,020.43	8,342.04	(170,616.00)	(77,555.04)
2009	81,059.44	6,201.05	8,592.30	(170,616.00)	(74,763.21)
<u>2010</u>	<u>83,491.23</u>	<u>6,387.08</u>	<u>8,850.07</u>	<u>(170,616.00)</u>	<u>(71,887.62)</u>
Total	\$393,836.33	\$30,128.48	\$41,598.29	(\$345,165.12)	\$120,397.98

This fiscal note assumes that the 2007 Wisconsin Retirement System contribution rate remains the same for 2008, 2009, and 2010.

Health insurance for 2008, 2009, and 2010 is calculated based on the difference in 2007 premium costs between the PPO plan and the high deductible health plan. The annual cost difference per single plan is \$1,257.44 and the annual cost difference between family plan is \$3,894.36.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Janowski, to enact Ordinance 5 (2007/2008-51) Amending Manitowoc County Code Chs. 2 and 5. (Expense and Mileage Reimbursement and Per Diem Compensation). Discussion followed.

Supervisor Behnke moved to adopt Amendment 1, seconded by Supervisor Mueller.

Upon discussion and vote, the motion failed with 11 ayes and 14 noes. Supervisors Behnke, Brey, Heyroth, Konen, Maresh, Mueller, Muench, Rappe, Rasmussen, Wagner, and Zigmunt voted aye; all other supervisors voted no.

Discussion on the main motion followed.

Supervisor Behnke moved to adopt Amendment 2, seconded by Supervisor Zigmunt.

Amendment 2: Line 101 Manitowoc County Code sec. 2.045(d) is amended to read as follows: “(d) Each citizen member of the Board of Adjustment, Expo Board, and Planning and Park Commission is entitled to a per diem of ~~\$25~~ for each day or portion of a day on which the member is in attendance at an official meeting of his or her respective board or committee. A \$25 per diem will be paid if the meeting is less than 4 hours long and a \$37.50 per diem will be paid if the meeting is 4 or more hours long.”

Discussion followed.

Supervisor Tittl moved to amend the amendment, seconded by Supervisor Dobbs.

Upon discussion and vote, the motion on Amendment 2a failed with 4 ayes and 20 noes. Supervisors Dobbs, Dufek, Tittl, and Wagner voted aye; all other supervisors voted no.

Upon vote on Amendment 2, the motion passed with 19 ayes and 6 noes. Supervisors Dobbs, Janowski, Markwardt, Rappe, Rasmussen, and Vogt voted no; all other supervisors voted aye.

Discussion followed on the main motion as amended.

Supervisor Behnke moved to adopt Amendment 3, seconded by Supervisor Wagner.

Amendment 3: Line 95: (b) No employee, official, or officer of Manitowoc County may be appointed as a citizen member of a board, commission, or committee. "The foregoing notwithstanding, and employee, official or officer who is a citizen member of a board, commission, or committee on August 21, 2007 may complete his or her term and may be reappointed one time as a citizen member of that board, commission, or committee."

Upon discussion and vote, the motion carried with 14 ayes and 11 noes. Supervisors Bauknecht, Dobbs, Gauger, Graunke, Hansen, Janowski, Markwardt, Rappe, Rasmussen, Schneider, and Vogt voted no; all other supervisors voted aye.

Upon vote on Ordinance 5 as amended, the motion carried with 21 ayes and 4 noes. Supervisors Dobbs, Graunke, Markwardt and Schneider voted no; all other supervisors voted aye.

No. 2007/2008 - 51

ENGROSSED
ORDINANCE AMENDING MANITOWOC COUNTY CODE CHS. 2 AND 5
(Expense and Mileage Reimbursement and Per Diem Compensation)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has established a number of boards, committees, and commissions
2 and has made various provisions for these boards, committees, and commissions to receive expense and
3 mileage reimbursement and per diem compensation; and
4

5 WHEREAS, inconsistencies in the authorized expense and mileage reimbursement and per diem
6 compensation have arisen because the boards, committees, and commissions were created at different times
7 and, in some cases, because their responsibilities have changed over time; and
8

9 WHEREAS, the Personnel Committee has reviewed all expense and mileage reimbursement and per
10 diem compensation allowances that are presently authorized, recommends that the Manitowoc County Code
11 be amended to make certain technical corrections, to provide greater consistency in expense and mileage
12 reimbursement, and to provide a standard per diem of \$25 per meeting for the citizen members of the Board
13 of Adjustment, the EXPO Board, and the Planning and Park Commission;
14

15 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain,
16 effective January 1, 2008, as follows:
17

18 Manitowoc County Code sec. 2.04 is amended as follows:
19

20 2.04 Boards, Commissions, and ~~Councils~~. Committees. The following boards, commissions, and
21 committees are created as authorized or required by Wisconsin Statute or the Manitowoc County Code. ~~The~~
22 ~~following are established for the purpose of providing the specified governmental services or advisory input~~
23 ~~in Manitowoc County. Unless otherwise provided herein, the members of boards, commissions, and councils~~
24 ~~shall not receive per diems and mileage. Each citizen member of a board, commission, or committee is~~
25 ~~entitled to receive mileage reimbursement in accordance with the county's travel policy. Citizen members~~
26 ~~of the Board of Adjustment, Expo Board, and Planning and Park Commission are entitled to a per diem of~~
27 ~~\$25 for each day or portion of a day on which the member is in attendance at a meeting. Each board,~~
28 ~~commission, or council shall have authority to adopt rules of procedure, elect officers, and keep minutes.~~
29 ~~All boards, commissions, and councils shall meet in open session except as authorized by Wis. Stat. §~~
30 ~~19.85(1).~~

31
32 Manitowoc County Code sec. 2.04(1)(f) pertaining to mileage and per diem for citizen members of the
33 Board of Adjustment is repealed.
34

35 Manitowoc County Code sec. 2.04(6)(e) pertaining to expense and mileage reimbursement and per
36 diem for members of the Human Services Board is repealed.
37

38 Manitowoc County Code sec. 2.04(10)(d) pertaining to the Manitowoc-Calumet Library System Board
39 of Trustees is amended as follows:
40

41 (d) The trustees may include County Board members as liaison members to the Board of Trustees.
42 ~~County Supervisor members of the Board of Trustees shall receive per diem and mileage.~~
43

44 Manitowoc County Code sec. 2.04(11)(d) pertaining to mileage and per diem for members of the
45 EXPO Board is repealed.
46

47 Manitowoc County Code sec. 2.04(14) pertaining to the Manitowoc County Public Library Board of
48 Trustees is amended as follows:
49

50 (14) Manitowoc Public Library Board of Trustees. County Board representative shall be appointed
51 to the City of Manitowoc Public Library Board of Trustees for a three (3)-year term. ~~The County Board~~
52 ~~representative shall receive per diems and mileage.~~
53

54 Manitowoc County Code sec. 2.04(15)(d) pertaining to mileage and per diem for members of the
55 Planning and Park Commission is repealed.
56

57 Manitowoc County Code sec. 2.04(16) pertaining to the Veterans Service Commission is amended as
58 follows:
59

60 (16) Veterans Service Commission. Pursuant to Wis. Stat. §§ 45.12(1) and (2), there is created a three-
61 person commission composed of Veterans of the armed forces of the United States, which shall administer
62 the program of assistance created by Wis. Stat. § 45.14. The members shall serve three-year terms. ~~The~~
63 ~~members shall receive per diems and mileage.~~
64

65 Manitowoc County Code sec. 2.04(17) pertaining to the VTAE District II Farm Committee is amended
66 as follows:
67

68 (17) VTAE District II Farm Committee. A County Supervisor shall be appointed to the Farm
69 Committee of Vocational, Technical and Adult Education District II. ~~The Supervisor representative shall~~
70 ~~receive per diem and mileage.~~

71
72 Manitowoc County Code sec. 2.04(18)(b) pertaining to mileage and per diem for the Local Emergency
73 Planning Committee is repealed.

74
75 Manitowoc County Code sec. 2.04(19)(c) pertaining to per diem and mileage for the Commission on
76 Recycling and Clean Sweep Program is repealed.

77
78 Manitowoc County Code sec. 2.04(20)(c) pertaining to the Transportation Coordinating Committee
79 is amended by striking the reference to "County Administrator" as the appointing authority in the first
80 sentence and replacing it with the words "County Executive."

81
82 Manitowoc County Code sec. 2.04(20)(g) pertaining to mileage for the Transportation Coordinating
83 Committee is repealed.

84
85 Manitowoc County Code sec. 2.04(21)(l) pertaining to mileage for the Loan Review Board is repealed.

86
87 Manitowoc County Code sec. 2.045 is created to read as follows:

88
89 2.045 General Procedure. (a) Each board, commission, and committee has the authority to adopt rules
90 of procedure, elect officers, conduct meetings, keep minutes, and take other actions in accordance with county
91 board rules.

92
93 (b) No employee, official, or officer of Manitowoc County may be appointed as a citizen member of
94 a board, commission, or committee. The foregoing notwithstanding, an employee, official, or officer who
95 is a citizen member of a board, commission, or committee on August 21, 2007 may complete his or her term
96 and may be reappointed one time as a citizen member of that board, commission, or committee.

97
98 (c) Each citizen member of a board, commission, or committee is entitled to receive expense and
99 mileage reimbursement in accordance with the county's travel policy.

100
101 (d) Each citizen member of the Board of Adjustment, Expo Board, and Planning and Park Commission
102 is entitled to a per diem of ~~\$25~~ for each day or portion of a day on which the member is in attendance at an
103 official meeting of his or her respective board or committee. A \$25 per diem will be paid if the meeting is
104 less than 4 hours long and a \$37.50 per diem will be paid if the meeting is 4 or more hours long.

105
106 (e) Each board, commission, and committee shall meet in open session except as authorized by Wis.
107 Stat. § 19.85(1).

108
109 Manitowoc County Code sec. 5.06(4)(e) pertaining to mileage and per diem for the Ethics Board is
110 repealed.

Dated this 21st day of August 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Estimated additional mileage reimbursement of \$4,287 per year and reduced per diem of \$2,970 per year, for a net cost of \$1,317 will need to be included in 2008 budget.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 6 (2006/2007-52) Amending Zoning Map for Patricia Foelske and Ordinance 7 (2006/2007-53) Amending Zoning Map for Scott Lieburn. Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Rappe and Schneider voted no; all other supervisors voted aye.

No. 2007/2008 - 52

**ORDINANCE AMENDING ZONING MAP
(Patricia Foelske)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on July 23, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 12, T21N-R22E, Town of Cooperstown,
12 commencing at the center of said Section 12; thence easterly approximately 660 feet to the west
13 r/w of CTH R; thence southerly along the west r/w of CTH R approximately 975 feet which is
14 the point of real beginning; thence westerly approximately 393 feet; thence southerly
15 approximately 148 feet; thence easterly approximately 295 feet; thence northerly along the west
16 r/w of CTH R approximately 321 feet to the point of real beginning, said parcel containing
17 approximately 1.60 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1
18 Agriculture.

Dated this 21st day of August 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 53

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on July 23, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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, SW¼, Section 16, T17N-R21E, Town of Schleswig,
12 commencing at the W¼ corner of said Section 16; thence southerly approximately 660 feet;
13 thence easterly approximately 33 feet to the east r/w of Steinthal Road which is the point of real
14 beginning; thence continue easterly approximately 406 feet; thence southerly approximately 744
15 feet; thence westerly approximately 685 feet; thence northerly along the east r/w of Steinthal
16 Road approximately 695 feet to the point of real beginning, said parcel containing
17 approximately 11.44 acres of land, shall be and is hereby rezoned from GA General Agriculture
18 to ES Estate.

Dated this 21st day of August 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller gave a brief report.

Public Safety Committee: Supervisor Henrickson gave a brief report.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 8 (2006/2007-54) Accepting Communications Equipment and Training Grant. Upon vote, the motion carried unanimously.

No. 2007/2008 - 54

**RESOLUTION ACCEPTING COMMUNICATIONS
EQUIPMENT AND TRAINING GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Office of Justice Assistance is making a \$182,469.22 grant available to
2 Manitowoc County to provide training and equipment for mutual aid communications; and
3

4 WHEREAS, this training award will enhance the county's ability to effectively provide services in the
5 event of an incident that requires a response;
6

7 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
8 the Emergency Management Department to apply for and accept the training and equipment grant; and
9

10 BE IT FURTHER RESOLVED that the 2007 budget is amended by the amount of the funds received
11 and that the Comptroller/Auditor is directed to record such information in the official books of the county
12 for the year ending December 31, 2007 as may be required.

Dated this 21st day of August 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue (25450.43520.26) and expenses (25450.58122) by equal amounts not to exceed \$182,469.22.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 9 (2006/2007-55) Accepting Disaster Response Equipment and Training Grant. Upon vote, the motion carried unanimously.

No. 2007/2008 - 55

**RESOLUTION ACCEPTING DISASTER RESPONSE
EQUIPMENT AND TRAINING GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Office of Justice Assistance is making a \$16,386 grant available to
2 Manitowoc County to provide training and equipment and to train citizens in basic disaster response skills;
3 and
4

5 WHEREAS, this training award will enhance the county's ability to effectively provide services in the
6 event of an incident that requires a response;
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
9 the Emergency Management Department to apply for and accept the training award; and
10

11 BE IT FURTHER RESOLVED that the 2007 budget is amended by the amount of the funds received
12 and that the Comptroller/Auditor is directed to record such information in the official books of the County
13 for the year ending December 31, 2007 as may be required.

Dated this 21st day of August 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue (25450.43520.25) and associated expenses (25450.58121) by equal amounts not to exceed \$16,386.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 10 (2006/2007-56) Authorizing Out-of-State Travel (Kurk Bessler, David Siders, and Kevin Haese). Upon vote, the motion carried unanimously.

No. 2007/2008 - 56

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Kurk Bessler, David Siders, and Kevin Haese)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the U.S. Department of Homeland Security supports the Incident Response to Terrorist
2 Bombings (IRTB) training program, which offers technical operational level training to law enforcement
3 personnel who provide specialized support during weapons of mass destruction incidents, particularly those
4 involving explosive or incendiary materials; and
5

6 WHEREAS, a four-day IRTB training course is comprised of 13 modules that enable participants to
7 write plans, policies, and procedures; learn tactics necessary for a safe and effective response; identify

8 appropriate training and equipment needs; and identify exercise requirements to support agency-wide and
9 multi-agency preparation; and

10
11 WHEREAS, three members of Manitowoc County's Special Operations Squad have an opportunity
12 to attend and will benefit from IRTB training related to commercial and military explosives, improvised
13 explosive devices, and readily available explosive formulations; and

14
15 WHEREAS, the U.S. Department of Homeland Security will fund 100% of the cost of training,
16 lodging, transportation, and per diem costs;

17
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 Lt. Kurk Bessler, Deputy David Siders, and Deputy Kevin Haese to attend the Incident Response to Terrorist
20 Bombings training at the Energetic Material Response and Testing Center in Socorro, New Mexico from
21 August 28 through August 31, 2007.

Dated this 21st day of August 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. U.S. Department of Homeland Security will pay
approximately \$4,235 for training, travel, lodging, and meals.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Maresh, to adopt Resolution 11 (2006/2007-57)
Authorizing Tower Space Lease Agreement. Upon vote, the motion carried unanimously.

No. 2007/2008 - 57

RESOLUTION AUTHORIZING TOWER SPACE LEASE AGREEMENT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County presently operates an emergency communications tower on land that
2 is owned by the City of Kiel; and

3
4 WHEREAS, the Kiel Tower needs to be replaced in order to meet the Manitowoc County and Kiel's
5 emergency communication needs for the future; and

6
7 WHEREAS, Manitowoc County, Kiel, and Nsighttel Wireless, LLC, d/b/a Cellcom, have negotiated
8 an arrangement under which Cellcom will erect a communications tower on land leased from the City of Kiel
9 and Manitowoc County will lease space on the new tower from Cellcom; and

10
11 WHEREAS, the Manitowoc County Public Safety Committee, the Emergency Management Director,
12 and the Sheriff have reviewed the proposed Tower Space Lease Agreement between Manitowoc County and
13 Cellcom, and

14
15 WHEREAS, Corporation Counsel has reviewed the proposed Tower Space Lease Agreement between
16 Manitowoc County and Cellcom and the lease between Kiel and Cellcom; and

17
18 WHEREAS, the Public Safety Committee, Emergency Management Director, and Sheriff find that the
19 proposed Tower Space Lease Agreement meets the County's emergency communication needs for the

20 foreseeable future and recommend that Manitowoc County enter into this agreement;

21

22 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
23 the County Executive and the County Clerk to sign the Tower Space Lease Agreement.

Dated this 21st day of August 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Indeterminable. Annual rent of \$1 during the lease, plus costs associated with maintaining at least \$2,000,000 in general liability insurance.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to enact Ordinance 12 (2006/2007-58) Creating Manitowoc County Code Secs. 6.255 and 76.256 (Possession of Marijuana and Possession of Drug Paraphernalia). Upon vote, the motion carried unanimously.

No. 2007/2008 - 58

**ORDINANCE CREATING MANITOWOC COUNTY CODE SECS. 6.255 AND 6.256
(Possession of Marijuana and Possession of Drug Paraphernalia)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin statutes authorized counties to enact local ordinances prohibiting the
2 possession of marijuana and drug paraphernalia; and

3

4 WHEREAS, these local ordinances do not legalize the possession of marijuana or drug
5 paraphernalia, but do provide local law enforcement officials with enforcement alternatives; and

6

7 WHEREAS, enactment of a local ordinance will reduce the cost to the police and prosecutors of
8 enforcing the prohibition against the possession of marijuana and drug paraphernalia; and

9

10 WHEREAS, enactment of a local ordinance will allow prosecutors to treat a minor first offense in a
11 manner comparable to a first offense for operating a vehicle while under the influence of an intoxicant,
12 but will leave them with the option of treating a first offense under the state criminal statutes when
13 necessary;

14

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

17

18 Manitowoc County Code section 6.255 is created, effective September 1, 2007, to read as follows:

19

20 6.255 Possession of Marijuana. (1) This ordinance is adopted under the authority of Wis. Stat. §
21 59.54(25).

22

23 (2) It is unlawful for any person to possess 8 grams or less of marijuana, as defined in Wis. Stat. §
24 961.01(14), subject to the exceptions in Wis. Stat. § 961.41(3g); but no citation may be issued under this
25 ordinance to a person who has a previous conviction for possession of drug paraphernalia or for any other
26 drug related offense.

27

28 (3) A person who violates any provision of this ordinance is subject to a forfeiture of not less than
29 \$50 nor more than \$500, together with the costs of prosecution. A person who is in default of payment is
30 subject to imprisonment in the county jail until the forfeiture and costs are paid, but may not be
31 imprisoned for more than 30 days.

32
33 Manitowoc County Code section 6.256 is created, effective September 1, 2007, to read as follows:
34

35 6.256 Possession of drug paraphernalia. (1) This ordinance is adopted under the authority of Wis.
36 Stat. § 59.54(25m).
37

38 (2) It is unlawful for any person to use, or possess with the primary intent to use, drug
39 paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce,
40 process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise
41 introduce into the human body a controlled substance or controlled substance analog in violation of this
42 Wis. Stat. ch. 961; but no citation may be issued under this ordinance to a person who has a previous
43 conviction for possession of drug paraphernalia or for any other drug related offense.
44

45 (3) A person who violates any provision of this ordinance is subject to a forfeiture of not less than
46 \$50 nor more than \$500, together with the costs of prosecution. A person who is in default of payment is
47 subject to imprisonment in the county jail until the forfeiture and costs are paid, but may not be
48 imprisoned for more than 30 days.

Dated this 21st day of August 2007.

Respectfully submitted by the Public Safety Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported that their next meeting will be August 29.

Miscellaneous: Supervisor Zigmunt moved, seconded by Supervisor Rasmussen, to adopt Resolution 13 (2007/2008-59) Opposing 2007 Assembly bill 438. Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Tittl voted no; all other supervisors voted aye.

No. 2007/2008 - 59

RESOLUTION OPPOSING 2007 ASSEMBLY BILL 438

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 2007 Assembly Bill 438 creates a nine-member task force to study the responsibilities
2 and obligations of county government and develop a plan to reduce the number of counties from 72 to 18 or
3 fewer, without any evidence that Wisconsin citizens would be better served by such a reduction, and the cost
4 of implementing such a reduction would be a substantial burden on taxpayers at a time when the State has
5 a continuing structural budget deficit; and
6

7 WHEREAS, numerous commissions and task forces have devoted considerable time, energy, and
8 resources to an examination of the state and local government partnership and have made a number of
9 innovative and worthwhile recommendations about how government services are provided and funded, but
10 the legislature has yet to act on these recommendations; and
11

12 WHEREAS, Wisconsin citizens would be better served by considering and acting on these existing
13 recommendations concerning the structure of government and the means of providing services, rather than
14 by creating a committee charged with implementing an arbitrary reduction in the number of Wisconsin
15 counties;

16
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors opposes
18 2007 Assembly Bill 438 and directs the County Clerk to send a copy of this resolution to the Governor of the
19 State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin Assembly, and each
20 legislator in the Wisconsin Senate and Assembly who represents constituents from Manitowoc County.

Dated this 21st day of August 2007.

Respectfully submitted by James N. Brey, County Board Chair.

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

Bob Ziegelbauer, County Executive

Announcement: Supervisor Bauknecht invited everyone to the parade in Two Rivers on Saturday, August 25, welcoming the return of the 121st Battalion.

Supervisor Janowski moved to adjourn, Supervisor Graunke seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:18 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

September 18, 2007

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, in the City of Manitowoc, being the 18th day of September, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

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

Roll call: 21 members present; Bauknecht, Brey, Bundy, Dufek, Gauger, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Behnke, Graunke, and Hansen were excused; Supervisor Dobbs was absent.

On a motion by Supervisor Kozlowski, and seconded by Supervisor Markwardt, the August 21, 2007, meeting minutes were approved by unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Zigmunt moved, seconded by Supervisor Bauknecht, to approve the agenda as amended. Upon voice vote, the motion carried unanimously.

Chairperson Brey declared public input open at 7:05 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Kevin Palmer, UW-Extension 4-H Youth Development Educator, gave a brief presentation on the Manitowoc County 4-H Program. Meeme Busy Badger members, Luke Lensmire, Sam Lensmire, Joanna Lensmire, and Crystal Peterman spoke on their experiences and the life skills learned through the 4-H program.

Rita Metzger, Manitowoc and an employee of the Health Care Center, addressed the Board regarding the potential cost reductions for the 2008 Health Care Center budget and urged the board to keep the facility County-owned.

Roger Treece, Commander of Manitowoc County Chapter of Disabled American Veterans, spoke in support of Tim Thiers, former Veterans Services Officer.

Dan Watton, Manitowoc, discussed the relationship between the County Executive position and the County Board.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:27 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Brey presented a Proclamation Honoring the 100th Anniversary of the Manitowoc County Fish and Game Protective Association to President Pat Blashka. Pat explained that their mission to provide good fishing and conserve land is the same for residents today as it was 100 years ago.

Chairperson Brey congratulated Scott Zimdar, Comcast Production Assistant, on his new position as a CBS

news photographer in Cheyenne, Wyoming. Scott has been the Production Assistant for County Board meetings since 1997.

Jeff Beyer, Public Works Director, invited everyone to tour the Maribel Caves on September 25. Jeff announced there will be a drug disposal collection that will take place on October 5th. He gave an update on the Manitowoc County Radio and Antenna Systems and answered supervisors' questions.

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

Board of Health: Supervisor Janowski gave a brief report. Their next meeting will be October 11.

Economic Development Corporation: Supervisor Maresh gave a brief report.

Executive Committee: Supervisor Schneider moved, seconded by Supervisor Rappe, to adopt Resolution 1 (2007/2008-60) Amending County Board Rule 15(b) (Minutes). Upon vote, the motion carried unanimously.

No. 2007/2008 - 60

**RESOLUTION AMENDING COUNTY BOARD RULE 15(b)
(Minutes)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Board Rule 15(b) contains a provision requiring that signed minutes
2 be filed with the County Clerk; and
3

4 WHEREAS, the requirement that minutes be signed is inconvenient because minutes are now
5 prepared and transmitted electronically and unnecessary because subsequent minutes provide an official
6 record showing that the minutes have been approved;
7

8 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board Rule 15(b) is amended as
9 follows:

10 (b) The person taking the minutes must provide draft minutes to the County Clerk within one week
11 of any meeting. Draft minutes will normally be reviewed, corrected, and approved at the next meeting of the
12 governmental body. However, draft minutes of the county board meeting as a committee of the whole will
13 be reviewed at the next regular meeting of the county board. A ~~signed~~ copy of the approved minutes ~~will be~~
14 ~~filed~~ must be on file with the County Clerk within one week of approval.

Dated this 18th day of September 2007.

Respectfully submitted by the Executive Committee, James N. Brey, Chair.

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

Bob Ziegelbauer, County Executive.

Chairperson Brey gave a brief report.

Finance Committee: Supervisor Kozlowski gave a brief report. Their next meeting will be October 10.

Health Care Center Committee: Supervisor Rappe moved, seconded by Supervisor Rasmussen, to adopt Resolution 3 (2006/2007-61) Supporting Returning Federal Funds Received because of County Nursing Home Losses to Counties that Operate Nursing Homes. Upon vote, the motion carried unanimously.

No. 2007/2008 - 61

**RESOLUTION SUPPORTING RETURNING FEDERAL FUNDS
RECEIVED BECAUSE OF COUNTY NURSING HOME LOSSES
TO COUNTIES THAT OPERATE NURSING HOMES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates a 150 bed skilled nursing facility to provide care
2 for citizens in the safety net population who have difficulty in securing services elsewhere because of the
3 special and expensive care they require; and
4

5 WHEREAS, the County's skilled nursing facility operates at a loss each year because of the high cost
6 to care for the safety net population; and
7

8 WHEREAS, Manitowoc County was forced to add \$2,600,000 onto its tax levy to cover the operating
9 losses; and
10

11 WHEREAS, the State of Wisconsin claimed approximately \$90,000,000 in Federal funds for
12 statewide governmental nursing home losses in budget year 2005-2007, and the State diverted those funds
13 from counties to the State's Medicaid Trust Fund; and
14

15 WHEREAS, the State of Wisconsin has decreased supplemental funding from the Intergovernmental
16 Transfer Program (ITP) for governmental nursing homes from \$54,773,148 to \$37,100,000 and has diverted
17 \$17,673,148 from counties to the State's Medicaid Trust Fund; and
18

19 WHEREAS, the State's diversion of ITP funds has resulted in a \$532,491 decrease in funding for
20 the Manitowoc County Health Care Center; and
21

22 WHEREAS, the 2007-2009 State budget proposed by Governor Doyle proposes to claim
23 \$77,000,000 in Federal funds for statewide governmental nursing homes losses and to divert these funds from
24 counties to the State's Medicaid Trust Fund;
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors supports
27 returning all Federal funds received as the result of claims for county nursing homes losses to those counties
28 that operate nursing homes in order to bring direct tax relief to the citizens of those counties; and
29

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

31 to each legislator in the Wisconsin Senate and Assembly who represent constituents from Manitowoc
32 County.

Dated this 18th day of September 2007.

Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: Indeterminable. IGT funding for Manitowoc County could increase by \$500,000 to \$900,000 annually depending upon the amount of losses reported by all government reporting entities.

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

Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Bundy gave a brief report. Their next meeting will be October 9.

Human Services Board: Supervisor Rappe gave a brief report.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 4 (2007/2008-62) Proclaiming National 4-H Week. Upon vote, the motion carried unanimously.

No. 2007/2008 - 62

RESOLUTION PROCLAIMING NATIONAL 4-H WEEK

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 4-H is one of the largest youth organizations in the United States, with nearly seven
2 million youth involved in 4-H nationwide, more than 240,000 youth members and 20,000 adult volunteers
3 in Wisconsin, and 590 members and 209 volunteers in Manitowoc County; and
4

5 WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for more than
6 one hundred years and provides a community where young people learn leadership, citizenship, and life skills;
7 and

8 WHEREAS, Manitowoc County youth are able to learn individually and together by participating
9 in all kinds of 4-H activities, events, and projects through Manitowoc County University of Wisconsin
10 Extension programs;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors declares
13 October 7 – 13, 2007 as National 4-H Week in Manitowoc County; and
14

15 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors urges the people
16 of this community to become more aware of this special program and to join in recognizing the unique

17 partnership between Manitowoc County and the University of Wisconsin System.

Dated this 18th day of September, 2007.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Bob Ziegelbauer, County Executive

Personnel Committee: Supervisor Vogt gave a brief report.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Heyroth, to enact Ordinance 6 (2006/2007-63) Amending Zoning Map for Kenneth and Sharon Halbach. Upon vote, the motion carried unanimously.

No. 2007/2008 - 63

**ORDINANCE AMENDING ZONING MAP
(Kenneth and Sharon Halbach)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on August 27, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 Section 24, T19N-R24E, Town of Rockland:
10

11 Parcel No. 1, commencing at the E ¼ Corner of said Section 24; thence southerly along the
12 centerline of Einberger Road approximately 500 feet; thence westerly approximately 33 feet to
13 the west r/w of Einberger Road which is the point of real beginning; thence continue westerly
14 approximately 194.09 feet; thence southerly approximately 135.32 feet; thence easterly
15 approximately 194.09 feet; thence northerly along the west r/w of Einberger Road
16 approximately 135.32 feet to the point of real beginning, said parcel containing approximately
17 .60 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture;
18

and

19 Parcel No. 2, commencing at the E ¼ Corner of said Section 24; thence southerly along the
20 centerline of Einberger Road approximately 803 feet; thence westerly approximately 33 feet to
21 the west r/w of Einberger Road which is the point of real beginning; thence continue westerly
22 approximately 194.09 feet; thence southerly approximately 495.50 feet; thence easterly along
23 the north r/w of Moschel Road approximately 198.65 feet; thence northerly along the west r/w
24 of Einberger Road approximately 494.48 feet to the point of real beginning, said parcel
25 containing approximately 2.40 acres of land, shall be and is hereby rezoned from A3 Agriculture
26 to A1 Agriculture.
27

Dated this 18th day of September 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 7 (2007/2008-64) Amending Manitowoc County Code § 24.06(14) (Large Wind Energy System Noise Standard). Upon discussion and vote, the motion carried with 20 ayes and 1 no. Supervisor Schneider voted no; all other supervisors voted aye.

No. 2007/2008 - 64

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 24.06(14)
(Large Wind Energy System Noise Standard)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has enacted a Large Wind Energy System Ordinance that limits the
2 amount of noise that is permitted as the result of the operation of a large wind energy system; and
3

4 WHEREAS, Supervisor Tony Heyroth has asked that the ordinance be amended to require that
5 information be posted on each large wind energy system so that the owner can be contacted in the event of
6 a noise complaint; and
7

8 WHEREAS, the Planning and Park Commission held a properly noticed public hearing on August
9 27, 2007, and the Planning and Park Commission, after a careful consideration of testimony and an
10 examination of the facts attendant with the petition, recommends the petition seeking an amendment of the
11 Manitowoc County Code be approved;
12

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

15 Manitowoc County Code sec. 24.06(14) is amended as follows:
16

17 (14) Noise. (a) The noise generated by the operation of a large wind energy system may not exceed
18 the ambient noise level by more than 5 dB(A) as measured at any point on property adjacent to the parcel on
19 which the large wind energy system is located. The noise level generated by the operation of a large wind
20 energy system will be determined during the investigation of a noise complaint by comparing the sound level
21 measured when the wind generator blades are rotating to the sound level measured when the wind generator
22 blades are stopped.
23

24 (b) Each wind tower must have a placard posted in plain view and easily readable by a person on the
25 ground. The placard must provide a telephone number for law enforcement or other county officials to call
26 for purposes of noise complaint investigation, sound level measurement, or administration of this ordinance.
27 A person must be reachable through that telephone number at all times, and the owner must be able to
28 promptly control the operation of the large wind energy system as necessary to permit noise complaint
29 investigation and sound level measurement.

Dated this 18th day of September 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Heyroth, to enact Ordinance 8 (2007/2008-65) Amending Manitowoc County Code § 24.11 (Emergency Communication Tower Setback Requirement). Discussion followed.

No. 2007/2008 - 65

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 24.11
(Emergency Communication Tower Setback Requirement)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has enacted a Large Wind Energy System Ordinance that includes
2 provisions designed to protect communications towers against signal interference caused by large wind
3 energy systems; and
4

5 WHEREAS, Supervisor Tony Heyroth has asked that the ordinance be amended to require that all
6 large wind energy systems be setback a distance of one mile from any communications tower; and
7

8 WHEREAS, the Planning and Park Commission held a properly noticed public hearing on August
9 27, 2007, and the Planning and Park Commission, after a careful consideration of testimony and an
10 examination of the facts attendant with the petition, recommends the petition seeking amendments of the
11 Manitowoc County Code be approved;
12

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

15 Manitowoc County Code sec. 24.11(3) is created to read as follows:
16

17 (3) A large wind energy system or met tower may not be located within one mile of any
18 communication tower location identified in sub. (2).

Dated this 18th day of September 2007.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Heyroth moved, seconded by Supervisor Rasmussen, to amend line 20 to read: “emergency” tower location, and to delete “~~identified in sub. (2).~~” Discussion followed. Supervisor Heyroth withdrew the amendment without objection.

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

Public Safety Committee: Supervisor Henrickson gave a brief report.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 9 (2006/2007-66)

Authorizing Out-of-State Travel (Nancy H. Crowley). Upon vote, the motion carried unanimously.

No. 2007/2008 - 66

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

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Emergency Management Director Nancy H. Crowley serves on the
2 National Radiological Emergency Preparedness (NREP) Conference Steering Committee; and

3
4 WHEREAS, the Steering Committee has scheduled a meeting in Las Vegas to prepare for the
5 NREP's 18th Annual Conference, which will be held during 2008; and

6
7 WHEREAS, the Emergency Management Director serves on the Program, Registration, and Future
8 Sites Sub-Committees of the Steering Committee; and

9
10 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) will be borne by the
11 Nuclear Management Company (NMC);

12
13 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes
14 Nancy H. Crowley to attend the National Radiological Emergency Preparedness Conference Steering
15 Committee mid-year meeting in Las Vegas, Nevada on October 10-13, 2007.

16
17 Dated this 18th day of September 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue (25100.46200.62 and 25100.46200.63)
and expenses (25100.51100 and 25100.53104) in the 2007 budget by equal
amounts. Meeting expenses (airfare, hotel, meals, and surface transportation)
will be fully reimbursed by Nuclear Management Company.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 9 (2006/2007-67)
Authorizing Out-of-State Travel (Andrew Beck). Upon vote, the motion carried unanimously.

No. 2007/2008 - 67

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Andrew Beck)**

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 identify and combat the adverse impact of drug and alcohol impaired driving; and

3
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11

WHEREAS, the Wisconsin Department of Transportation (DOT), Bureau of Transportation Safety (BOTS) is sponsoring DRE training in Phoenix, Arizona from October 3 through 8, 2007; and

WHEREAS, Wisconsin DOT-BOTS will fund 100% of the cost of the training, equipment, and materials, lodging, and transportation;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes Deputy Andrew Beck to attend the Drug Recognition Expert program in Phoenix, Arizona from October 3 through 8, 2007.

Dated this 18th day of September 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Meal expenses of \$234. All other expenses (airfare - \$278.50 and lodging - \$360) will be reimbursed by Wisconsin DOT-BOTS. Necessary funds are included in the 2007 Sheriff's Department budget.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller gave a brief report.

Miscellaneous: Supervisor Kozlowski moved, seconded by Supervisor Henrickson, to adopt Resolution 11 (2007/2008-68) Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing. Discussion followed.

No. 2007/2008 - 68

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, Manitowoc County plans to undertake a radio and antennae system project (Project); and

WHEREAS, the County expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes (Bonds); and

WHEREAS, the Bonds will not be issued prior to commencement of the Project; and

WHEREAS, the County must provide interim financing to cover Project costs incurred prior to receipt of the Bond proceeds; and

WHEREAS, it is necessary, desirable, and in the County's best interests to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Manitowoc County, Wisconsin, the Comptroller/Auditor is authorized to transfer an amount not to exceed \$840,000 from

16 the General Fund Undesignated to the appropriate Capital Project Fund for the engineering of the Project;
17 and

18 BE IT FURTHER RESOLVED that the County Board authorizes expenditures to be made as needed
19 from funds on hand to pay the cost of the Project until Bond proceeds become available; and

20
21 BE IT FURTHER RESOLVED that County officially declares its intent under Treasury Regulation
22 Section 1.150-2 to reimburse the Project expenditures with proceeds of the Bonds, the principal amount of
23 which is not expected to exceed \$10,500,000; and

24
25 BE IT FURTHER RESOLVED that no funds for payment of the Project from sources other than the
26 Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside
27 by the County pursuant to its budget or financial policies; and

28
29 BE IT FURTHER RESOLVED that this Resolution will be made available for public inspection at
30 the County Clerk's office within 30 days after its approval in compliance with applicable State law governing
31 the availability of records of official acts, including subchapter II of Wisconsin Statutes Chapter 19, and shall
32 remain available for public inspection until the Bonds are issued; and

33
34 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information
35 in the official books of the County for the year ending December 31, 2007 as may be required; and

36
37 BE IT FURTHER RESOLVED that this resolution is effective upon its adoption and approval.

Dated this 18th day of September 2007.

Respectfully submitted by the Finance, Public Safety, Highway and Public Works Committees.

FISCAL IMPACT: No immediate tax levy impact. Increases the Capital Project Fund and authorized expenditures by an amount not to exceed \$840,000 and reduces the General Fund Undesignated by an equal amount.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Rappe moved, seconded by Supervisor Maresh, to table the resolution until the December 18, County Board meeting. Upon discussion and vote, the motion failed with 6 ayes and 15 noes. Supervisors Dufek, Maresh, Rappe, Rasmussen, Schneider, and Wagner voted aye; all other supervisors voted no.

Upon vote on the main motion, the motion carried with 17 ayes and 4 noes. Supervisors Maresh, Rappe, Schneider, and Wagner voted no; all other supervisors voted aye.

Supervisor Bauknecht moved to adjourn, Supervisor Henrickson seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:44 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

October 16, 2007

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, in the City of Manitowoc, being the 16th day of October, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

Chairperson Brey gave the invocation, which was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 24 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisor Graunke was excused.

On a motion by Supervisor Zigmunt, and seconded by Supervisor Tittl, the September 18, 2007, meeting minutes were approved by unanimous vote.

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

Chairperson Brey declared public input open at 7:04 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Roger Treece, Cleveland, spoke on matters regarding the Veterans Service Officer position.

Don Goeke, Manitowoc, addressed the Board on the Proposed 2008 Budget. He noted the budget is overpriced because government is doing too many things for us that we should be doing for ourselves.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:09 P.M.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring the 50th Anniversary of the Holiday House. Holiday House Executive Director Tom Keil and Co-Founder Leslie Halvorsen thanked the community for their support over the past years.

Chairperson Brey and Supervisors Kozlowski and Vogt reported on the WCA Conference they attended at Wisconsin Dells on October 7 through October 9. They attended workshops on subjects that included county owned nursing homes, juvenile justice, open meetings law, alternative energy and economic development. Supervisor Kozlowski reported he also attended a workshop on the roles and responsibilities of county board supervisors where it was noted the role of a county board is to determine what services should be offered and at what cost.

Chairperson Brey read a Certificate of Appreciation for Diane Emmett who retired after two years of service with Manitowoc County.

Health Care Center Administrator Michael Thomas read a Certificate of Appreciation for Margaret Nicolai who retired after 14 years of service with the Health Care Center.

County Executive Bob Ziegelbauer presented the 2008 Executive's Proposed Annual Budget. He explained the budget calls for a tax levy which results in a small property tax decrease. Health care costs will be reduced by more than \$500,000 with the new Health Savings Account-based insurance plan. He commended the employees of Manitowoc County for the quality and dedication that they bring to their work.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Patricia "Jane" Babcock to the Veterans Service Officer position. Supervisor Hansen moved, seconded by Supervisor Behnke, to approve the appointment. Upon discussion and vote, the appointment was confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski gave a brief report. Their next meeting will be November 8.

Economic Development Corporation: Supervisor Maresh stated the October EDC reported has been distributed to supervisors.

Executive Committee: Chairperson Brey gave a brief report.

Expo Board: Supervisor Behnke gave a brief report

Finance Committee: Supervisor Kozlowski gave a brief report.

Supervisor Kozlowski moved, seconded by Supervisor Hansen, to adopt Resolution 2 (2007/2008-69) Authorizing Participation in United Way Campaign. Upon vote, the motion carried unanimously.

No. 2007/2008 - 69

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
2 and recognizes that private, not-for-profit organizations make a significant contribution to the quality of life
3 in 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, 2007, with payroll deductions to be made during the 2008 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 16th day of October 2007.

Respectfully submitted by the Finance Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 2a (2007/2008-70) Authorizing comptroller/Auditor to Execute Insurance and Bond Application. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 70

**RESOLUTION AUTHORIZING COMPTROLLER/AUDITOR
TO EXECUTE INSURANCE AND BOND APPLICATIONS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Comptroller/Auditor is responsible for coordinating insurance coverage, other than
2 insurance provided as an employee benefit, and the exercise of the responsibility requires that the
3 Comptroller/Auditor apply to various companies in order to obtain quotes and secure insurance coverage and
4 performance bonds for the county and its employees, officers, and officials; and
5

6 WHEREAS, some insurance and bond applications include indemnification language that will be
7 incorporated into the final policy or bond; and
8

9 WHEREAS, some indemnification clauses contain provisions that reach beyond what is necessary
10 to protect the insurance company's legal interests and contain language that exposes the county to substantial
11 or unlimited liability and that may require the county to perform actions that are prohibited by state or federal
12 law;

13 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors
14 authorizes the Comptroller/Auditor to sign applications and contracts for insurance and performance bonds
15 on behalf of the County provided that any application or contract that contains an indemnification clause has
16 been reviewed and approved by Corporation Counsel.

Dated this 16th day of October 2007.

Respectfully submitted by the Finance Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Bundy moved, seconded by Supervisor Markwardt, to adopt Resolution 3 (2007/2008-71) Petitioning for Airport Improvement Aid. Upon vote, the motion carried unanimously.

No. 2007/2008 - 71

**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 WHEREAS, Manitowoc County desires to develop or improve the Manitowoc County Airport,
4 located in Manitowoc County, Wisconsin and desires to make a PETITION FOR AIRPORT PROJECT to
5 the Secretary of the Wisconsin Department of Transportation stating that:

6
7 The airport should generally conform to the requirements for a General Aviation type airport
8 as defined by the Federal Aviation Administration;

9
10 The character, extent, and kind of improvements desired under the project are land acquisition
11 to address safety concerns and any necessary related work; and

12
13 The airport project is necessary to meet the existing and future needs of the airport;

14
15 and

16
17 WHEREAS, airport users have been consulted in formulating the proposed improvements; and

18
19 WHEREAS, a public hearing was held prior to the filing of this petition in accordance with Wis. Stat.
20 § 114.33(2), as amended, and a transcript of the hearing is transmitted with the petition; and

21
22 WHEREAS, Manitowoc County is required by Wis. Stat. § 114.32(5) to designate the Secretary of
23 the Wisconsin Department of Transportation as its agent to accept, receive, receipt for, and disburse any funds
24 granted by the United States under the federal Airport and Airway Improvement Act and is authorized by law
25 to designate the Secretary as its agent for other purposes;

26
27 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that a
28 petition for federal or state aid, or both, in the following form is hereby approved:

29
30 The petitioner, desiring to sponsor an airport development project with federal and state aid or
31 state aid only, in accordance with the applicable state and federal laws, respectfully represents
32 and states:

- 33
- 34 1. That the airport, which it desires to develop, should generally conform to the
35 requirements for a General Aviation type airport as defined by the Federal Aviation
36 Administration.
 - 37
38 2. That the character, extent, and kind of improvements which it desires under the
39 project are as follows: FBO hangar project; new airport beacon and tower; realign
40 and install security fence; clear and maintain runway approaches as stated in Wis.
41 Admin. Code Ch. Trans 55; and any necessary related work
 - 42
43 3. That the airport project, which your petitioner desires to sponsor, is necessary for the
44 following reasons: to meet the existing and future needs of the airport;

45
46 and

47
48 BE IT FURTHER RESOLVED that it is recognized that the improvements petitioned for as listed will
49 be funded individually or collectively as funds are available, with specific project costs to be approved as
50 work is authorized, the proportionate cost of the airport development projects described above which are to
51 be paid by Manitowoc County to the Secretary of the Wisconsin Department of Transportation (hereinafter
52 referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent
53 balance after the project is completed is to be returned to Manitowoc County by the Secretary; Manitowoc
54 County will, subject to available appropriations, make available any additional monies that may be found
55 necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have
56 the right to suspend or discontinue the project at any time additional monies are found to be necessary by the

57 Secretary and Manitowoc County does not provide the same; and

58
59 BE IT FURTHER RESOLVED that the Secretary is hereby designated as Manitowoc County's agent
60 and is requested to agree to act as such in matters relating to the airport development project described above;
61 is hereby authorized as Manitowoc County's agent to make all arrangements for the development and final
62 acceptance of the completed project whether by contract, agreement, force account, or otherwise and
63 particularly to accept, receive, receipt for, and disburse federal monies or other monies, either public or
64 private, for the acquisition, construction, improvement, maintenance and operation of the airport; to acquire
65 property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. Ch. 32; to
66 supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the
67 Secretary; to execute any assurances or other documents required or requested by any agency of the federal
68 government; and to comply with all federal and state laws, rules, and regulations relating to airport
69 development projects; and

70
71 BE IT FURTHER RESOLVED that Manitowoc County requests that the Secretary provide, pursuant
72 to Wis. Stat. § 114.33(8)(a), that Manitowoc County may acquire certain parts of the required land or interests
73 in land that the Secretary shall find necessary to complete the aforesaid project; and

74
75 BE IT FURTHER RESOLVED that Manitowoc County agrees to maintain and operate the airport in
76 accordance with the conditions established in Wis. Admin. Code Ch. Trans 55 or in accordance with any
77 Airport Owner Assurances enumerated in any Federal Block Grant Agreement necessary to fund the proposed
78 improvements; and

79
80 BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to sign
81 and execute any Agreement and Federal Block Grant Owner Assurances authorized by this Resolution and
82 necessary to fund the proposed improvements.

Dated this 16th day of October 2007.

Respectfully submitted by the Highway Committee.

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

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe gave a brief report.

Personnel Committee: Supervisor Vogt gave a brief report. Their next meeting will be October 23.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 4 (2006/2007-72) Amending Zoning Map for Todd Buchanan. Upon vote, the motion carried unanimously.

No. 2007/2008 - 72

**ORDINANCE AMENDING ZONING MAP
(Todd Buchanan)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on a petition for a zoning
2 ordinance amendment on September 24, 2007 after providing the required notice; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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-R22E, Town of Liberty,
12 commencing at the NW corner of said Section 29; thence southerly approximately 33 feet to the
13 south r/w of CTH C which is the point of real beginning; thence continue southerly
14 approximately 411.0 feet; thence northeasterly approximately 309 feet; thence northwesterly
15 along the west r/w of Marken Road approximately 386 feet; thence westerly approximately 62.0
16 feet to the point of real beginning, said parcel containing approximately 1.60 acres of land, shall
17 be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 16th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 5 (2007/2008-73) Repealing
and Recreating Manitowoc County Code Chapter 10 (Setback Ordinance). Upon vote, the motion carried
with unanimously.

No. 2007/2008 - 73

**ORDINANCE REPEALING AND RECREATING
MANITOWOC COUNTY CODE CHAPTER 10
(Setback Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, citizens have asked the Planning and Park Commission to consider permitting the
2 construction of address monument and entrance gate structures within the setback lines for Class 1, 2, 3, and
3 4 highways that are established pursuant to Manitowoc County Code Ch. 10; and
4

5 WHEREAS, the Planning and Park Commission has considered the request; sought input from the
6 Manitowoc County Highway Department, the Manitowoc County Traffic Safety Commission, and the town
7 boards; has conducted a public hearing; and recommends that the county code be amended to permit certain
8 address monument and entrance gate structures within the setback lines for Class 1, 2, 3, and 4 highways; and
9

10 WHEREAS, Manitowoc County Code Ch. 10 was originally adopted on November 4, 1960; and was
11 amended on December 18, 1973; January 18, 1977; and October 21, 1980; and
12

13 WHEREAS, the Planning and Park Commission has reviewed Manitowoc County Code Ch. 10 and
14 finds that significant technical amendments are needed to update the ordinance and conform its language to
15 changes in the Wisconsin Statutes and other, more recent code sections;
16

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

19 Manitowoc County Code Chapter 10 is repealed and recreated to read as follows:

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CHAPTER 10
HIGHWAY SETBACK

- 10.01 Title.
- 10.02 Purpose.
- 10.03 Applicability.
- 10.04 Definitions.
- 10.05 Permit Requirements.
- 10.06 Address Monuments and Entrance Gate Structures.
- 10.07 Pre-Existing Structures.
- 10.08 Damaged Structures.
- 10.09 Permit Procedure.
- 10.10 Highway Setback Distances.
- 10.11 Minimum Sight Triangles.
- 10.12 Objects Permitted Within Setback Lines.
- 10.13 Objects Permitted Within Minimum Sight Triangle.
- 10.14 Excavations.
- 10.15 Administration.
- 10.16 Enforcement.
- 10.17 Board of Adjustment.
- 10.18 Violations.
- 10.19 Penalties.
- 10.20 Controlling Ordinance.
- 10.21 Severability.
- 10.22 Effective Date.

10.01 Title. This ordinance may be referred to as the Setback Ordinance.

10.02 Purpose. The purpose of this ordinance is to promote the public health, safety, and general welfare by establishing setback lines along all public highways and at the intersection of all public highways with other public highways or with railways.

10.03 Applicability. (1) This ordinance applies to all land and highways or portions of highways lying within any unincorporated territory in Manitowoc County. Where a highway is located on the boundary of a city or village or another county, this ordinance only applies to that portion of the road lying within the unincorporated territory of Manitowoc County.

(2) This ordinance does not abrogate, annul, interfere with, impair, or repeal any pre-existing agreement, covenant, or easement between private parties.

(3) This ordinance does not abrogate, annul, interfere with, impair, or repeal any permit, regulation, or rule adopted or issued pursuant to law, except that where this Ordinance is more restrictive, the provisions of this Ordinance shall govern.

10.04 Definitions. In this ordinance:

“Board” means the Board of Adjustment created pursuant to sec. 2.04(1).

“Center line” means a line equidistant from the edges of the main-traveled way of a highway, a line equidistant from the edges of the median separating the main-traveled ways of a divided highway, or a line equidistant between the rails of a railway.

72 “Class 1 highway” means a town road.
73
74 “Class 2 highway” means a county trunk highway.
75
76 “Class 3 highway” means a state trunk highway.
77
78 “Class 4 highway” means any highway or portion of a highway on which the frontage has been
79 developed to the extent that there is less than 300 feet between principal structures.
80
81 “Class 5 highway” means an expressway, freeway, or divided highway.
82
83 “Clear zone” means that roadside border area which is available for safe use by errant vehicles, as
84 defined in the Wisconsin Department of Transportation Facilities Development Manual.
85
86 “Code Administrator” means the person appointed to sec. 8.18(2) or his or her designee.
87
88 “Commission” means the Planning and Park Commission.
89
90 “Highway” means a street, road, or public thoroughfare that is used for vehicular travel by the public.
91
92 “Minimum sight triangle” means a triangle formed by the center lines of two intersecting highways
93 and a third line connecting specified points on the center lines.
94
95 “Permit” means a permit issued by the Code Administrator for a proposed excavation or structure that
96 is subject to this ordinance.
97
98 “Right-of-way line” means the line on either side of a highway that delineates the outer limit of land,
99 property, or an interest in property acquired, devoted, or used for highway purposes.
100
101 “Setback line” means a line which is a fixed distance outside the right-of-way on either side of a
102 highway.
103
104 “Structure” means anything that is intended to be permanently constructed, erected, placed, or attached
105 to something that is constructed, erected, or placed on, above, or below the surface of the ground.
106
107 10.05 Permit Requirements. (1) A permit issued by the Code Administrator is required before any
108 structure may be permanently constructed, erected, placed, or attached to something that is constructed,
109 erected, or placed on, above, or below the surface of the ground.
110
111 (2) A permit issued by the Code Administrator is required before any structure may be modified or
112 reconstructed, but a permit is not required for ordinary maintenance or repairs such as decorating, internal
113 and external painting, paneling, and the replacement of doors, roofs, windows, and other non-structural
114 components or for the maintenance, repair, or replacement of private sewage systems, water supply systems,
115 or connections to public utilities.
116
117 (3) A permit issued by the Code Administrator is required for any excavation to a depth greater than
118 5 feet.
119
120 (4) The permit must be posted on the premises where the structure is located or the excavation occurs
121 and must be visible from the highway at all times until all work on the structure or all excavation has been
122 completed.
123
124 10.06 Address Monuments and Entrance Gate Structures. (1) An address monument or entrance gate

125 structure is exempt from the minimum set back distances specified in sec. 10.10, but may not be constructed,
126 erected, or placed within the right-of-way or clear zone of any highway.

127
128 (2) Any address monument or entrance gate structure must be of hollow construction; not more than
129 30 inches wide, not more than 13 feet long, and not more than 5 feet high, and the owner must file a written
130 statement with the Code Administrator agreeing to remove the structure at the owner's own expense if
131 removal is required in connection with any improvements to a highway.

132
133 (3) An address monument or entrance gate structure that was constructed, erected, or placed between
134 the right-of-way of a highway and a setback line on or before July 30, 2007 is exempt from the requirements
135 of sub. (2), but must be brought into compliance if it is altered in any way after that date.

136
137 10.07 Pre-existing Structures. No structure or any portion of a structure that exists on the effective date
138 of this ordinance and that is located within a minimum setback distance established by this ordinance may
139 be modified in any way that increases or prolongs its useful life.

140
141 10.08 Damaged Structures. No structure or any portion of a structure that has been damaged by fire,
142 storm, or other catastrophe to the extent of 60 percent or more of its last assessed valuation as determined by
143 the local assessor may be repaired, rebuilt, or replaced. However, a sign that has been knocked down may
144 be re-erected provided that it complies with the provisions of this ordinance.

145
146 10.09 Permit Procedure. (1) A person may apply for a permit by submitting an application to the Code
147 Administrator on forms provided or approved by the Code Administrator. The application must provide the
148 owner's name, the builder's name, and any other information specified on the form. The application must
149 be accompanied by the permit fee set by county board resolution in an amount that is adequate to pay the cost
150 of providing public notice and processing the application. The application must be accompanied by drawings
151 in duplicate showing the location of the proposed structure with reference to the highway, the dimensions of
152 the structure, and the distance from the center line to the nearest point on the structure, and the distance from
153 the right-of-way line to the nearest point on the structure. In the case of an address monument or entrance
154 gate structure, the drawings must be certified by a civil engineer and must show the location of the clear zone
155 and the location of the structure in relation to the clear zone.

156
157 (2) The Code Administrator shall approve, deny, or refer the application to the Board within 10 days
158 of its receipt. The Code Administrator will issue a permit and return one copy of the drawings to the
159 applicant if the application is approved. The Code Administrator shall provide the applicant with written
160 notice, including the reason for the denial, if the application is denied. The Code Administrator will refer the
161 application to the Board if the applicant requests a variance.

162
163 10.10 Highway Setback Distances. (1) Class 1 Highways. The minimum setback distance required
164 from a class 1 highway is 60 feet from the center line and not less than 25 feet from the right-of-way line.

165
166 (2) Class 2 Highways. The minimum setback distance required from a class 2 highway is 100 feet
167 from the center line and not less than 25 feet from the right-of-way line.

168
169 (3) Class 3 Highways. The minimum setback distance required from a class 3 highway is 100 feet from
170 the center line and not less than 25 feet from the right-of-way line.

171
172 (4) Class 4 Highways. The minimum setback distance required from a class 4 highway is the average
173 distance that adjacent principal structures on each side of a proposed structure are set back from the center
174 line and right-of-way line, but no structure may be located within 55 feet from the center line or 25 feet from
175 the right-of-way line.

176
177 (5) Class 5 Highways. The minimum setback distance required from a class 5 highway is 25 feet from

178 the right-of-way line, and no structure intended for human occupancy may be located within that setback.

179

180 10.11 Minimum Sight Triangles. (1) A minimum sight triangle must be maintained at the intersection
181 of any highway with another highway or a railway.

182

183 (2) The minimum sight triangle at each corner of the intersection of a class 1 highway and another class
184 1 highway or a railway is the area bounded by the center lines and a line connecting points on the center lines
185 that are 110 feet from the point of intersection.

186

187 (3) The minimum sight triangle at each corner of the intersection of a class 2 highway and a railway
188 or a class 1 or 2 highway is the area bounded by the center lines and a line connecting points on the center
189 lines that are 200 feet from the point of intersection.

190

191 (4) The minimum sight triangle at each corner of the intersection of a class 3 highway and a railway
192 or a class 1, 2, or 3 highway is the area bounded by the center lines and a line connecting points on the center
193 lines that are 200 feet from the point of intersection.

194

195 (5) No shrub or other plant exceeding 3 feet in height is permitted within the minimum sight triangle.

196

197 (6) Unless expressly authorized by a permit issued pursuant to this ordinance, no object may be placed
198 within the minimum sight triangle if the object obstructs the view within the minimum sight triangle.

199

200 10.12 Objects Permitted Within Setback Lines. The following objects may be placed between the
201 right-of-way line and the setback line without a permit:

202

203 (1) Annual field crops under 3 feet in height.

204

205 (2) Open fences.

206

207 (3) Telephone and power transmission poles and lines.

208

209 (4) Temporary, non-illuminated signs not exceeding 10 square feet in area that are for community
210 events, garage sales, the lease or sale of the property on which the sign is located, political candidates or
211 issues, and similar activities or events if the sign is removed at the owner's expense within 7 days after the
212 activity or event ends.

213

214 (5) Underground structures that cannot be used as a foundation for an above-ground structure.

215

216 10.13 Objects Permitted Within Minimum Sight Triangle. The following objects may be placed within
217 the minimum sight triangle without a permit.

218

219 (1) Annual field crops under 3 feet in height.

220

221 (2) Open fences.

222

223 (3) Telephone and power transmission poles and lines.

224

225 (4) Temporary, non-illuminated signs not exceeding 10 square feet in area that are for community
226 events, garage sales, the lease or sale of the property on which the sign is located, political candidates or
227 issues, and similar activities or events if the sign is removed at the owner's expense within 7 days after the
228 activity or event ends.

229

230 (5) Underground structures that cannot be used as a foundation for an above-ground structure.

231

232 10.14 Excavations. (1) No excavation, including soil removal or fill, is permitted if the excavation
233 will create or cause deep pits, depressions, drainage or sewerage problems, soil erosion, or other conditions
234 that would impair the use of any neighboring property.
235
236 (2) The minimum setback distance for an excavation greater than 5 feet in depth is 25 feet from a
237 property line and 100 feet from an existing residence on a neighboring property.
238
239 (3) The minimum highway setback distances established in sec. 10.10 are increased by 2 times the
240 depth of the excavation.
241
242 (4) Finished slopes may not exceed 30 degrees from the horizontal plane, except for a dam or
243 swimming pool.
244
245 (5) Lakes, ponds, streams, or other bodies of water may be permitted in accordance with a plan
246 submitted to and approved by the Planning and Park Commission.
247
248 10.15 Administration. This ordinance will be administered by the Code Administrator and the
249 Planning and Park Department. The Code Administrator shall:
250
251 (1) Keep an accurate record of all permit applications, permits issued, plans, inspections, and other
252 official actions.
253
254 (2) Review permit applications and issue permits under this ordinance.
255
256 (3) Perform any other duties specified in this ordinance.
257
258 10.16 Enforcement. (1) The Code Administrator shall enforce this ordinance and may conduct
259 inspections and investigate complaints relating to compliance with this ordinance.
260
261 (2) Inspection Authority. The Code Administrator may request permission to inspect, at a reasonable
262 time and date, any premises or structure for which a permit has been applied for or granted to determine
263 compliance with this ordinance. Refusal to grant permission is grounds for denial or revocation of a permit.
264 If permission is not given, entry onto the premises where the structure is located may be gained pursuant to
265 Wis. Stat. sec. 66.0119.
266
267 (3) Notice of Noncompliance. If a structure is found not to be in compliance with any provision of this
268 ordinance, the Code Administrator may issue a written notice to the owner stating the conditions of non-
269 compliance, directing the action required to come into compliance, and providing a reasonable amount of time
270 within which compliance is required.
271
272 (4) Citation Authority. The Code Administrator may issue a citation for any violation of this
273 ordinance.
274
275 (5) Revocation Authority. The Code Administrator may revoke a permit for substantial noncompliance
276 with any provision of this ordinance, refusal to permit inspection of a structure for which a permit has been
277 granted, or failure to comply with the action requirement contained in a notice of noncompliance.
278
279 (6) Legal Referral. The Code Administrator may refer a violation of this ordinance to Corporation
280 Counsel for legal action, including an action seeking injunctive relief.
281
282 (7) Nothing in this section may be construed to prevent the county from using any other lawful means
283 to enforce this ordinance.
284
285 10.17 Board of Adjustment. (1) Powers. The Board shall have the following powers:
286

287 (a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or
288 determination made by the Code Administrator, but may not hear and decide appeals from a citation issued
289 pursuant to this ordinance.
290

291 (b) To authorize upon appeal in specific cases such variance from the terms of this ordinance as will
292 not be contrary to the public interest, where owing to special conditions, a literal enforcement of the
293 provisions of the ordinance will result in unnecessary hardship, so that the spirit of the Ordinance shall be
294 observed and substantial justice done. In each case where a variance is granted, the Board shall issue a
295 written decision that includes detailed, specific reasons for its determination that a literal enforcement of the
296 provisions of the ordinance will result in unnecessary hardship.
297

298 (2) Appeals. Any person aggrieved by a decision of the Code Administrator may appeal the decision
299 to the Board. The appeal must be taken within a reasonable time, not to exceed 30 days from the date of the
300 decision, by filing a notice specifying the grounds for appeal with the Code Administrator and the Board.
301 The Code Administrator shall promptly transmit the record upon which the action appealed from was taken
302 to the Board. The chairperson shall fix a reasonable time for hearing the appeal and give notice of the hearing
303 to the parties in interest and the public. The Board shall decide upon the appeal within a reasonable time and
304 shall issue a written decision that includes detailed, specific reasons for its determination.
305

306 (3) Stays. An appeal stays the action appealed from unless the Code Administrator certifies to the
307 Board that, for reasons stated in the certificate, a stay would cause imminent peril to life or property, in which
308 case, the action appealed from will not be stayed except by a restraining order granted by the Board of
309 Adjustment or by a court of record, upon application and due cause shown.
310

311 10.18 Violations. (1) It is unlawful for any person to violate any provision of this ordinance.
312

313 (2) It is unlawful for any person to knowingly provide false information, make a false statement, or fail
314 to provide or misrepresent any material fact to a county agent, board, commission, committee, department,
315 employee, official, or officer acting in an official capacity under this ordinance.
316

317 (3) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or otherwise resist an
318 order issued pursuant to this ordinance.
319

320 (4) A separate offense is deemed committed on each day that a violation occurs or continues.
321

322 (5) The failure of any employee, official, or officer of the county to perform any official duty imposed
323 by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code
324 unless a penalty is specifically provided.
325

326 10.19 Penalties. (1) A person will, upon conviction for any violation of this ordinance, forfeit not less
327 than \$25 nor more than \$100 for each offense, together with the costs of prosecution for each violation, and
328 may be ordered to take such action as is necessary to abate the offense within a specified time.
329

330 (2) The minimum and maximum forfeitures specified in this section are doubled each time that a person
331 is convicted for the same violation of this ordinance within any 12 month period.
332

333 (3) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails
334 or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of
335 confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of
336 income and all assets may be considered regardless of whether the income and assets are subject to
337 garnishment, lien, or attachment by creditors.
338

339 (4) A person must, within the time specified in an order upon conviction or within 30 days of a finding
340 of default or stipulation of a violation of this ordinance, remove any structure or part of a structure that
341 violates any provision of this ordinance. If a person fails to remove such a structure or part of a structure, the

342 county may remove or cause the removal of the structure or part of the building or structure. The cost of
343 removal will become a lien upon the property and may be collected in the same manner as property taxes.
344

345 (5) The failure of any employee, official, or officer of the County to perform any official duty imposed
346 by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code
347 unless a penalty is specifically provided.
348

349 10.20 Controlling Ordinance. Insofar as any provision of this ordinance is inconsistent with the
350 provisions of any other ordinance, the provisions of this ordinance control.
351

352 10.21 Severability. If any provision of this ordinance or if the application of any provision of this
353 ordinance to any person or circumstance is determined to be invalid, that invalidity will not affect any other
354 provision or application that can be given effect without the invalid provision or application.
355

356 10.22 Effective Date. This ordinance is effective upon publication.

Dated this 16th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Rasmussen, to enact Ordinance 6 (2007/2008-74) Amending Manitowoc County Code Pertaining to Zoning (Chapters 2, 8, and 20). Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Heyroth voted no; all other supervisors vote aye.

No. 2007/2008 - 74

**ORDINANCE AMENDING MANITOWOC COUNTY CODE
PERTAINING TO ZONING
(Chapters 2, 8, and 20)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission has reviewed certain county zoning ordinances,
2 recommends that certain technical amendments be made to facilitate the enforcement of those ordinances,
3 and held a properly noticed public hearing on December 4, 2006; and
4

5 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
6 examination of the facts attendant with the petition, recommends the petition seeking amendments of the
7 Manitowoc County Code be approved for the reasons stated in the attached report;
8

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

12 Manitowoc County Code sec. 2.04(1) is amended as follows:
13

14 (1) Board of Adjustment. ~~(a) A Board of Adjustment is hereby created pursuant to Wis. Stat. § 59.694~~
15 to hear matters arising under the Manitowoc County Code that may be brought before the board.

16 ~~(a) The Board of Adjustment shall consist of five (5) members and two (2) alternate members who shall~~
17 ~~be appointed by the county board chair subject to the approval of the county board.~~
18

19 ~~(b) The members of the Board of Adjustment shall serve staggered three (3) year terms beginning July~~
20 ~~1 and may be reappointed.~~

21 ~~(c) The alternate members of the Board of Adjustment shall serve staggered three (3) year terms~~
22 ~~beginning July 1 and may be reappointed. The board will consist of 5 members and 2 alternates who will be~~
23 ~~appointed by the county executive subject to the approval of the county board. Members and alternates will~~
24 ~~serve staggered 3-year terms beginning on July 1. Members and alternates may be reappointed. The members~~
25 ~~of the board, including alternate members, must all reside within the county and outside of the limits of~~
26 ~~incorporated cities and villages; provided, however, that no 2 members may reside in the same town.~~

27
28 ~~(c) The board will choose its own chairperson. Annually, the county board chair executive shall~~
29 ~~designate one of the alternate members as the first alternate and the other as second alternate. The first~~
30 ~~alternate shall act, with full power, only when a member of the board refuses to vote because of a conflict of~~
31 ~~interest or when a member is absent. The second alternate shall act only when the first alternate refuses to~~
32 ~~vote because of a conflict of interest or is absent, or if more than one member of the board refuses to vote~~
33 ~~because of a conflict of interest or is absent.~~

34
35 ~~(d) No two (2) members or alternate members of the Board of Adjustment shall reside in the same~~
36 ~~town. The board is subject to any rules adopted by the county board rules, but may adopt further rules as~~
37 ~~necessary to carry into effect the regulations of the county board. Meetings of the board will be held at the~~
38 ~~call of the chairperson and at such other times as the board may determine. The chairperson, or in his or her~~
39 ~~absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings~~
40 ~~of the board will be open to the public, except that the board may confer with legal counsel with respect to~~
41 ~~litigation in closed session pursuant to Wis. Stat. § 19.85(g)(1). The board will keep minutes of its~~
42 ~~proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating~~
43 ~~such fact, and will keep records of its examinations and other official actions, all of which will be~~
44 ~~immediately filed in the office of the board and will be a public record.~~

45
46 ~~(e) No member or alternate may hear a petition or other matter if the petition or matter concerns real~~
47 ~~property owned by the member or alternate or a relative within the third degree of consanguinity.~~

48
49 Maniwoc County Code sec. 2.04(15) is amended as follows:

50
51 (15) Planning and Park Commission. ~~(a) There is created a~~ The Planning and Park Commission is
52 created pursuant to Wis. Stat. § 27.02. The Planning and Park Commission and is designated as the
53 Manitowoc County county zoning agency under Wis. Stat. §§ 59.69 and 59.692 and as the private sewage
54 system regulatory agent under Wis. Stat. § 145.20(1).

55
56 ~~(b) The Planning and Park Commission shall consist of seven (7) members who shall be residents of~~
57 ~~the County. These persons shall be called "Commissioners."~~ commission will consist of 7 commissioners who
58 will be appointed by the county executive subject to the approval of the county board. Commissioners will
59 serve staggered 7-year terms so that one term expires each year.

60
61 ~~(c) The Commissioners shall be appointed for seven (7) year terms. The Commissioners' terms shall~~
62 ~~be staggered so that one member's term expires each year. County Supervisors may fill any or all of the~~
63 ~~positions on the Commission. County Supervisors shall vacate their position on the Commission in the event~~
64 ~~the Supervisor ceases to be a member of the Manitowoc County Board of Supervisors. Any or all of the~~
65 ~~commissioners may be county supervisors, but a county supervisor who ceases to be a member of the county~~
66 ~~board vacates the office of commissioner and a replacement will be appointed to serve the remainder of the~~
67 ~~term.~~

68
69 Maniwoc County Code sec. 8.02(7m) is created as follows:

70
71 (7m) "Board" means the Board of Adjustment created pursuant to sec. 2.04(1).

72
73 Maniwoc County Code sec. 8.02(10g) is created as follows:

74 (10g) “Code Administrator” means the person appointed to sec. 8.18(1) or his or her designee.

75

76 Manitowoc County Code sec. 8.02(11m) is created as follows:

77

78 (11m) “Conditional use permit” means a permit issued pursuant to sec. 8.15.

79

80 Manitowoc County Code sec. 8.05(3) is amended as follows:

81

82 (3) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
83 ~~in MCC § 8.15~~ conditional use permit:

84

85 Manitowoc County Code sec. 8.06(3) is amended as follows:

86

87 (3) Conditional Uses. The uses permitted by ~~MCC § 8.05(3)~~ are permitted on issuance of a ~~special~~
88 ~~permit as provided in MCC § 8.15~~ under sec. 8.05(3) are permitted on issuance of a conditional use permit:

89

90 Manitowoc County Code sec. 8.07(3) is amended as follows:

91

92 (3) Conditional Uses. The uses permitted by ~~MCC § 8.06(3)~~ are permitted on issuance of a ~~special~~
93 ~~permit as provided in MCC § 8.15~~ under sec. 8.05(3) are permitted on issuance of a conditional use permit:

94

95 Manitowoc County Code sec. 8.08(3) is amended as follows:

96

97 (3) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
98 ~~in MCC § 8.15~~ conditional use permit:

99

100 Manitowoc County Code sec. 8.09(3) is amended as follows:

101

102 (3) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
103 ~~in MCC § 8.15~~ conditional use permit:

104

105 Manitowoc County Code sec. 8.10(3)(r) is repealed.

106

107 Manitowoc County Code sec. 8.10(3) is amended as follows:

108

109 ~~(3) Conditional Use. The county may issue permits in A-3 (exclusive agriculture) districts only for the~~
110 ~~following uses, provided that the actual use is consistent with agricultural use and is necessary in light of the~~
111 ~~alternative locations available for such use.~~ Conditional Uses. The following uses are permitted on issuance
112 of a conditional use permit:

113

114 Manitowoc County Code sec. 8.10(3g) is created as follows:

115

116 (3g) The Board shall consider the following factors in determining whether to grant a conditional use
117 permit and in setting the conditions of the permit:

118

119 (a) the need for the proposed use in an agricultural area;

120

121 (b) the potential for conflict with any surrounding agricultural use;

122

123 (c) the minimum amount of productive agricultural land necessary for the proposed use;

124

125 (d) the productivity of the land to be used;

126

(e) the availability of alternate locations for the proposed use; and

(e) the effect of the proposed use on air quality, groundwater, surface water, soil erosion, and rare or

irreplaceable natural resources.

127 Manitowoc County Code sec. 8.10(3m) is created as follows:

128

129 (3m) The Code Administrator shall notify the Department of Agriculture, Trade and Consumer
130 Protection of the issuance of a conditional use permit under this section.

131

132 Manitowoc County Code sec. 8.11(2) is amended as follows:

133

134 (2) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
135 ~~in MCC § 8.15 conditional use permit.~~

136

137 Manitowoc County Code sec. 8.12(2) is amended as follows:

138

139 (2) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
140 ~~in MCC § 8.15 conditional use permit:~~

141

142 Manitowoc County Code sec. 8.13(2) is amended as follows:

143

144 (2) Conditional Uses. ~~The following list of conditional uses may be permitted on issuance of a special~~
145 ~~permit as provided in MCC § 8.15 and provided that a site plan is submitted pursuant to MCC § 8.13(5) and~~
146 ~~the standard of MCC § 8.13(6) are met. The following uses are permitted on issuance of a conditional use~~
147 ~~permit:~~

148

149 Manitowoc County Code sec. 8.14(2) is amended as follows:

150

151 (2) Conditional Uses. The following uses are permitted on issuance of a ~~special permit as provided~~
152 ~~in MCC § 8.15 conditional use permit:~~

153

154 Manitowoc County Code sec. 8.15 is amended as follows:

155

156 8.15 ~~Special Permit~~ Standards for Conditional Uses: Permits.

157

158 Manitowoc County Code sec. 8.15(1)(b) is amended as follows:

159

160 (b) Application. ~~An application for a special permit shall be made to the Zoning Administrator and~~
161 ~~shall include a plot plan of the proposed use or development. An application for a conditional use permit~~
162 ~~must be submitted to the Code Administrator, and the Code Administrator will forward the application to the~~
163 Board.

164

165 Manitowoc County Code secs. 8.15(1)(c)1 is amended by striking the words “special permit” and
166 replacing them with the words “conditional use permit.”

167

168 Manitowoc County Code sec. 8.15(1)(c)2 is amended as follows:

169

170 2. Expiration. ~~A special permit shall be deemed to authorize only one particular conditional use and~~
171 ~~shall expire if the conditional use shall cease for more than twelve (12) months for any reason. A conditional~~
172 ~~use permit only authorizes the conditional use described in the permit, and the conditional use permit expires~~
173 ~~if the conditional use is not commenced within 12 months from the date of the permit or if the conditional~~
174 ~~use is discontinued for more than 12 months.~~

175

176 Manitowoc County Code sec. 8.15(2) is amended as follows:

177

178 (2) Specific Provisions. ~~In addition to the general provisions above a special permit for a conditional~~
179 ~~use shall not be issued by the Zoning Administrator until the specific provisions contained herein are met.~~

180 A conditional use permit may not be issued for the following uses unless the specific conditions listed for that
181 use are met.

182
183 Manitowoc County Code sec. 8.15(2)(b)4 is amended as follows:

184
185 4. The ~~Zoning Administrator Board~~ shall take into consideration the temporary nature of some
186 dumping and sanitary land fill operations and the public necessity for waste disposal in ~~granting a special~~
187 ~~permit for this class of conditional uses~~ considering the application for a conditional use permit.

188
189 Manitowoc County Code secs. 8.15(2)(e)2. is amended by striking the words “special permit” and
190 replacing them with the words “conditional use permit.”

191
192 Manitowoc County Code sec. 8.16(9) is amended as follows:

193
194 (9) Unspecified: ~~In the case of a use not specifically mentioned in this article, the requirements for~~
195 ~~off-street parking facilities shall be the same as for the previously mentioned uses which, in the opinion of~~
196 ~~the Zoning Administrator, shall be deemed most similar.~~ The Board shall determine the number of off-street
197 parking spaces required for any other use.

198
199 Manitowoc County Code sec. 8.18(1), (2), and (2)(a) are amended as follows:

200
201 8.18 Administration and Enforcement.

202
203 (1) ~~The county may enforce this ordinance by issuing a citation for a violation of this ordinance or by~~
204 ~~bringing a legal action seeking an injunction, restraining order, or other court order to compel compliance.~~
205 ~~The county is not required to issue a citation or to prosecute a forfeiture action before bringing any other legal~~
206 ~~action.~~

207
208 ~~(2)~~ The County Board shall appoint a Code Administrator to perform the duties required by this
209 section. The Code Administrator may also be employed by the County in another capacity.

210
211 (2) The ~~Zoning Code~~ Administrator shall have the following duties:

212
213 (a) ~~He~~ ~~The Code Administrator~~ shall report all violations of the terms of this Ordinance to the Board
214 of Adjustment, whereupon the Board shall make complaint to the Corporation Counsel. any violation of the
215 terms of a special permit for a conditional use, any violation of the terms of a variance, and any other
216 violation of this ordinance to the Board.

217
218 Manitowoc County Code sec. 8.19 is repealed and recreated as follows:

219
220 8.19 Board of Adjustment. (1) Powers. The Board has the following powers, except that no action
221 of the Board will have the effect of permitting in any district a use that is prohibited in that district:

222
223 (a) To hear and decide upon each application for a conditional use permit and, upon receipt of a report
224 from the Code Administrator that the terms of a conditional use permit have been violated, to conduct a
225 hearing and decide whether a violation has occurred. If the Board determines that a violation has occurred,
226 it may add to or modify the conditions contained in the conditional use permit or it may revoke the
227 conditional use permit.

228
229 (b) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or
230 determination made by an administrative official in the enforcement of Wis. Stat. § 59.69 or of any ordinance
231 enacted pursuant thereto. In exercising the powers under this section, the Board may reverse or affirm,
232 wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may

233 make the order, requirement, decision or determination as ought to be made, and to that end shall have all the
234 powers of the officer from whom the appeal is taken.
235

236 (c) To authorize upon appeal in specific cases variances from the terms of this ordinance that will not
237 be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions
238 of the ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed
239 and substantial justice done.
240

241 (d) To grant variances for renewable energy resource systems. If the Board denies an application for
242 a special exception or variance for such a system, the Board shall provide a written statement of its reasons
243 for denying the application. In this paragraph, "renewable energy resource system" means a solar energy
244 system, a waste conversion energy system, a wind energy system, or any other energy system which relies
245 on a renewable energy resource.
246

247 (2) Appeals to Board. Any person aggrieved by a decision of an administrative official and any officer,
248 department, board, or bureau of the county affected by a decision of an administrative official may appeal
249 the decision to the Board. The appeal must be taken within a reasonable time, as provided by the rules of the
250 Board, by filing a notice specifying the grounds for appeal with the officer from whom the appeal is taken
251 and with the Board. The officer from whom the appeal is taken shall promptly transmit the record upon
252 which the action appealed from was taken to the Board. The chairperson shall fix a reasonable time for
253 hearing the appeal and give notice of the hearing to the parties in interest and the public. The Board shall
254 decide upon the appeal within a reasonable time.
255

256 (3) In every case where a variance is granted, the minutes of the Board must show the recommendation
257 of the town board of the town in which the property is located.
258

259 Manitowoc County Code sec. 8.205 is created as follows:
260

261 8.205 Enforcement. (1) The Code Administrator may issue a citation for any violation of this
262 ordinance.
263

264 (2) The Board or the Code Administrator may refer a violation of this ordinance to Corporation
265 Counsel requesting the commencement of a legal action seeking a forfeiture, inspection warrant, injunction,
266 restraining order, or other order as may be deemed appropriate.
267

268 (3) The county is not required to issue a citation or to prosecute a forfeiture action before taking any
269 other legal action.
270

271 (4) Nothing in this section may be construed to prevent the county from using any other lawful means
272 to enforce this ordinance.
273

274 Manitowoc County Code sec. 8.21 is amended as follows:
275

276 8.21 Violations and Penalties. (1) It is unlawful for a person to violate any provision of this ordinance
277 or the terms or conditions of any permit issued pursuant to this ordinance.
278

279 (2) It is unlawful for any person to knowingly provide false information, make a false statement, or fail
280 to provide or misrepresent any material fact to a county agent, board, commission, committee, department,
281 employee, officer, or official acting in an official capacity under this ordinance.
282

283 (3) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or otherwise resist any
284 order issued pursuant to this ordinance.
285

286 ~~(3)~~(4) A separate offense is deemed committed on each day that a violation occurs or continues.

287
288 ~~(4) A person must, within 30 days of conviction, finding of default, or stipulation of a violation of this~~
289 ~~ordinance, remove or discontinue the use of any building, structure, or part of a building or structure that~~
290 ~~violates a provision of this ordinance or the terms or conditions of any permit issued pursuant to this~~
291 ~~ordinance. If a person fails to remove such a building, structure, or part of a building or structure, the county~~
292 ~~may remove or cause the removal of the building, structure, or part of the building or structure. The cost of~~
293 ~~removal will become a lien upon the property and may be collected in the same manner as property taxes.~~
294

295 ~~(5) A person will, upon conviction for any violation of this ordinance, forfeit not less than \$100 nor~~
296 ~~more than \$1,000 for each offense, together with the costs of prosecution for each violation. A person who~~
297 ~~has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails or refuses to do so may be~~
298 ~~confined in the county jail until the forfeiture and costs are paid, but the period of confinement may not~~
299 ~~exceed 30 days. In determining whether a person has the ability to pay, all items of income and all assets may~~
300 ~~be considered regardless of whether the income and assets are subject to garnishment, lien, or attachment by~~
301 ~~creditors.~~
302

303 ~~(6)~~The failure of any employee, officer, or official of the County to perform any official duty imposed
304 by this code will not subject the employee, officer, or official to the penalty imposed for violation of this code
305 unless a penalty is specifically provided.
306

307 Manitowoc County Code sec. 8.215 is created as follows:
308

309 8.215 Penalties. (1) A person will, upon conviction for any violation of this ordinance, forfeit not less
310 than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for each violation.
311

312 (2) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails
313 or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of
314 confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of
315 income and all assets may be considered regardless of whether the income and assets are subject to
316 garnishment, lien, or attachment by creditors.
317

318 (3) A person must, within 30 days of conviction, finding of default, or stipulation of a violation of this
319 ordinance, remove or discontinue the use of any building, structure, or part of a building or structure that
320 violates any provision of this ordinance or the terms or conditions of any permit issued pursuant to this
321 ordinance. If a person fails to remove such a building, structure, or part of a building or structure, the county
322 may remove or cause the removal of the building, structure, or part of the building or structure. The cost of
323 removal will become a lien upon the property and may be collected in the same manner as property taxes.
324

325 (4) The failure of any employee, official, or officer of the County to perform any official duty imposed
326 by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code
327 unless a penalty is specifically provided.
328

329 Manitowoc County Code sec. 20.15 is stricken in its entirety and replaced with the following:
330

331 20.15 Administration. (1) This ordinance will be administered by the Code Administrator.
332

333 (2) Inspection Authority. A person shall, as a condition of any application for a permit and any permit
334 issued pursuant to this ordinance, grant the Code Administrator permission to enter upon any lands specified
335 in the application or permit, in order to determine compliance with this ordinance. If permission to enter
336 lands is not given, entry may be gained pursuant to Wis. Stat. sec. 66.0119.
337

338 (3) Citation Authority. The Code Administrator may issue a citation for any violation of this
339 ordinance.

340 (4) Referral Authority. The Code Administrator may refer a violation of this ordinance to Corporation
341 Counsel for legal action.

342
343 (5) Other Enforcement Means. Nothing in this section may be construed to prevent the county from
344 using any other lawful means to enforce this ordinance.

345
346 Manitowoc County Code sec. 20.155 is created as follows:

347
348 20.155 Violations. (1) It is unlawful for a person to violate any provision of this ordinance.

349
350 (2) It is unlawful for any person to knowingly provide false information, make a false statement, or fail
351 to provide or misrepresent any material fact to a county agent, board, commission, committee, department,
352 employee, officer, or official acting in an official capacity under this ordinance.

353
354 (3) A separate offense is deemed committed on each day that a violation occurs or continues.

355
356 (4) The failure of any agent, board, commission, committee, department, employee, officer, or official
357 to perform any official duty imposed by this code will not subject the agent, board, commission, committee,
358 department, employee, officer, or official to the penalty imposed for a violation of this code unless a penalty
359 is specifically provided.

360
361 Manitowoc County Code secs. 20.16 (1) through (3) pertaining to penalties are stricken in their entirety
362 and replaced with the following:

363
364 20.16 Penalties. (1) A person will, upon conviction for a violation of this ordinance, forfeit not less
365 than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution for each violation
366 and may be ordered to take such action as is necessary to abate the offense, including discontinuing the use
367 and removing any antenna, building, support structure, or tower within a specified time.

368
369 (2) The minimum and maximum forfeitures specified in this section are doubled each time that a person
370 is convicted for the same violation of this ordinance within any 24 month period.

371
372 (3) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails
373 or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period of
374 confinement may not exceed 30 days. In determining whether a person has the ability to pay, all items of
375 income and all assets may be considered regardless of whether the income and assets are subject to
376 garnishment, lien, or attachment by creditors.

377
378 (4) In the event an offense is not abated as ordered, Manitowoc County may take such action as is
379 necessary to abate the offense and the cost of such abatement will become a lien upon the person's property
380 and may be collected in the same manner as other taxes.

Dated this 16th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller reported their next meeting will be October 22.

Public Works: Supervisor Behnke gave a brief report.

Miscellaneous: Supervisor Rasmussen moved, seconded by Supervisor Maresh, to adopt Resolution 7 (2007/2008-75) Authorizing Apparel Vendor Link on County Website. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING
APPAREL VENDOR LINK ON COUNTY WEBSITE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Board delegated authority to the County Executive to select a vendor for the
2 county apparel program; and

3
4 WHEREAS, the County Executive has chosen Riverhills Embroidery & Screenprinting to be the
5 vendor for the county apparel program; and

6
7 WHEREAS, Riverhills has created a page on its website to allow online ordering of Manitowoc County
8 apparel; and

9
10 WHEREAS, placing a link to the Riverhills web page for Manitowoc County apparel on the
11 Manitowoc County web site will enable employees to more easily participate in the county apparel program
12 and will provide greater exposure of our apparel program to the general public;

13
14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
15 the Information Systems Department to place a link to the Riverhills county apparel web page on the
16 Manitowoc County web site.

Dated this 16th day of October 2007.

Respectfully submitted by James N. Brey, County Board Chair.

FISCAL IMPACT: Minimal staff time to update the county web site.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Bauknecht moved to adjourn, Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:02 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

October 29, 2007

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, in the City of Manitowoc, being the 29th day of October, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

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

Roll call: 22 members present; Bauknecht, Behnke, Brey, Bundy, Dufek, Gauger, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Graunke and Rappe were excused. Supervisor Dobbs was absent.

On a motion by Supervisor Zigmunt, seconded by Supervisor Behnke, the October 16, 2007, meeting minutes were approved by unanimous vote.

There were no revisions to the agenda.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

County Executive Bob Ziegelbauer provided an overview on the Executive's 2008 Proposed Annual Budget. He explained the budget is an important part of the plan to refocus Manitowoc County government on its core mission of providing high quality services in an affordable way. He stated that health care costs are under control; management structure is being retooled wherever possible; and the Veterans Service Office is operating under new leadership at a high level of service for veterans. He also discussed the Economic Development Corporation and gave reasons why he chose not to fund it in his proposal.

Chairperson Brey declared public input open on the 2007 County Executive's Proposed Annual Budget at 7:07 P.M.

Bob Kaiser, Manitowoc, urged the board to keep the Health Care Center under county control.

Dave Johnson, a representative of the Manitowoc County Home Builders Association spoke in support of the County Executive's 2008 proposed budget.

Ken Stubbe, Economic Development Corporation Executive Director, explained that the EDC is a coordinated effort among the business sector, private sector, and elected and municipal officials to provide a smooth process for businesses and developers to invest capital and create new jobs in Manitowoc County.

Steve Shellman, Economic Development Corporation Board President, urged the board to continue to invest in the future of Manitowoc County. He asked the board to think of the EDC as an investment, not an expenditure. He noted that the EDC has provided citizens with a healthy return on its investment.

Jill Hennessey, Manitowoc, spoke in support of the fiscal restraint in the proposed 2008 budget.

Chairperson Brey declared public input on the budget closed at 7:26 P.M. and opened public input on non-budget issues.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Thanking Debra Kakatsch for her service as Manitowoc County Coroner.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Public Works Director Jeff Beyer declaring "America Recycles Day 2007." Director Beyer thanked the board for their support of the Recycling Center.

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

Executive Committee: Supervisor Behnke moved, seconded by Supervisor Zigmunt, to adopt Resolution 1 (2007/2008-76) Creating County board Rule 10m (Electronic Mail). Upon vote, the motion carried unanimously.

No. 2007/2008 - 76

**RESOLUTION CREATING COUNTY BOARD RULE 10m
(Electronic Mail)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes the value of electronic mail as a means of increasing
2 efficiency in providing information to county board supervisors and other county officers, officials, and
3 employees; and
4

5 WHEREAS, Manitowoc County also recognizes that the use of electronic mail is subject to
6 provisions in the public records law, the open meetings law, and the county's computer resources policy; and
7

8 WHEREAS, the Executive Committee recommends that the County Board adopt a rule that sets
9 basic standards for the use of electronic mail by supervisors and other members of county governmental
10 bodies;
11

12 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board Rule 10m is created to read
13 as follows:
14

15 10m Electronic Mail. (a) Each supervisor will be provided with a county email account. While no
16 supervisor is required to conduct county business by email, a supervisor who does so is required to use the
17 county email account for all communications that pertain to county business.
18

19 (b) Each supervisor's county email address will be published in the county's official directory and
20 on the county's web site. The county clerk will provide a supervisor with a hard copy of email received at
21 this address if the supervisor notifies the clerk that he or she cannot access his or her county email account.
22

23 (c) The county clerk will distribute meeting notices and other information to each supervisor by email
24 at the same time that meeting notices and other information are distributed to the news media.
25

26 (d) A supervisor may communicate with other supervisors by email for the purpose of setting a
27 meeting time, place, and agenda; but a supervisor should not engage in any substantive discussion of county
28 business with any other supervisor by email.

29
30 (e) A supervisor who uses email to share information with all of the members of a board, commission,
31 or committee may send a copy of the email to the county clerk.

32
33 (f) A supervisor must not send, forward, or reply to an email if doing so will result in a violation of
34 the open meetings law by creating a quorum of any board, commission, committee, or other governmental
35 body as defined by Wis. Stat. § 19.82(1).

36
37 (g) A supervisor may communicate with his or her constituents by email.

38
39 (h) A supervisor's county email communications are subject to the open meetings law, the public
40 records law, and the county's computer resources policy.

41
42 (i) The standards contained in paragraphs (d) through (h) apply to all members of county
43 governmental bodies.

44
45 (j) Each email sent by a county employee, officer, or official in connection with official business must
46 contain the following disclaimer:

47
48 This message is intended for the use of the person or organization to whom it is addressed. It
49 may contain information that is confidential, privileged, or otherwise protected from disclosure
50 by law. If you are not the intended recipient or a person responsible for delivering this message
51 to the intended recipient, any copying, distribution, or use of this message or the information
52 that it contains is not authorized and may be prohibited by law.

Dated this 29th day of October 2007.

Respectfully submitted by the Executive Committee.

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

Bob Ziegelbauer, County Executive

Chairperson Brey gave a brief report.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to adopt Resolution 2 (2007/2008-77) Canceling County Checks Not Presented Within Two Years of Issuance. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 77

**RESOLUTION CANCELING COUNTY CHECKS
NOT PRESENTED WITHIN TWO YEARS OF ISSUANCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a few of the thousands of checks issued by Manitowoc County are not presented for
2 payment within two years of their date of issuance, and the County Treasurer is required to account for these
3 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, 2005 and not presented for payment within two years of
10 their issuance are hereby canceled and without value; and
11

12 BE IT FURTHER RESOLVED that the payee of each such canceled check may make application
13 to the County Board Chair and County Clerk to have a new check issued for the original amount, without
14 interest, and that the Treasurer shall issue such a check within sixty days of written notice of approval of such
15 application by the County Board Chair and County Clerk.

Dated this 29th day of October 2007.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:	Increased available cash balance in Acct.#100-001	\$4,168.55
	Increased available cash balance in Acct.#160-485	945.40
	<u>Increased available cash balance in Acct.#126-770</u>	<u>6.54</u>
	Total increase available cash balance	\$5,120.49

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt gave a brief report.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Heyroth, to enact Ordinance 3 (2007/2008-78) Amending Zoning Map for Brandl Land Farms, LLC. Upon discussion and vote, the motion carried with 16 ayes, 5 noes, and 1 abstention. Supervisors Behnke, Henrickson, Janowski, Konen, and Wagner voted no and Supervisor Muench abstained. All other supervisors voted aye.

No. 2007/2008 - 78

**ORDINANCE AMENDING ZONING MAP
(Brandl Land Farms, LLC)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
3

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

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 SW¼, SE¼, Section 14, T19N-R22E, Town of Cato,
11 commencing at the S¼ Corner of said Section 14 which is the point of real beginning; thence
12 northerly approximately 1000 feet; thence easterly approximately 1250 feet; thence southerly
13 approximately 950 feet; thence westerly approximately 1250 feet to the point of real beginning,
14 said parcel containing approximately 30.0 acres of land, shall be and is hereby rezoned from A3
15 Agriculture to A1 Agriculture.

Dated this 29th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Heyroth, to enact Ordinance 4 (2007/2008-79) Amending Zoning Map for Kevin Ramminger, Ordinance 5 (2007/2008-80) Amending Zoning Map for Glen Telloch, and Ordinance 6 (2007/2008-81) Amending Zoning Map for Erwin Waack. Upon vote, the motion carried unanimously.

No. 2007/2008 - 79

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1
2 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
3 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
4

5 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
6 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
7 attached report;
8

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

12 A parcel of land located in the NW¼, NE¼, and NE¼, NW¼, Section 5, T19N-R23E, Town
13 of Manitowoc Rapids, commencing at the Center of said Section 5; thence northerly
14 approximately 1310 feet; thence easterly approximately 33 feet which is the point of real
15 beginning; thence continue easterly approximately 1027 feet; thence northeasterly along the
16 Branch River approximately 715 feet; thence northwesterly along the Branch River
17 approximately 1040 feet; thence southwesterly approximately 575 feet; thence southerly
18 approximately 564 feet to the point of real beginning, said parcel containing approximately
19 23.37 acres of land, shall be and is hereby rezoned from GA General Agriculture to ES Estate.

Dated this 29th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 80

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 5, T19N-R23E, Town of Manitowoc
12 Rapids, commencing at the NW¼ Corner of said Section 5 which is the point of real beginning;
13 thence easterly approximately 1320 feet; thence southerly approximately 1000 feet; thence
14 westerly approximately 100 feet; thence northwesterly along the Branch River approximately
15 1700 feet to the point of real beginning, said parcel containing approximately 15.23 acres of
16 land, shall be and is hereby rezoned from A3 Agriculture to NA Natural Area.
Dated this 29th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 81

**ORDINANCE AMENDING ZONING MAP
(Erwin Waack)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 Section 10, T18N-R21E, Town of Eaton:

10
11 Parcel No. 1, commencing at the Center of said Section 10; thence northerly approximately 700
12 feet; thence westerly approximately 900 feet which is the point of real beginning; thence
13 northerly approximately 410 feet; thence westerly approximately 250 feet to the east r/w of CTH
14 W; thence southerly along the east r/w of CTH W approximately 410 feet; thence easterly
15 approximately 250 feet to the point of real beginning, said parcel containing approximately 2.35
16 acres of land, shall be and is hereby rezoned from A3 Agriculture to ES Estate; and

17
18 Parcel No. 2, commencing at the Center of said Section 10; thence northerly approximately 1070
19 feet; thence westerly approximately 797 feet which is the point of real beginning; thence
20 continue westerly approximately 273 feet; thence northerly approximately 113 feet; thence
21 westerly approximately 250 feet; thence northerly along the east r/w of CTH W approximately
22 137 feet; thence easterly approximately 523 feet; thence southerly approximately 250 feet to the
23 point of real beginning, said parcel containing approximately 2.35 acres of land, shall be and
24 is hereby rezoned from ES Estate to A3 Agriculture.

Dated this 29th day of October 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller reported their next meeting will be December 3.

Public Works: Supervisor Behnke moved, seconded by Supervisor Vogt, to adopt Resolution 7 (2007/2008-82) Authorizing Out-of-State Travel (Jeff Beyer). Upon vote, the motion carried unanimously.

No. 2007/2008 - 82

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Jeffery Beyer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Public Works Department manages construction projects and
2 recycling of construction materials as part of it's daily operations; and
3

4 WHEREAS, there is an annual conference, Conexpo - Con/Agg that covers all of these topics and
5 more in Las Vegas March 11 - 15, 2008; and
6

7 WHEREAS, this is a conference that provides an excellent forum to exchange ideas, learn new
8 methodologies, and participate in seminars that the Manitowoc County Public Works Director, Jeffery Beyer,
9 can use to improve his knowledge and gather information on new resources in fields of interest that could
10 help with future and present programs associated with the Manitowoc County Public Works Department; and

11 WHEREAS, the Public Works Director will pay for travel, lodging and meals associated with the cost
12 of the conference with the County's only direct cost in the amount of \$265 in registration fees;

13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
15 the Manitowoc County Public Works Director, Jeffery Beyer to attend the Conexpo - Con/Agg in Las Vegas
16 from March 11 through 15, 2008 with Manitowoc County's only direct expense being \$265 for registration.

Dated this 29th day of October 2007.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Registration cost of \$265. Necessary funds are included in the 2008 Public Works
Department budget.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey announced the next County Board meeting will be November 20.

Supervisor Rasmussen moved to adjourn, Supervisor Maresh seconded, and the motion was adopted by
acclamation. The meeting adjourned at 7:47 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

November 20, 2007

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, in the City of Manitowoc, being the 20th day of November, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

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

Roll call: 22 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Graunke, Hansen, Heyroth, Janowski, Konen, Kozlowski, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, and Zigmunt. Supervisors Henrickson, Maresh, and Wagner were excused.

On a motion by Supervisor Zigmunt, seconded by Supervisor Gauger, the October 29, 2007, meeting minutes were approved by unanimous vote.

On a motion by Supervisor Bauknecht, seconded by Supervisor Tittl, the November 13, 2007, Committee of the Whole meeting minutes were approved by unanimous vote.

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

Chairperson Brey declared public input open at 7:03 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Lynne Pfeifer, Two Rivers, employed at the Health Care Center for 28 years, requested the board to keep the facility under county ownership.

Cindy Satori, Manitowoc, an employee of the Health Care Center, spoke in opposition to the sale of the Health Care Center. She asked the Board to consider the safety net population and their families before they make a decision.

Jay Orvis, Two Rivers, addressed the board regarding other non-mandated services that could be cut and apply those savings to the Health Care Center budget.

Michael Kleckner, Two Rivers, urged to board not to sell the Health Care Center to Health Dimensions Group.

Patti Kirchen, Manitowoc, compared the board to a jury while the residents of the Health Care Center sat as defendants waiting for a decision. She asked the board to vote not to sell the Health Care Center.

Brenda Gauthier, Manitowoc, an employee of the Health Care Center, read letters written by the residents urging the board to vote no to the sale of the facility.

Kean Leiker, Manitowoc, supported keeping the Health Care Center county-owned.

Laurie Mrotek, Manitowoc, talked about a sibling who is a resident of the Health Care Center and urged supervisors not to sell the facility.

Don Goeke, Manitowoc, expressed concern regarding the increased budget and noted the importance to control costs.

Joseph Goethals, Manitowoc, spoke about the 100 year history of the Health Care Center and asked the board not to sell the facility.

Rita Metzger, an employee of the Health Care Center and President of the AFSCME Local 1288, talked about the stable workforce and the high quality of care given to the residents. She urged the board to keep the Health Care Center a publicly owned facility.

Lucy Kujawski, Two Rivers, explained her negative medical experience at an out of county treatment center. She urged, the County Board to vote against the sale of the Health Care Center.

Kate Schuette, Cleveland, expressed concern for the employees of the Health Care Center. She asked supervisors to have the courage to allow the Health Care Center to remain county-owned for one more year.

Bob Kaiser, Manitowoc, spoke with admiration for the workforce at the Health Care Center and asked the board to vote against the sale of the facility.

Niel Rainford, representative of the Local AFSCME 1288, reviewed budget figures and the concessions union employees were willing to take to keep the Health Care Center county-owned.

Matt Kadow, co-chair of the coalition Citizens Opposed to the Privatization/Sale of the Health Care Center, urged supervisors to vote against the sale of the Health Care Center.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 8:16 P.M.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Attorney Katherine Reynolds to the Ethics Board for a three year term expiring December 2010. Supervisor Rasmussen moved, seconded by Supervisor Markwardt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Supervisor Joe Janowski and alternate Supervisor Ed Rappe, 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 2009. Supervisor Bauknecht moved, seconded by Supervisor Kozlowski, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Allen Karl to the Veterans Service Commission for a three year term expiring December 2010. Supervisor Tittl moved, seconded by Supervisor Gauger, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Miscellaneous: Committee of the Whole: Supervisor Kozlowski moved, seconded by Supervisor Vogt, to adopt Resolution 1 (2007/2008-83) Accepting Proposal to Sell Health Care Center to Health Dimensions Group. Upon discussion and vote, the motion carried with 16 ayes and 6 noes. Supervisors Dobbs, Dufek, Hansen, Rappe, Rasmussen, and Schneider voted no; all other supervisors vote aye.

No. 2007/2008 - 83

**RESOLUTION ACCEPTING PROPOSAL TO SELL
HEALTH CARE CENTER TO HEALTH DIMENSIONS GROUP**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution No. 2007/2008-47 in
2 August 2007 stating its intent to sell the operations of the Manitowoc Health Care Center to a private operator
3 in 2008 and to sell or lease the building, equipment, and real estate to the new operator; and
4

5 WHEREAS, Manitowoc County government has an obligation to its citizens to see that their tax
6 dollars are used to provide mandated services in the most efficient and effective manner possible; and
7 Manitowoc County has an additional responsibility to provide care for the indigent in our community and has
8 sought to fulfill this “safety net” responsibility by constructing and operating the Manitowoc Health Care
9 Center; and
10

11 WHEREAS, the Health Care Center was originally intended and built to serve the safety net
12 population, but its mission has changed so dramatically that its initial focus is now to “serve those in need
13 who either select the center as a personal choice or who were unable to obtain needed services from other
14 providers within the County,” the cost to the taxpayers of operating the Health Care Center significantly
15 exceeds the cost required to provide care for the safety net population; and Manitowoc County can meet the
16 needs of the safety net population without being a direct provider of nursing home services; and
17

18 WHEREAS, the public subsidy for the Health Care Center places an economic burden on Manitowoc
19 County taxpayers, reduces the amount of money available to fund other programs, and jeopardizes the
20 county’s ability to provide sufficient staff and adequate facilities to provide other necessary and mandated
21 services to the citizens of Manitowoc County into the future; and
22

23 WHEREAS, the Manitowoc County Board of Supervisors authorized the County Executive to seek,
24 secure, and bring a proposal or proposals to sell the operations of the Manitowoc Health Care Center to a
25 private operator in 2008 and to sell or lease the building, equipment, and real estate to the new operator before
26 the County Board; and
27

28 WHEREAS, the County Executive issued a request for proposals, received responses from Health
29 Dimensions Group, Rice Management, and Manitowoc Health and Rehabilitation Center; and has
30 recommended that the County Board accept the proposal submitted by Health Dimensions Group; and
31

32 WHEREAS, the Executive Committee reviewed the County Executive’s recommendation and the
33 proposals and recommended the Health Dimensions Group proposal to the Committee of the Whole; and
34

35 WHEREAS, the Committee of the Whole has considered the Health Dimensions Group’s proposal,
36 which provides for the creation of a safety net accountability board and commits up to \$1.5 million to assure
37 that the needs of the safety net population are met, and recommends that Manitowoc County enter into an
38 agreement under which Health Dimensions Group will purchase the Health Care Center and which will

39 provide for continued contracts with the Veterans Administration in order to assure that the needs of veterans
40 are met; and

41
42 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts
43 the proposal from Health Dimensions Group and states its intent to sell the Health Care Center to Health
44 Dimensions Group for the sum of \$6 million dollars, effective March 1, 2008 or at a mutually agreed upon
45 date; and

46
47 BE IT FURTHER RESOLVED that the County Executive is directed to take such action as is
48 necessary to bring a final contract for the sale of the Health Care Center to the County Board for final
49 approval.

Dated this 20th day of November 2007.

Respectfully submitted by the Committee of the Whole.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey called for a recess at 9:13 P.M. and reconvened at 9:21 P.M.

Aging & Disability Resource Center Board: Supervisor Zigmunt moved, seconded by Supervisor Heyroth, to adopt Resolution 2 (2007/2008-84) Amending 2007 Budget (Aging and Disability Resource Center). Upon vote, the motion carried unanimously.

No. 2007/2008 - 84

**RESOLUTION AMENDING 2007 BUDGET
(Aging and Disability 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 and Disability Resource Center; and

3
4 WHEREAS, the Aging and Disability Resource Center Board has reviewed the impact of the changes
5 and recommends approval of the following modifications to the 2006/2007 Nutrition Services Incentive
6 Program (NSIP) Budget:

7
8

<u>Revenue or</u>	<u>Account</u>	<u>Description</u>	<u>Amount</u>
<u>Expense</u>	<u>Number</u>		
Revenue	46100.43566.02	Home-Delivered NSIP	-\$1,283
Expense	46000.52940	Contracted Food	-\$1,283

10
11
12
13

14 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
15 2007 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record
16 such information as may be required in the official books of the County for the year ending December 31,
17 2007.

Dated this 20th day of November 2007.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: No tax levy impact. Decrease budget revenue and expenses by \$1,283.

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zigmunt moved, seconded by Supervisor Muench, to adopt Resolution 3 (2007/2008-85) Authorizing Application for Arthritis Prevention and Control Program. Upon vote the motion carried unanimously.

No. 2007/2008 - 85

RESOLUTION AUTHORIZING APPLICATION FOR ARTHRITIS PREVENTION AND CONTROL PROGRAM

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Health and Family Services, Division of Public Health has
2 allocated \$11,080 to Manitowoc County to administer the Wisconsin Arthritis Prevention and Control
3 Program; and
4

5 WHEREAS, the Aging and Disability Resource Center board recommends that the County Board
6 authorize the Aging and Disability Resource Center to apply to these funds and amend the 2007 budget to
7 allow for the increased revenue and expenditures as shown below:
8

9	Revenue or	Account		
10	<u>Expense</u>	<u>Number</u>	<u>Description</u>	<u>Amount</u>
11	Revenue	46415.43566.22	Arthritis Prevention Program	11,080
12	Expense	46415.52175	Contracted Worker/Coordinator	7,500
13	Expense	46415.53001	Office Supplies	500
14	Expense	46415.53038	Mileage	500
15	Expense	46415.53019	Advertising	2,500
16	Expense	46415.53005	Operating Supplies & Expenses	80

17
18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
19 Aging and Disability Resource Center is authorized to apply for funds for the Wisconsin Arthritis Prevention
20 and Control Program in an amount not to exceed \$11,080; that the 2007 budget is amended by the amount
21 of the funds received, and that the Comptroller/Auditor is directed to record such information in the official
22 books of the County as may be required.

Dated this 20th day of November 2007.

Respectfully submitted by the Aging and Disability Resource Center Board.

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

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Janowski moved, seconded by Supervisor Tittl, to adopt Resolution 4 (2007/2008-86) Adopting Health Department Fee Schedule. Upon discussion and vote, the motion carried with 21 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors voted aye.

No. 2007/2008 - 86

**RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE
(07/01/2008 - 06/30/2009)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than animal licenses) and permits issued by the Health Department must be set by County Board resolution; and

WHEREAS, the Board of Health believes that the Health Department Fee Schedule should be revised and has provided a copy of the proposed Health Department Fee Schedule (07/01/2008 - 06/30/2009) to the County Board;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves the proposed Health Department Fee Schedule (07/01/2008 - 06/30/2009), a copy of which is to be included in Manitowoc County Code Chapter 7, Appendix A.

Dated this 20th day of November 2007.

Respectfully submitted by the Board of Health.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Janowski moved, seconded by Supervisor Bundy, to adopt Resolution 5 (2007/2008-87) Amending 2007 Health Department Budget. Upon vote, the motion carried with 21 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors voted aye.

No. 2007/2008 - 87

RESOLUTION AMENDING 2007 HEALTH DEPARTMENT BUDGET

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department provides numerous public health services to
2 the residents of Manitowoc County that are funded by the return of our federal and state tax dollars through
3 grants; and
4

5 WHEREAS, the Health Department can only include grant funds that it is scheduled or contracted to
6 receive during the year when preparing its annual budget and must amend the budget when it learns of
7 changes in grant funding that are made after the budget has been approved; and
8

9 WHEREAS, the following increases in grant funding have taken place since the 2007 Annual Budget
10 was approved:

11	WIC	\$28,369
12		

13	Pandemic Influenza	\$10,495
14	Tobacco Control	\$188
15	Wisconsin Well Woman Program	\$3,627
16	Immunization	\$634
17	Asthma Coalition	\$1,556;
18		

19 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
20 appropriate revenue and expense line items in the 2007 Annual Budget are amended to incorporate the
21 changes shown above and that the Comptroller/Auditor is directed to record such information in the official
22 books of the County for the year ending December 31, 2007 as may be required.

Dated this 20th day of November 2007.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by equal amounts for the program areas listed.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Janowski reported that their next meeting will be December 3.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 6 (2007/2008-88) Adopting 2008 Budget and Property Tax Levy. Discussion followed.

Supervisor Graunke moved, seconded by Supervisor Muench, to divide the question so the Health Department portion of the budget is considered separately. Upon vote, the motion carried by unanimous consent.

Supervisor Zigmunt moved, seconded by Supervisor Vogt, to divide the question so the Clerk of Circuit Court portion of the budget is considered separately. Upon vote, the motion carried by unanimous consent.

Supervisors voted on the Clerk of Circuit Court portion of the budget. Upon vote, the motion carried with 20 ayes, 1 no, and 1 abstention. Supervisor Schneider voted no; Supervisor Zigmunt abstained; and all other supervisors voted aye.

Supervisors voted on the Health Department portion of the budget. Upon vote, the motion carried with 20 ayes, 1 no, and 1 abstention. Supervisor Schneider voted no; Supervisor Graunke abstained; and all other supervisors voted aye. Discussion followed.

Supervisors voted to adopt the remainder of the 2008 Budget and Property Tax Levy. Upon vote, the motion carried with 16 ayes and 6 noes. Supervisors Dobbs, Dufek, Mueller, Rappe, Schneider, and Tittl voted no; all other supervisors voted aye.

No. 2007/2008 - 88

RESOLUTION ADOPTING 2008 BUDGET AND PROPERTY TAX LEVY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive's Proposed 2008 Annual Budget has been made
2 available to each county supervisor and to the general public; and

3 WHEREAS, the Proposed 2008 Annual Budget was presented and explained to the County Board at
4 its meeting on October 16, 2007; and

5
6 WHEREAS, formal publication of a budget summary and announcement of a public hearing was made
7 in the Manitowoc Herald Times Reporter on October 14, 2007 in accordance with Wis. Stat. § 65.90 and Wis.
8 Stat. Ch. 985; and

9
10 WHEREAS, a public hearing on the Proposed 2008 Annual Budget was held beginning at 7:05 p.m.
11 on October 29, 2007 and the Proposed 2008 Annual Budget was reviewed at the County Board's Annual
12 Meeting on October 29, 2007;

13
14 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
15 adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year
16 beginning January 1, 2008 as set forth in the 2008 Annual Budget for Manitowoc County and any attachments
17 or addenda thereto; and

18
19 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby authorizes
20 that the following sums of money be raised for the ensuing year:

21		
22	State Special Charges – Charitable & Penal	\$ 1,087.79
23	County Aid Bridges (Wis. Stat. § 82.08)	\$ 357,640.53
24	Illegal Real Estate Taxes Charged Back (Prior Year)	\$ 12,364.33
25	All Other County Taxes	<u>\$ 26,993,638.00</u>
26	Gross County Tax Levy	\$ 27,364,730.65;

27 and

28
29 BE IT FURTHER RESOLVED that the County shall apportion the tax for bridges under Wis. Stat. §
30 82.08 on the taxable property of the participating districts; and

31
32 BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment State Taxes for
33 Forestry Mill Tax, Wis. Stat. § 70.58 in the amount of \$862,008.77; and

34
35 BE IT FURTHER RESOLVED that the County shall enter the following as the Tax Apportionment,
36 State Special Charges for Charitable and Penal Purposes:

37	County Mental Hospitals Fond du Lac Co. Proceeding	\$ 147.79
38	<u>Winnebago Co. Proceeding</u>	<u>\$ 940.00</u>
39	Total State Special Charge	\$1,087.79;

40 and

41
42 BE IT FURTHER RESOLVED that County Officials are directed to reapportion the illegal real estate
43 taxes charged back in the amount of \$12,364.33; and

44
45 BE IT FURTHER RESOLVED that the budget in detail is made a part of the Tax Levy; and

46
47 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make any technical
48 corrections to the budget that are necessary.

Dated this 20th day of November 2007.

Respectfully submitted by the Finance Committee.

FISCAL NOTE: Based upon the budget book as printed, requires a tax levy of \$27,364,730.65 and a composite tax rate of \$5.6231190 per \$1,000 of equalized value.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski reported that their next meeting will be December 10.

Highway Committee: Supervisor Bundy gave a brief report.

Human Services Board: Supervisor Rappe gave a brief report.

Personnel Committee: Supervisor Vogt moved, seconded by Supervisor Janowski, to adopt Resolution 7 (2007/2008 - 89) Approving Settlement of 2008-2010 Collective Bargaining Agreement with Health Department Employees Represented by Local 5068, Federation of Nurses and Other Health Professionals. Upon vote, the motion carried unanimously.

No. 2007/2008 - 89

**RESOLUTION APPROVING SETTLEMENT OF 2008 – 2010
COLLECTIVE BARGAINING AGREEMENT WITH HEALTH DEPARTMENT
EMPLOYEES REPRESENTED BY LOCAL 5068, FEDERATION OF NURSES AND
OTHER HEALTH PROFESSIONALS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Health Department
2 employees represented by Local 5068, Federation of Nurses and Other Health Professionals, for a 2008-2010
3 collective bargaining agreement, and this agreement provides terms that both parties have voluntarily agreed
4 to accept, thus avoiding the uncertainty, delay, and expense of interest arbitration; and
5

6 WHEREAS, Local 5068 has participated in Manitowoc County’s high deductible health plan since
7 January 1, 2007; wage schedules will be increased by 3.0% effective January 1 of each year of the contract;
8 and a summary of the changes in hours, wages, and working conditions for the Health Department employees
9 represented by Local 5068, Federation of Nurses and Other Health Professionals, has been provided to the
10 County Board of Supervisors;
11

12 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2008-2010 collective bargaining
13 agreement negotiated between the Personnel Committee and the employees represented by Local 5068,
14 Federation of Nurses and Other Health Professionals, is ratified, confirmed, and approved with pay schedules,
15 benefits, and terms set forth, and
16

17 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
18 Director are authorized to execute this settlement.

Dated this 20th day of November 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Total</u>
	2008	\$21,411.00	\$1,637.94	\$2,269.57	\$25,318.51
	2009	\$22,053.33	\$1,687.08	\$2,337.65	\$26,078.06
	2010	\$22,714.93	\$1,737.69	\$2,407.78	\$26,860.40

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 8 (2007/2008 - 90) Approving Settlement of 2008-2010 Collective Bargaining Agreement with Sheriff's Department Employees Represented by Wisconsin Professional Police Association. Upon vote, the motion carried unanimously.

No. 2007/2008 - 90

RESOLUTION APPROVING SETTLEMENT OF 2008 – 2010 COLLECTIVE BARGAINING AGREEMENT WITH SHERIFF’S DEPARTMENT EMPLOYEES REPRESENTED BY WISCONSIN PROFESSIONAL POLICE ASSOCIATION

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Sheriff’s Department
2 employees represented by the Wisconsin Professional Police Association for a 2008-2010 collective bargaining
3 agreement, and this agreement provides terms that both parties have voluntarily agreed to accept, thus avoiding
4 the uncertainty, delay, and expense of interest arbitration; and
5

6 WHEREAS, WPPA has participated in Manitowoc County’s high deductible health plan since January
7 1, 2007; wage schedules will be increased by 3.0% effective January 1 of each year of the contract; and a
8 summary of the changes in hours, wages, and working conditions for the Sheriff’s Department employees
9 represented by Wisconsin Professional Police Association has been provided to the County Board;
10

11 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2008-2010 collective bargaining
12 agreement negotiated between the Personnel Committee and the employees represented by Wisconsin
13 Professional Police Association is ratified, confirmed, and approved with pay schedules, benefits, and terms
14 set forth; and
15

16 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
17 Director are authorized to execute this settlement.

Dated this 20th day of November 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	<u>Year</u>	<u>Wages</u>	<u>FICA</u>	<u>WRS</u>	<u>Total</u>
	2008	\$43,684.88	\$3,341.89	\$6,858.53	\$53,885.30
	2009	\$44,995.42	\$3,442.15	\$7,064.28	\$55,501.85
	2010	\$46,345.28	\$3,545.41	\$7,276.21	\$57,166.90

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt reported their next meeting will be December 3.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Rasmussen, to enact Ordinance 9 (2007/2008-91) Amending Zoning Map for Mark Blatz, and Ordinance 10 (2007/2008-92) Amending Zoning Map for Schuler Dairy Farms. Upon vote, the motion carried with 20 ayes and 2 noes. Supervisors Behnke and Rappe voted no; all other supervisors voted aye.

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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 SW¹/₄, SE¹/₄, Section 34, T18N-R21E, Town of Eaton, commencing at the S¹/₄
12 Corner of said Section 34; thence northerly approximately 33 feet to the north r/w of Town Line Road which
13 is the point of real beginning; thence continue northerly approximately 300 feet; thence easterly approximately
14 200 feet; thence southerly approximately 300 feet; thence westerly approximately 200 feet to the point of real
15 beginning, said parcel containing approximately 1.50 acres of land, shall be and is hereby rezoned from A3
16 Agriculture to A1 Agriculture.

Dated this 20th day of November 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

**ORDINANCE AMENDING ZONING MAP
(Schuler Dairy Farms)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on October 22, 2007; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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 NW¹/₄, SW¹/₄, Section 23, T18N-R21E, Town of Eaton,
12 commencing at the Center of said Section 23; thence westerly approximately 1320 feet; thence
13 southerly approximately 33 feet to the south r/w of Baer Road which is the point of real

14 beginning; thence westerly along the south r/w of Baer Road approximately 150 feet; thence
15 southerly approximately 726 feet; thence easterly approximately 150 feet; thence northerly
16 approximately 726 feet to the point of real beginning, said parcel containing approximately 2.50
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 20th day of November 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Other Business: Supervisor Konen thanked the Economic Development Corporation for their assistance to businesses in the City of Kiel.

Supervisor Graunke invited everyone to the Health Care Center Tree Lighting Ceremony that will take place on December 3.

Supervisor Bauknecht moved to adjourn, Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:48 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

December 18, 2007

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, in the City of Manitowoc, being the 18th day of December, 2007, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

Supervisor Hansen gave the invocation, which was followed by a moment of silence for former County Board Supervisor and 2nd Assembly District Representative, Dale J. Bolle. The Pledge of Allegiance to the Flag was recited by the entire assemblage.

Roll call: 23 members present; Bauknecht, Brey, Bundy, Dufek, Gauger, Graunke, Hansen, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisor Behnke was excused. Supervisor Dobbs was absent.

On a motion by Supervisor Kozloski, seconded by Supervisor Rasmussen, the November 20, 2007, meeting minutes were approved by unanimous vote.

The County Clerk announced changes to the agenda. Supervisor Zigmunt moved, seconded by Supervisor Tittl, to approve the agenda as amended. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENTS DIRECTORS

County Executive Bob Ziegelbauer and County Board Chair James Brey presented a proclamation honoring Dale J. Bolle to family members, Ethelyn Bolle and Alan Bolle.

Chairperson Brey declared public input open at 7:10 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Rita Metzger, Manitowoc, addressed the board as President of AFSCME Local 1288 with a request to reconsider the sale of the Health Care Center.

Karen Hinz, Sturgeon Bay, the Wisconsin Eastern District Director of the UW-Extension, gave a brief overview on the partnership between the UW-Extension and counties. She asked the board to reinstate the UW-Extension program staff assistant position.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:18 P.M.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Valerie Mellon, Yvonne Kaelin, and Scott Ahl to complete vacancies and Donna Kieckbusch and Harvey to the Solid Waste Management System Advisory Committee for three year terms expiring July 2010. Supervisor Muench moved, seconded by Supervisor Maresh, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Doreen Bessert, Tonya Dvorak, Ken Swade, Jerome Valenta, and Gary Vondracheck to the Expo Board for three year terms expiring

December 31, 2010. Supervisor Bauknecht moved, seconded by Supervisor Mueller, to approve the appointments. Upon discussion and vote, the appointments were confirmed with 18 ayes and 5 noes. Supervisors Janowski, Markwardt, Rappe, Schneider, and Vogt voted no; all other supervisors voted aye.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of James Blaha, Dave Pawlowski, and Michelle Hoffman to the Ice Center Board for two year terms expiring December 31, 2009. Supervisor Muench moved, seconded by Supervisor Gauger, to approve the appointments. Upon discussion and vote, the appointments were confirmed with 13 ayes and 10 noes. Supervisors Bauknecht, Janowski, Maresh, Markwardt, Hansen, Rappe, Rasmussen, Schneider, Tittl, and Vogt voted no; all other supervisors voted aye.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Derek Muench to complete Roger Strzyewski's term expiring April 2008 and Sharon Walling to complete Jamie Lee's term on the Transportation Coordinating committee expiring April 2009. Supervisor Tittl moved, seconded by Supervisor Henrickson, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Nyialong Yang, Tom Hilke, Faye Malek, and Dale Moschea for three year terms on the Wisconsin Works Steering Committee expiring December 31, 2010. Supervisor Markwardt moved, seconded by Supervisor Graunke, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of John Wallace, Supervisor Faye Konen, and Cheryl Kjelstrup to the Manitowoc-Calumet Library System Board of Trustees for three year terms expiring January 2011. Supervisor Henrickson moved, seconded by Supervisor Maresh, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Darlene Waterstreet to complete John Thompson's term expiring January 2010 on the Manitowoc-Calumet Library System Board of Trustees. Supervisor Graunke moved, seconded by Supervisor Gauger, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Aging & Disability Resource Center Board: Supervisor Wagner moved, seconded by Supervisor Heyroth, to adopt Resolution 1 (2007/2008-93) Authorizing Grant Application (New Freedom Program). Upon vote, the motion carried unanimously.

No. 2007/2008 - 93

**RESOLUTION AUTHORIZING GRANT APPLICATION
(New Freedom Program)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Transportation has allocated \$66,400 to Manitowoc
2 County through the New Freedom Program for the purpose of coordinating rides and vehicles in order to
3 utilize transportation services as fully as possible; and
4

5 WHEREAS, the Aging and Disability Resource Center Board recommends that Manitowoc County
6 participate in this program and that the 2008 budget be amended to authorize the following revenue,
7 expenditure, and fund balance changes:

	Revenue or <u>Expense</u>	Account <u>Number</u>	<u>Description</u>	<u>Amount</u>
10	Revenue	46455.43566.23	New Freedom Grant	66,400
11	Fund Balance	46455.69999	Special Revenue Fund	11,600
12	Expenses	46455.52175	Contracted Worker Services	56,000
13	Expenses	46455.53005	Operating Supplies	10,000
14	Expenses	46455.53019	Marketing	10,000
15	Expenses	46455.53038	Mileage Reimbursement	2,000

17 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
 18 Aging and Disability Resource Center is authorized to apply for and accept \$66,400 in New Freedom
 19 Program funds; that the 2008 budget is amended by the amounts shown above; 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, 2008 as may be required.

Dated this 18th day of December 2007.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: Increases revenues and expenditures by the amounts stated and reduces the amount available in the Aging Resources Special Revenue Fund by \$11,600 to provide the required county match. If continued in 2009, the Aging Resources Special Revenue Fund will require additional Tax Levy Dollars to provide the county match.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Janowski gave a brief report. Their next meeting will be January 10.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 2 (2007/2008-94) Authorizing Grant Application (Wisconsin Justice Information Sharing Program). Upon vote, the motion carried unanimously.

No. 2007/2008 - 94

**RESOLUTION AUTHORIZING GRANT APPLICATION
 (Wisconsin Justice Information Sharing Program)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1
 2 WHEREAS, the Wisconsin Office of Justice Assistance has received funds through the Local Law
 3 Enforcement Terrorism Prevention Program and the Urban Areas Security Initiative to enable local law
 4 enforcement agencies to implement a network of local Wisconsin Justice Information Sharing (WIJIS) Justice
 5 Gateways; and

6
 7 WHEREAS, WIJIS seeks to reduce crime, prevent terrorism, and improve the efficiency of the
 8 criminal justice system by expanding and enhancing information access for local, county, and state justice
 9 agencies in Wisconsin; and

10
 11 WHEREAS, WIJIS leverages the investments that local agencies have in their existing law
 12 enforcement information systems by allowing a managed level of information to be shared electronically with
 13 other agencies throughout the State of Wisconsin; and

14 WHEREAS, the Finance Committee recommends that the Information Systems Department be
15 authorized to apply for and accept a grant to implement a WIJIS Justice Gateway that will allow Manitowoc
16 County's Aegis Law Enforcement System to be a participating entity in the WIJIS system;

17
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 the Information Systems Department to apply for WIJIS Justice Gateway program grant funds in the amount
20 of \$69,890 and to accept the grant funds, if awarded; and

21
22 BE IT FURTHER RESOLVED that the 2008 budget is amended by the amount of any grant funds
23 received and that the Comptroller/Auditor is directed to record such information in the official books of the
24 County for the year ending December 31, 2008 as may be required.

Dated this 18th day of December 2007.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases expenses and revenues by an equal amount.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Muench, to adopt Resolution 3 (2007/2008-95) Opposing H.R. 811 (Voter Confidence and Increased Accessibility Act of 2007). Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 95

**RESOLUTION OPPOSING H.R. 811
(The Voter Confidence and Increased Accessibility Act of 2007)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, H.R. 811, The Voter Confidence and Increased Accessibility Act of 2007, is pending
2 before Congress; and

3
4 WHEREAS, H.R. 811 would, among other things, mandate that counties replace their current voting
5 machines with new equipment that will meet new standards that are to be developed if the bill is adopted; and

6
7 WHEREAS, the current successful practices in Manitowoc County for standardizing voting procedures
8 currently meets the objectives of existing Federal and State election practices; and

9
10 WHEREAS, officials from the State Elections Board have objected to specific provisions in H.R. 811
11 as being overly prescriptive, overly detailed, and difficult to comply with;

12
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors expresses
14 its opposition to H.R. 811; and

15
16 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to
17 Governor Jim Doyle; Congressman Tom Petri, Senators Herb Kohl and Russ Feingold; and each legislator
18 in the Wisconsin Senate and Assembly who represents constituents from Manitowoc County.

Dated this 18th day of December 2007.

Respectfully submitted by the Finance Committee.

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

Bob Ziegelbauer, County Executive.

Supervisor Kozlowski reported their next meeting will be January 14.

Highway Committee: Supervisor Bundy gave a brief report.

Supervisor Bundy moved, seconded by Supervisor Konen, to adopt Resolution 4 (2007/2008-96) Authorizing Out-of-State Travel (Gary Kennedy). Upon vote, the motion carried with 22 ayes and one no. Supervisor Graunke voted no; all other supervisors vote aye.

No. 2007/2008 - 96

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Gary Kennedy)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the National Association of County Engineers (NACE) is sponsoring an education exhibit
2 booth at the CONEXPO-CON/AGG in Las Vegas, March 12 – 14, 2008 for the purpose of direct
3 communication and interaction with industry professionals throughout the United States on topics of
4 importance to Wisconsin transportation; and
5

6 WHEREAS, the Wisconsin Counties Highway Association (WCHA) encourages its Board of Directors
7 and Executive Committee Members to attend the CONEXPO-CON/AGG meeting on behalf of its members
8 and will reimburse all necessary expenses for attending these events; and
9

10 WHEREAS, Manitowoc County Highway Commissioner Gary Kennedy presently serves on the NACE
11 Board of Directors, is the NACE representative for Wisconsin, serves as WCHA’s Past President, and is a
12 member of the WCHA Board of Directors and Executive Committee, and
13

14 WHEREAS, the Manitowoc County Highway Committee has determined that it would be
15 advantageous to Manitowoc County, the Highway Department, and WCHA for Highway Commissioner
16 Kennedy to attend these events,
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 Gary Kennedy to attend the CONEXPO-CON/AGG meeting in Las Vegas on March 12 – 14, 2008, provided
20 that all expenses are reimbursed by the Wisconsin County Highway Association and the National Association
21 of County Engineers.

Dated this 18th day of December 2007

Respectfully submitted by the Highway Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe gave a brief report.

Land Conservation Committee/Natural Resources and Education Committee: Supervisor Wagner moved, seconded by Supervisor Rasmussen, to adopt Resolution 4a (2007/2008-97) Amending 2008 Budget (Increasing UW-Extension Funding and continuing EDC Funding). Discussion followed.

Supervisor Zigmunt moved, seconded by Supervisor Mueller, to amend Resolution 4a to read:

Line 9: eliminate the word “eliminated” and substitute the word “continued.”

Line 12: eliminate all wording after “hereby” and replace with: “transferring \$17,524 from the contingency fund to the appropriate accounts in the UW-Extension budget for the purpose of fully funding the 2nd program assistant position.

Under “Fiscal Impact”: No tax levy impact. Transfers \$17,524 from the contingency fund to UW-Extension.

Upon discussion and vote, the motion carried with 17 ayes and 6 noes. Supervisors Dufek, Gauger, Henrickson, Kozlowski, Muench, and Vogt voted no; all other supervisors voted aye.

Upon discussion and vote on Resolution 4a as amended, the motion carried with 19 ayes and 4 noes. Supervisors Muench, Kozlowski, Vogt, and Henrickson voted no; all other supervisors voted aye.

No. 2007/2008 - 97

(ENGROSSED)

RESOLUTION AMENDING 2008 BUDGET
(Increasing UW-Extension Funding and ~~Decreasing~~ EDC Funding)
Continuing

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the University of Wisconsin-Extension serves a vital role by providing education,
2 leadership, and other important services to Manitowoc County residents; and
3

4 WHEREAS, the second program assistant position is instrumental in maximizing the efficiency and
5 functionality of the core mission of the Extension office; and
6

7 WHEREAS, the Natural Resources and Education Committee recommends that the 2008 budget be
8 amended to provide funding for the second program assistant position at UW-Extension and that funding for
9 the Economic Development Corporation be ~~eliminated~~ continued;
10

11 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors amends
12 the 2008 budget hereby ~~reducing the appropriation for Comprehensive Planning budget by \$65,632, by~~
13 ~~increasing the appropriation for UW-Extension by \$17,524, and by increasing the contingency fund by~~
14 ~~\$48,108.~~ transferring \$17,524 from the contingency fund to the appropriate accounts in the UW-Extension
15 budget for the purpose of fully funding the 2nd program assistant position.

Dated this 18th day of December 2007.

Respectfully submitted by the Natural Resources & Education Committee

FISCAL IMPACT: ~~No tax levy impact. Decreases Comprehensive Planning budget by \$65,632 and~~
~~eliminates EDC funding, increases UW-Extension budget by \$17,524, and~~

~~increases Contingency Fund by \$48,108.~~ No tax levy impact. Transfers \$17,524 from the contingency fund to UW-Extension.

Personnel Committee: Supervisor Vogt gave a brief report.

Supervisor Vogt moved, seconded by Supervisor Rasmussen, to adopt Resolution 5 Approving Increasing Regular Non-represented Employee Compensation. Discussion followed.

Supervisor Zigmunt moved, seconded by Supervisor Tittl, to table Resolution 5 until the January 15 County Board Session. Upon discussion and vote, the motion carried with 16 ayes and 7 noes. Supervisors Brey, Dufek, Gauger, Janowski, Rasmussen, Schneider, and Vogt voted no; all other supervisors voted aye.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Konen, to enact Ordinance 6 (2007/2008-98) Amending Zoning Map for John Abler. Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Schneider and Rappe voted no; all other supervisors voted aye.

No. 2007/2008 - 98

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on December 3, 2007; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 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 SW¹/₄, NW¹/₄, Section 34, T17N-R21E, Town of Schleswig,
12 commencing at the W¹/₄ Corner of said Section 34; thence northerly along the centerline of Little
13 Elkhart Lake Road approximately 1320 feet; thence westerly approximately 1250 feet; thence
14 southerly approximately 300 feet which is the point of real beginning; thence continue southerly
15 approximately 200 feet; thence northwesterly approximately 332 feet; thence northeasterly
16 approximately 200 feet; thence southeasterly approximately 200 feet to the point of real
17 beginning; said parcel containing approximately 1.20 acres of land, shall be and is hereby
18 rezoned from GA General Agriculture to A1 Agriculture.

Dated this 18th day of December 2007.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson gave a brief report.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 7 (2007/2008-99) Authorizing Out-of-State Travel (Kirk Bessler, David Siders, and Kevin Haese). Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2007/2008 - 99

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Kirk Bessler, David Siders, and Kevin Haese)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, members of the Manitowoc County Special Operations Squad attended a course on
2 Incident Response to Terrorist Bombing training that was presented by the U.S. Department of Homeland
3 Security in August 2007; and

4
5 WHEREAS, the U.S. Department of Homeland Security is now offering a course on Prevention and
6 Response to Suicide Bombing Incidents, which is designed to provide technical, operational level training
7 for law enforcement personnel who have significant responsibility for providing specialized support during
8 weapons of mass destruction incidents, particularly those involving explosive or incendiary materials; and

9
10 WHEREAS, members of Manitowoc County's Special Operations Squad who attended the previous
11 course in August 2007 will benefit from additional training on basic explosives, suicide bombing devices,
12 and their characteristics; threat assessment, risk analysis, profiling, and the use of force; and procedures for
13 a safe and effective response to bomb threats and suspicious item incidents; and

14
15 WHEREAS, the U.S. Department of Homeland Security will fund 100% of the cost of training,
16 lodging, transportation, and per diem;

17
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 Lt. Kirk Bessler, Deputy David Siders, and Deputy Kevin Haese to attend the Prevention and Response to
20 Suicide Bombing Incidents course in Socorro, New Mexico from January 28 through February 1, 2008.

Dated this 18th day of December 2007.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. U.S. Department of Homeland Security will pay approximately \$4,230 for airfare, lodging, and training, costs and will reimburse Manitowoc County \$685 for car rental and per diem payments.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous: Supervisor Vogt moved, seconded by Supervisor Zigmunt, to adopt Resolution 8 (2007/2008 - 100) Approving Town of Newton Zoning Ordinance (Henry E. Vogt). Upon vote, the motion carried with 20 ayes and 3 noes. Supervisor Heyroth, Rappe, and Schneider voted no; all other supervisors voted aye.

No. 2007/2008 - 100

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Henry E. Vogt)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has adopted a new zoning ordinance in accordance with Wis. Stat.
2 § 60.62; and

3
4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which
5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County
6 Board; and

7
8 WHEREAS, the Town of Newton has submitted the new zoning ordinance to the Manitowoc County
9 Board of Supervisors for approval;

10
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
12 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Henry E. Vogt on
13 November 14, 2007.

Dated this 18th day of December 2007.

Respectfully submitted by Kevin L. Behnke, Supervisor.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Rasmussen moved to adjourn, Supervisor Graunke seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:38 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

January 15, 2008

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, in the City of Manitowoc, being the 15th day of January, 2008, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:03 P.M.

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

Roll call: 23 members present; Bauknecht, Behnke, Brey, Bundy, Dufek, Gauger, Graunke, Hansen, Henrickson, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisor Heyroth was excused. Supervisor Dobbs was absent.

On a motion by Supervisor Zigmunt, seconded by Supervisor Henrickson, the December 18, 2007, meeting minutes were approved by unanimous vote.

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

Chairperson Brey declared public input open at 7:06 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Cindy Satori, Manitowoc, spoke in opposition to the sale of the Health Care Center.

Richard Hallwachs, Manitowoc, commented that the supervisors who voted to keep the Health Care Center county-owned did the correct thing. He urged supervisors to vote to send the contract back to the Health Dimensions Group.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 7:14 P.M.

UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKEN AT THE LAST MEETING

Supervisor Mueller moved, seconded by Supervisor Bauknecht, to take Ordinance Amending Zoning Map (Randy Pelishek) dated March 20, 2007 from the table and remand to Planning and Park Commission pursuant to Wis. Stat. s. 59.69(5)(b) with a recommendation to reconsider the Commission's recommendation to the County Board in light of the Town Board's current recommendation and Wis. Stat. s. 56.69(5)(c). Upon discussion and vote, the motion carried unanimously.

Supervisor Vogt moved, seconded by Supervisor Rasmussen, to remove from the table and consider Resolution (2007/2008 - 101) Increasing Regular Non-Represented Employee Compensation that was dated December 18, 2007. Upon discussion and vote, the motion carried with 17 ayes and 6 noes. Supervisors Hansen, Henrickson, Maresh, Tittl, Wagner, and Zigmunt voted no; all other supervisors voted aye.

**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
6 dependent upon maintaining existing differentials between the compensation of supervisory personnel and
7 supervised employees; and

8
9 WHEREAS, an across-the-board wage increase of 3.0% and associated FICA and WRS costs have
10 been incorporated into the 2008 budget;

11
12 NOW, THEREFORE, BE IT RESOLVED that the non-represented wage schedule is increased
13 across-the-board by 3.0% effective January 1, 2008; and

14
15 BE IT FURTHER RESOLVED that non-represented positions listed on the attached sheets will
16 receive the 3.0% across-the-board wage increase effective January 1, 2008; and

17
18 BE IT FURTHER RESOLVED that those employees still serving their probationary period on
19 January 1, 2008 will receive the 3.0% across-the-board wage increase upon the successful completion of their
20 probationary period.

Dated this 18th day of December 2007.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	Wages	\$171,854.52
	FICA	\$ 13,147.02
	<u>WRS</u>	<u>\$ 20,386.81</u>
	Total Cost	\$205,388.35

APPROVED: Bob Ziegelbauer, County Executive.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENTS DIRECTORS

Chairperson Brey read Certificates of Appreciation for Marilyn Kadow, who retired after thirty-two years of service and Diane Free, who retired after eleven years of service with Manitowoc County.

Health Care Center Administrator Michael Thomas read Certificates of Appreciation for retirees Mary Nordskog with 29 years of service, Jolene Haese with 19 years of service, Beverly Markovics with 27 years of service, and Patricia McNellis with 29 years of service.

Comptroller Todd Reckelberg gave a brief overview of the Operations Transfer Agreement between Manitowoc County and the Manitowoc Health Care Center, LLC. He answered supervisors' questions.

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

Aging & Disability Resource Center Board: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 1 (2007/2008-102) Authorizing Specialized Transportation Assistance Program Grant Application (State Aid Contract). Upon vote, the motion carried unanimously.

No. 2007/2008 - 102

**RESOLUTION AUTHORIZING SPECIALIZED TRANSPORTATION ASSISTANCE PROGRAM GRANT APPLICATION
(State Aid Contract)**

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 Aging and Disability Resource Center Board recommends
7 that Manitowoc County apply for grant funding which will require a local share of \$42,021; 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 & Disability Resource Center Director to prepare and submit an application for financial assistance
15 under Wis. Stat. § 85.21 to the Wisconsin Department of Transportation for 2008, provided that the local
16 share required for such assistance does not exceed \$42,021; and
17

18 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Aging
19 & Disability Resource Center Director to execute a Wisconsin Department of Transportation state aid
20 contract under Wis. Stat § 85.21 on behalf of Manitowoc County, provided that the local share required by
21 the contract does not exceed \$42,021.

Dated this 15th day of January 2008.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: Tax levy of \$42,021 is included in the 2008 budget.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 2 (2007/2008-103) Authorizing Specialized Transportation Assistance Program Grant Application (Minivan Purchase). Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2008 BUDGET
(Aging and Disability Resource Center)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Bay Area Agency on Aging has increased the amount of the Federal and State funds
2 allocated to the Manitowoc County Aging and Disability Resource Center to provide services in the State
3 Pharmaceutical Assistance Programs with transitional grants approved by Centers for Medicare and Medicaid
4 Services under section 1860D-23 of the Social Security Act as established by the Medicare Prescription
5 Drug, Improvement and Modernization Act of 2003; and
6

7 WHEREAS, the Aging & Disability Resource Center Board has reviewed the impact of the changes
8 and recommends the following amendments to the 2008 budget:
9

Revenue Expense	Account Number	Description	Amount
Revenue	46475.43566.09	Benefit Specialist	\$10,755
Expense	46475.52999	Contracted Service	\$10,755

10
11
12
13
14
15
16 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
17 2008 budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record
18 such information as may be required in the official books of the County for the year ending December 31,
19 2008.

Dated this 15th day of January 2008.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by \$10,755.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Janowski gave a brief report. Their next meeting will be January 21.

Executive Committee: Chairperson Brey gave a brief report.

Expo Board: Supervisor Behnke gave a brief report.

Finance Committee: Supervisor Kozlowski gave a brief report. Their next meeting will be February 11.

Highway Committee: Supervisor Bundy gave a brief report.

Land Conservation Committee/Natural Resources and Education Committee: Supervisor Zigmunt gave a brief report.

Personnel Committee: Supervisor Vogt gave a brief report.

Planning and Park Commission: Supervisor Mueller reported their next meeting will be January 28.

Public Safety Committee: Supervisor Henrickson reported their next meeting will be February 12.

Public Works Committee: Supervisor Behnke gave a brief report.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Janowski, to adopt Resolution 4 (2007/2008 - 105) Approving Town of Newton Zoning Ordinance Amendment (Ordinance No. 1908). Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Schneider voted no; all other supervisors voted aye.

No. 2007/2008 - 105

**RESOLUTION APPROVING TOWN OF NEWTON
ZONING ORDINANCE AMENDMENT
(Ordinance No. 1908)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton has adopted a new zoning ordinance in accordance with Wis. Stat.
2 § 60.62; and
3
4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which
5 have adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County
6 Board; and
7
8 WHEREAS, the Town of Newton has submitted the zoning ordinance amendment 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 amendment that was adopted by the Town Board of the Town of Newton on January
13 9, 2008.

Dated this 15th day of January 2008.

Respectfully submitted by Kevin L. Behnke, Supervisor.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Tittl moved to adjourn, Supervisor Henrickson seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:13 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

February 12, 2008

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, in the City of Manitowoc, being the 12th day of February, 2008, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:03 P.M.

Supervisor Henrickson gave the invocation. Chairperson Brey requested a moment of silence for the victims of the Kirkwood, Missouri, City Council shooting. The Pledge of Allegiance to the Flag was then recited by the entire assemblage.

Roll call: 21 members present; Bauknecht, Behnke, Brey, Bundy, Dufek, Gauger, Graunke, Henrickson, Heyroth, Konen, Kozlowski, Maresh, Markwardt, Mueller, Muench, Rappe, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Hansen, Janowski, and Rasmussen were excused. Supervisor Dobbs was absent. On a motion by Supervisor Gauger, seconded by Supervisor Zigmunt, the January 15, 2008, meeting minutes were approved by unanimous voice vote.

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

Chairperson Brey declared public input open at 7:10 P.M.

PUBLIC INPUT - OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Ken Stubbe gave a brief overview of the Economic Development Corporation's annual report.

Dean Anhalt, Town of Mishicot, cited the history and requested information on the Conditional Use Permit extension given to the Navitas wind project in northern Manitowoc County.

Kate Schuette, Town of Centerville; Grace Peppard, City of Manitowoc; Michael Slattery, Town of Cooperstown; Attorney Ron Kaminski, City of Manitowoc; Norval Dvorak, City of Manitowoc; Judy Culligan, City of Manitowoc; and Marilyn Sonntag, City of Manitowoc; all expressed support to keep the Health Care Center and were concerned about the long-range effects of selling it; Don Goeke, City of Manitowoc, gave input on the Health Care Center and the Navitas project; Barb McCredie, City of Manitowoc, spoke on staffing hour cuts at the HCC and the concerns of the residents who live there; Kue Thao, City of Manitowoc, spoke on the quality of care patients with dementia receive and the special equipment required to take care of them; Jerome Hlinak, Town of Mishicot, spoke on county inefficiencies, dairy farming, and on the Navitas wind farm project; Rita Metzger, City of Manitowoc, spoke regarding separation benefits for the HCC workers, termination of employees, and the sale of the health care center.

No one else present wished to speak, subsequently Chairperson Brey declared public input closed at 8:10 P.M.

UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKEN AT THE LAST MEETING

None

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENTS DIRECTORS

Chairperson Brey read Certificates of Appreciation for Joan Welnicke who gave more than 32 years of service and Judith Vnuk who gave 13 years of service to Manitowoc County.

Supervisor Vogt gave a brief report on the WCA Steering Committee.

MISCELLANEOUS: Chairperson James N. Brey

Supervisor Brey moved, seconded by Supervisory Markwardt, to adopt Resolution 11 (2007/2008-106) Resolution Approving Sale of the Health Care Center. Discussion followed.

Supervisor Rappe moved, seconded by Supervisor Maresh, to table Resolution Approving Sale of the Health Care Center until the City of Manitowoc gives Manitowoc County an appraisal of the Health Care Center. Discussion followed. Upon vote, the motion failed with 5 ayes and 16 nays. Supervisors Dufek, Maresh, Rappe, Schneider, and Wagner all voted aye. All other supervisors voted no.

Chairperson Brey called the vote on Resolution 11 (2007/2008-106) Resolution Approving Sale of the Health Care Center. Upon vote, the motion carried with 12 ayes and 9 nays. Supervisors Dufek, Heyroth, Konen, Maresh, Mueller, Rappe, Schneider, Wagner, and Zigmunt all voted nay. All other supervisors voted aye

No. 2007/2008 - 106

RESOLUTION APPROVING SALE OF HEALTH CARE CENTER

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted Resolution No. 2007/2008-83 on
2 November 20, 2007 that accepted a proposal by Health Dimensions Group to purchase the Manitowoc Health
3 Care Center; and
4

5 WHEREAS, Health Dimensions Group has formed Manitowoc Health Care Properties, LLC to
6 purchase the assets of the health care center, and a draft Asset Purchase Agreement between Manitowoc
7 County and Manitowoc Health Care Properties, LLC has been reviewed by the Corporation Counsel and
8 provided to the County Board; and
9

10 WHEREAS, Health Dimensions Group has also formed Manitowoc Health Care Center, LLC to
11 operate the health care center, and a draft Operations Transfer Agreement between Manitowoc County and
12 Manitowoc Health Care Center, LLC has been reviewed by the Corporation Counsel and provided to the
13 County Board; and
14

15 WHEREAS, the Warranty Deed that Manitowoc County received from the City of Manitowoc for
16 the Health Care Center property was given pursuant to the terms of an Offer to Purchase, as amended, and
17 is subject to a Tax Agreement dated April 24, 2002; and
18

19 WHEREAS, a draft Memorandum of Understanding between Manitowoc County, the City of
20 Manitowoc, and Manitowoc Health Care Properties, LLC has been prepared to address the various obligations
21 of the parties under the terms of the Warranty Deed, Offer to Purchase, and Tax Agreement, and the
22 Memorandum of Understanding has been reviewed by the Corporation Counsel and provided to the County
23 Board;
24

25 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
26 approves the sale of the Manitowoc Health Care Center to Health Dimensions and authorizes the County
27 Executive and such other county officials as may be necessary to finalize and execute the Asset Purchase

28 Agreement, Operations Transfer Agreement, Memorandum of Understanding, and such other documents as
29 may be necessary to complete the sale of the Health Care Center.

Dated this 12th day of February 2008.

Respectfully submitted by James N. Brey, County Board Chair

FISCAL IMPACT: County will receive funds under the terms of the agreements based on a \$6 million purchase price.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zigmunt was excused from the remainder of the meeting due to travel plans.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey announced County Executive Robert Ziegelbauer's appointment of Rebecca Martell to complete Darlene Hoffman's term on the Wisconsin Works Steering Committee, whose term expires December 31, 2008. Supervisor Bauknecht moved, seconded by Supervisor Gauger, to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Aging & Disability Resource Center Board: Supervisor Wagner gave a brief report. Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 4 (2007/2008-107) Authorizing Out-of-State Travel for Judith A. Rank. Upon vote, the motion carried unanimously.

No. 2007/2008 - 107

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Judith A. Rank)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Aging and Disability Resource Center (ADRC) Director has been invited by Easter
2 Seals Project ACTION, an advocate and facilitator of transportation for people with disabilities, to attend a
3 training at its agency in Washington, D.C. as part of a five member transportation team; and
4

5 WHEREAS, the ADRC Director coordinates the county's elderly and disabled transportation
6 programs and will benefit from the mobility management training offered by Easter Seals Project ACTION;
7 and
8

9 WHEREAS, this training will facilitate the development of a coordinated county transportation
10 program, which is required by the Wisconsin Department of Transportation, and assist the newly formed
11 mobility management team in meeting the goals of the New Freedom grant; and
12

13 WHEREAS, all expenses, including air travel, hotel, meals, and surface transportation, will be
14 reimbursed or paid by the Easter Seals Project ACTION;
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
17 authorizes Judith A. Rank to travel out of state to attend Easter Seals Project ACTION training in Washington
18 D.C. from April 21 – 24, 2008.

Dated this 12th day of February 2008.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: Easter Seals will fully reimburse the County for air travel and will pay all other expenses.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: No Report

Economic Development Corporation: Report as given by Ken Stubbe.

Executive Committee: No Report. There will likely be a meeting next month.

Expo Board: Supervisor Behnke reported that last Wednesday's meeting was canceled due to weather. The next meeting will be February 13.

Finance Committee: Supervisor Kozlowski gave a brief report. Supervisor Kozlowski moved, seconded by Supervisor Muench, to adopt Resolution 1 (2007/2008-108) Authorizing Out-of-State Travel for Liz Johnson. Upon vote, the motion carried unanimously.

No. 2007/2008 - 108

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Liz Johnson)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Information Systems Department maintains and supports critical hardware and
2 software systems that assist law enforcement agencies, fire departments, and emergency medical service
3 providers in providing critical care and support services to the citizens of Manitowoc County; and
4

5 WHEREAS, the software systems supporting this environment are in a state of constant change, and
6 the Information Systems Department must stay current with these changes through continuing education; and
7

8 WHEREAS, the annual Aegis software systems conference is the primary means by which Manitowoc
9 County can stay current with these changes and provides an excellent forum to exchange ideas, learn new
10 methodologies, and participate in hands-on seminars to improve the skill sets required to maintain the
11 systems;
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
14 Aegis Administrator Liz Johnson to attend the three-day Annual Aegis MSP Users Conference in Scottsdale,
15 Arizona from April 27 through April 29, 2008.

Dated this 12th day of February 2008.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Travel and conference costs, not to exceed \$1,800, are included in the approved Information Systems budget.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Markwardt gave a brief report. Supervisor Markwardt moved, seconded by Supervisor Bundy to adopt Resolution 2 (2007/2008-109) Authorizing Land Lease with Manitowoc-Two Rivers Area Chamber of Commerce. Upon vote, the motion carried unanimously.

No. 2007/2008 - 109

**RESOLUTION AUTHORIZING LAND LEASE WITH
MANITOWOC-TWO RIVERS AREA CHAMBER OF COMMERCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc-Two Rivers Area Chamber of Commerce, a Wisconsin not-for-profit
2 corporation, has agreed to lease 4.72 acres of land adjacent to the Chamber's office for \$1 per year for a
3 period of 10 years, payable in advance in a single payment of \$10, and the Chamber's promise to maintain
4 the parking lot and surrounding land at the Chamber's own expense; and
5

6 WHEREAS, the Lease provides that any improvements made to the leased premises will become the
7 property of Manitowoc County upon termination of the lease;
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
10 authorizes the lease of 4.72 acres to the Manitowoc-Two Rivers Area Chamber of Commerce and authorizes
11 the County Executive and the County Clerk to execute the proposed lease.

Dated this 12th day of February 2008.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Nominal rent of \$1 per year for ten years, payable in advance, Lessee is responsible for all maintenance, including snow removal and care of lawn, shrubs, and trees.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Konen to adopt Resolution 3 (2007/2008-110) Authorizing Out-of-State Travel for Gary Kennedy. Upon vote, the motion carried unanimously.

No. 2007/2008 - 110

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Gary Kennedy)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the National Association of County Engineers (NACE) will hold its Annual Meeting and
2 Management & Technical Conference in Portland, Oregon on April 20-24, 2008 for the purpose of direct

3 communication and interaction with county engineers on topics of importance to Wisconsin transportation;
4 and

5
6 WHEREAS, NACE and the Wisconsin Counties Highway Association (WCHA) encourage their
7 Boards of Directors and Executive Committee Members to attend the Annual Meeting and Conference and
8 will reimburse all necessary expenses for attending these events; and

9
10 WHEREAS, Highway Commissioner Gary Kennedy serves on the NACE Board of Directors, is the
11 NACE representative for Wisconsin, serves as WCHA's Past President, and is a member of the WCHA Board
12 of Directors and Executive Committee; and

13
14 WHEREAS, the Highway Committee finds that it would be advantageous to Manitowoc County, the
15 Highway Department, and WCHA for Gary Kennedy to attend these events and recommends that the County
16 Board approve this out-of-state travel;

17
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 Gary Kennedy to attend the National Association of County Engineers Annual Meeting and Management &
20 Technical Conference in Portland, Oregon on April 20-24, 2008, provided that all expenses are reimbursed
21 by the Wisconsin County Highway Association and the National Association of County Engineers.

Dated this 12th day of February 2008.

Respectfully submitted by the Highway Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Konen gave a brief report on the Wisconsin County Highway Association conference.
Discussion followed.

A brief report was given by Supervisor Markwardt.

Human Services Board: Supervisor Rappe gave a brief report.

Land Conservation Committee/Natural Resources and Education Committee: Supervisor Wagner and
Supervisor Maresh gave brief reports.

Personnel Committee: Supervisor Vogt gave a brief report.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to adopt Resolution 5 (2007/2008-111)
Resolution Approving Sick Leave Payment for Health Care Center Employees. Discussion followed. Upon
vote, the motion carried with 19 ayes and 1 nay. Supervisor Schneider voted nay. All other supervisors voted
aye.

No. 2007/2008 - 111

**RESOLUTION APPROVING SICK LEAVE PAYMENT
FOR HEALTH CARE CENTER EMPLOYEES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has completed impact bargaining with the Health Care Center
2 employees represented by Local 1288, AFSCME, AFL-CIO; and

3 WHEREAS, the County Board has been provided with a copy of the impact bargaining summary that
4 has been ratified by Local 1288; and

5
6 WHEREAS, the sick leave payment to employees represented by Local 1288 is approximately 38%
7 of the value of the accrued sick leave balances; and

8
9 WHEREAS, the sick leave payment to non-represented employees is approximately 37% of the value
10 of the accrued sick leave balances; and

11
12 WHEREAS, the Manitowoc County Board of Supervisors expresses its appreciation for the dedicated
13 service the Health Care Center employees have provided to the residents of the Manitowoc County Health
14 Care Center;

15
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors ratifies,
17 confirms, and approves the payment of accrued sick leave on the terms set forth in the impact bargaining
18 summary; and

19
20 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair, and Personnel
21 Director are authorized to execute such papers as may be necessary to effectuate this payment of sick leave
22 to Health Care Center employees.

Dated this 12th day of February 2008.

Respectfully submitted by the Personnel Committee.

FISCAL NOTE: The authorized payments are not new expenses and, for the most part, have already been accounted for as expenses in the County's financial statements. These payments reflect what the County has or would account for under normal circumstances, and the payments represent an accelerated event that would normally take place over time as employees retire.

Sick Leave Payout	\$436,869.80
<u>FICA</u>	<u>\$ 33,420.54</u>
Total Cost	\$470,290.34

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Heyroth, to adopt Resolution 6 (2007/2008-112) Resolution Adopting Manitowoc County Planning and Park Commission Report and Denying Zoning Amendment Petition (Randall Pelishek). Upon vote, the motion carried unanimously.

No. 2007/2008 - 112

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND PARK COMMISSION
REPORT AND DENYING ZONING AMENDMENT PETITION
(Randall Pelishek)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Randall Pelishek submitted a petition on January 12, 2007 to rezone a parcel of land
2 containing approximately 1.80 acres located in the NE¼, Section 25, T21N-R22E, Town of Cooperstown
3 from A3 Agriculture to A1 Agriculture; and

1 WHEREAS, the petition was referred to the Planning and Park Commission for a recommendation and
2 report, and the Planning and Park Commission held public hearings and recommended that the petition be
3 approved; and
4

5 WHEREAS, the County Board considered Commission's recommendation on January 15, 2008 and
6 remanded the matter to the Planning and Park Commission with a recommendation that the Commission
7 consider new information provided by the Town of Cooperstown; and
8

9 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
10 hearing on the remanded petition on January 28, 2008 and, after a careful consideration of testimony and an
11 examination of the facts, recommends that the petition be denied for the reasons stated in the attached report;
12

13 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the county of
14 Manitowoc adopts the report of the Planning and Park Commission denying the petition for a zoning
15 ordinance amendment submitted by Randall Pelishek.

Dated this 12th day of February 2008.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to adopt Resolution 7 (2007/2008-113)
Ordinance Amending Zoning Map (James Brick). Upon vote, the motion carried unanimously.

No. 2007/2008 - 113

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on January 28, 2008; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
5 examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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, NW¼, Section 6, T19N-R23E, Town of Manitowoc Rapids,
12 commencing at the Center of said Section 6; thence westerly along the centerline of USH 10
13 approximately 375 feet; thence northerly approximately 33 feet to the north r/w of USH 10 which
14 is the point of real beginning; thence continue northerly approximately 541 feet; thence westerly
15 approximately 410 feet; thence southerly approximately 525 feet; thence easterly approximately
16 410 feet to the point of real beginning; said parcel containing approximately 5.02 acres of land,
17 shall be and is hereby rezoned from A2 Agriculture to A1 Agriculture.

Dated this 12th day of February 2008.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Discussion occurred on the Navitas Conditional Use Permit extension.

Public Safety Committee: Supervisor Henrickson gave a brief report. Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 8 (2007/2008-114) Resolution Authorizing Out-of-State Travel for Nancy Crowley for IEMC in Emmitsburg, MD. Upon vote, the motion carried unanimously.

No. 2007/2008 - 114

**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 offered an opportunity to attend the Integrated Emergency Management Course (IEMC) at the
3 Department of Homeland Security's National Emergency Training Center in Emmitsburg, Maryland; and
4

5 WHEREAS, this course focuses on preparing for and responding to terrorist acts and will enhance
6 the Emergency Management Director's skills; and
7

8 WHEREAS, Florida Power & Light Company will reimburse Manitowoc County for all expenses,
9 including airfare, hotel, meals, and surface transportation, for Nancy H. Crowley to attend the training;
10

11 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes
12 Nancy H. Crowley to attend the IEMC Homeland Security Course to be held March 3 - 7, 2008 at the
13 National Emergency Training Center.

Dated this 12th day of February 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. County expenses will be fully reimbursed by Florida Power and Light through existing budget line items.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 9 (2007/2008-115) Resolution Authorizing Out-of-State Travel for Nancy Crowley for NREP in Las Vegas, NV. Upon vote, the motion carried unanimously.

No. 2007/2008 - 115

**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 is a member
2 of the National Radiological Emergency Preparedness (NREP) Conference Steering Committee; serves
3 on the Program, Registration, and Future Sites Sub-Committees of the Steering Committee; and requests
4 authorization to travel out of state to attend the 18th Annual NREP Conference that will be held in Las
5 Vegas, Nevada from April 5-12, 2008; and
6

7 WHEREAS, Florida Power & Light Company will reimburse Manitowoc County for all expenses,
8 including airfare, hotel, meals, and surface transportation, for Nancy H. Crowley to attend the conference;
9

10 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors authorizes
11 Nancy H. Crowley to attend the National Radiological Emergency Preparedness Conference in Las
12 Vegas, Nevada, April 5-12, 2008.

Dated this 12th day of February 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Meeting expenses will be fully reimbursed to County by
Florida Power and Light through existing budget line items.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 10 (2007/2008-116)
Ordinance Amending Manitowoc County Code 4.13(9)(a) (Cremation Authorization). Discussion
followed. Upon vote, the motion carried with 18 ayes and 2 nays. Supervisor Tittle and Supervisor
Wagner voted nay. All other supervisors voted aye.

No. 2007/2008 - 116

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 4.13(9)(a)
(Cremation Authorization)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Coroner's Office is statutorily mandated to provide authorization to funeral homes
2 to cremate bodies; and
3

4 WHEREAS, the current fee for viewing, examining, confirming causes of death, photographing,
5 and signing required forms for a cremation authorization is \$50; and
6

7 WHEREAS, Manitowoc County's fee for this service is lower than most counties and does not
8 fully cover the cost of the service provided; and
9

10 WHEREAS, the Public Safety Committee recommends that the cremation authorization fee be
11 increased to \$75;
12

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

15 Manitowoc County Code section 4.13(9)(a) is amended as follows:

16

17 (a) Cremation authorization. ~~\$50.00~~ \$75 per body cremated.

Dated this 12th day of February 2008.

Respectfully submitted by the Public Safety and Finance Committees.

FISCAL IMPACT: Increases revenue by approximately \$6,600 per year.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Tittl gave a report that the City of Manitowoc will be holding an informational meeting at City Hall on February 27, at 6:30 P.M., regarding a sex offender registry for the City of Manitowoc. Public input is being sought.

Public Works Committee: Supervisor Behnke gave a brief report. The next meeting will be held February 13 in the County Administrative Building at 4:00 P.M. Discussion by Supervisor Rappe.

Transportation Coordinating Committee: Supervisor Mueller gave a brief report. Their next meeting will be March 11 at 11:30 A.M.

Miscellaneous: Chairperson Brey reminded everyone to vote on February 19, 2008.

Supervisor Graunke moved to adjourn, Supervisor Henrickson seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:27 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

March 18, 2008

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, in the City of Manitowoc, being the 18th day of March, 2008, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:00 P.M.

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

Roll call: 21 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Hansen, Henrickson, Janowski, Konen, Kozlowski, Maresh, Markwardt, Mueller, Rappe, Rasmussen, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Graunke, Heyroth, Muench, and Schneider were excused.

On a motion by Supervisor Zigmunt, seconded by Supervisor Henrickson, the February 12, 2008, meeting minutes were approved by unanimous vote.

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

Chairperson Brey declared public input open. No one present wished to speak, subsequently Chairperson Brey declared public input closed at 7:04 P.M.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENTS DIRECTORS

Supervisor Bauknecht moved, seconded by Supervisor Gauger, to adopt Resolution 1 (2007/2008-117) Recognizing the Wisconsin Speleological Society. Discussion followed. Planning and Park Director Mike Demske introduced members of the Wisconsin Speleological Society who have been excavating the glacially deposited sediments in the passages of the Maribel New Hope Cave. Upon vote, the motion carried unanimously.

No. 2007/2008 - 117

**RESOLUTION RECOGNIZING
THE WISCONSIN SPELEOLOGICAL SOCIETY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, members of the Wisconsin Speleological Society discovered the Maribel New Hope
2 Cave on February 5, 1984; and
3

4 WHEREAS, the Wisconsin Speleological Society has continued to excavate the Maribel New Hope
5 Cave and several other caves within the Cherney Maribel Caves County Park, has used the excavated
6 material to upgrade the existing trail system, and has developed several new trails within the park; and
7

8 WHEREAS, the Wisconsin Speleological Society participated with other citizens in forming the
9 "Friends of Maribel Caves" to help preserve the history and protect the ecology of the area, has constructed
10 an Informational Sign about Cherney Maribel Caves County Park, and has worked with Planning and Park
11 Department and Public Works Department to limit vandalism and improve the park; and

12 WHEREAS, the Wisconsin Speleological Society has a long history of serving as Goodwill
13 Ambassadors for Cherney Maribel Caves County Park and has regularly scheduled working weekends and
14 provided tours — often to more than 100 persons in a day — to the general public, Boy Scouts, Girl Scouts,
15 and school and environmental groups;

16
17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
18 recognizes the Wisconsin Speleological Society for its service to the citizens of Manitowoc County,
19 Wisconsin.

Dated this 18th day of March 2008.

Respectfully submitted by the Planning and Park Commission and Public Works Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey presented a Proclamation honoring outgoing Supervisor Robert Rasmussen. Supervisor Rasmussen talked about his experiences in county government.

Supervisor Ted Zigmunt presented a Proclamation honoring retiring County Media Coordinator Fred Barry who has been a radio announcer for WOMT-WQTC for thirty years.

Supervisor Markwardt gave a report on the WCA County Organization and Personnel Steering Committee meeting he attended on March 13.

Public Health Director Jim Blaha read a Proclamation Honoring Dentists who participated in the “Give a Kid a Smile Day.” He also read a Proclamation Honoring Dr. Ronald Egan for his dedication in providing dental care to Medicaid recipients.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Supervisor Rick Henrickson to the Lester Public Library Board of Trustees for a term expiring July 1, 2010. Supervisor Kozlowski moved, seconded by Supervisor Maresh, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointments of Mary Coenen and alternate Mary Stangel to the Local Emergency Planning Committee for a term expiring September 2009. Supervisor Henrickson moved, seconded by Supervisor Behnke, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Steven M. Czekala to complete David Ferry’s term expiring December 2009 on the Veterans’s Service Commission. Supervisor Gauger moved, seconded by Supervisor Vogt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointments of Marilyn Garceau, Mary Ann Johnson, and Anna Wood to the Long Term Support Planning Committee for a three year term expiring April 30, 2011. Supervisor Vogt moved, seconded by Supervisor Maresh, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Dr. Todd Nelson to the Board of Health for a two year term expiring April 2010. Upon vote, the appointment was confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski gave a brief report. Their next meeting will be April 10.

Economic Development Corporation: Supervisor Maresh reported that supervisors will be receiving the EDC report electronically.

Executive Committee: Chairperson Brey gave a brief report.

Expo Board: Supervisor Behnke gave a brief report.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 2(2007/2008-118) Authorizing Designation, Carry-Over, and Reappropriation of Specified Funds from 2007 to 2008. Upon vote, the motion carried unanimously.

No. 2007/2008 - 118

RESOLUTION AUTHORIZING DESIGNATION, CARRY-OVER, AND REAPPROPRIATION OF SPECIFIED FUNDS FROM 2007 TO 2008

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 2007 budget
5 year did not take place, were not completed, or are on-going and must be carried-over into the next budget
6 year; 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 2008 budget; and
10

11 WHEREAS, the appropriate oversight committees and the Finance Committee have reviewed the
12 requests and recommend that the designation, carry-over, and reappropriation requests be approved; and
13

14 WHEREAS, Wisconsin statutes and county board rules require that the county board take official
15 action to authorize the designation, carry-over, and reappropriation of funds, and sound financial practice
16 requires that such carry-over designations be recorded in the official books of the County; and
17

18 WHEREAS, any additional items or adjustments that may be required at the completion of the
19 County's external audit will be brought to the County Board in a separate resolution at the conclusion of the
20 field work of the external audit;
21

22 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
23 following unreserved, designated funds are authorized to be carried over from the official books of the
24 County for the year ended December 31, 2007 to the official books of the County for the year ending
25 December 31, 2008; that the funds are reappropriated and may be expended as required; and that the 2008
26 Annual Budget is amended and the appropriate General Fund line items may be increased by the amounts
27 shown:

<u>Description / Purpose</u>	<u>Account</u>	<u>Amount</u>
Airport-Projects	100.34222	\$ 10,215.81
Planning - Mapping	100.34232	\$ 25,426.00
Planning - Area Planning	100.34233	\$ 32,903.91

32	Parks – Silver Lake Donation	100.34235	\$ 15,321.49
33	Public Health – Mercury Reduction Grant	100.34240	\$ 9,715.95
34	Public Health / Public Works	100.34240	\$ 46,153.75
35	Veterans Service - Aid to Vets	100.34245	\$ 15,695.00
36	Veterans Service - Care of Graves & Other	100.34245	\$ 16,705.50
37	Land Records Modernization	100.34270	\$207,139.83
38	Vehicle Replacements	100.34277	\$ 36,627.00
39	Emergency Mgmt. – Communications Proj.	100.34279	\$ 56,250.00
40	Emergency Mgmt. - Hazmat	100.34280	\$165,892.12
41	U.W. Extension Altria Grant	100.34284	\$ 14,904.56
42	U.W. Extension Urban Youth Grant	100.34284	\$ 1,800.00
43	County Board	100.34286	\$ 1,118.00
44	County Clerk – Elections	100.34289	\$ 23,000.00
45	PW-Wetland Mitigation	100.34291	\$198,311.47
46	JDC-911 Equip Maint. & Wireless 911 Proj.	100.34293	\$107,933.20
47	PW-PBX Phone System Project	100.34294	\$ 79,222.52
48	Radio Tower Project	100.34297	\$840,000.00;

49 and

50 BE IT FURTHER RESOLVED that the following unreserved, designated funds are authorized to be
51 carried over from the books of the County for the year ended December 31, 2007 to the official books of the
52 County for the year ending December 31, 2008; but that the funds may not be reappropriated or expended
53 without further action by the County Board:

54			
55	<u>Department</u>	<u>Activity</u>	<u>Account</u>
56	Public Works	Future Capital Projects	100.34295
57			\$44,518.80;

57 and

58 BE IT FURTHER RESOLVED that the following grant and project funds are authorized to be carried
59 over from the official books of the County for the year ended December 31, 2007 to the official books of the
60 County for the year ending December 31, 2008; that they may be expended; and that the 2008 Annual Budget
61 is amended and the following General Fund line items are increased by the amounts shown:

62				
63	<u>Description / Purpose</u>	<u>Account</u>	<u>Category</u>	<u>Amount</u>
64	Emergency Mgmt/ LTC-Citizen Corps	25450.58121	Expense	\$16,386.00
65	Emergency Mgmt/ LTC-Citizen Corps	25450.43520.25	Revenue	\$16,386.00
66	Emergency Mgmt/Pass Thru–Home Land	25450.58122	Expense	\$95,000.00
67	Emergency Mgmt/ Pass Thru–Home Land	25450.43520.26	Revenue	\$95,000.00;

68 and

69 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information
70 in the official books of the County for the year ended December 31, 2007 and for the year ending December
71 31, 2008 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over the amounts specified from the 2007 budget to the 2008 budget
and amends the 2008 Annual Budget as stated.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to adopt Resolution 3 (2007/2008-119) Authorizing the Restatement of Various Activity, Revenue, and Expense Appropriations. Upon vote, the motion carried unanimously.

No. 2007/2008 - 119

**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 appropriations 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 2007 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

<u>Description / Purpose</u>	<u>Account</u>	<u>Category</u>	<u>Amount</u>
24 State Computer Aid	1.43411	Revenue	\$49,000
25 Contingent Fund	1.59990	Expense	(\$379,599)
26 Clerk of Courts	12100.52130	Expense	\$177,524
27 Register in Probate	12300.51200	Expense	\$1,123
28 Family Court	12400.51100	Expense	\$4,850
29 Coroner	12700.51450	Expense	\$11,650
30 District Attorney	13100.52140	Expense	\$72,805
31 Clerk	14200.51652	Expense	\$8,928
32 Clerk - Mailing	14210.53007	Expense	\$23,950
33 Clerk - Central Duplicating	14220.53005	Expense	\$7,330
34 Personnel Dept.	14300.53060	Expense	\$1,770
35 Treasurer - Int on Taxes	15200.41800	Revenue	\$115,000
36 Treasurer - Interest Inv. Rev	15200.48100	Revenue	\$17,655
37 Treasurer - Inv to Mkt.	15200.48101	Revenue	\$100,000
38 Public Works - Admin.	16000.51450	Expense	\$4,545
39 Public Works - Crt Hse	16100.52999	Expense	\$11,000

40	Public Works - Ofc Complex	16200.52150	Expense	\$6,400
41	Public Works - Jail	16300.52223	Expense	\$33,100
42	Public Works - UW Center	16400.52422	Expense	\$17,400
43	Public Works - Admin. Bldg.	16750.58225	Expense	\$34,100
44	Public Works - Other Property	16800.51652	Expense	\$8,400
45	Register of Deeds - RE Trans	17100.46130.02	Revenue	\$147,000
46	Land Records Modernization	17150.52507	Expense	\$30,000
47	Sheriffs Department - Fees	21000.46200.01	Revenue	\$6,100
48	Sheriffs Department - Admin.	21000.52999	Expense	\$122,064
49	Sheriffs Department - Patrol	21200.51250	Expense	\$116,062
50	Joint Dispatch	21600.51200	Expense	\$13,500
51	Sheriffs Department - Metro	27500.51250	Expense	\$24,703
52	Airport	35100.53048	Expense	\$46,000
53	Parks	52000.52175	Expense	\$33,000
54	Planning - Conservation	62000.58275	Expense	\$4,150;

55 and

56 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such information
57 in the official books of the County for the year ended December 31, 2007 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases net appropriated 2007 revenues and expenses by \$434,755.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Hansen, to adopt Resolution 4 (2007/2008-120) Denying Claim (Timothy and Joy Thiers). Discussion followed. Corporation Counsel explained the reasons for the recommendation to deny the claim. Upon vote, the motion carried unanimously.

No. 2007/2008 - 120

**RESOLUTION DENYING CLAIM
(Timothy and Joy Thiers)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Timothy and Joy Thiers, by their attorneys Fox & Fox, S.C., filed a claim dated January
2 3, 2008 against Manitowoc County and County Executive Robert Ziegelbauer alleging a variety of claims;
3 and

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

7 WHEREAS, the insurance carrier and outside counsel have reviewed the claim and relevant records
8 and recommend that the claim be denied; and
9

10 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the claim and
11 recommend that the claim be denied;

12
13 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
14 claim is denied and that the Corporation Counsel and County Clerk are directed to provide such notice of
15 the denial of the claim as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Finance Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Bundy moved, seconded by Supervisor Markwardt, to adopt Resolution 5 (2007/2008-121) Authorizing Joint Construction Agreement for County Trunk CR in the City of Manitowoc. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 121

**RESOLUTION AUTHORIZING JOINT CONSTRUCTION AGREEMENT
FOR COUNTY TRUNK CR IN THE CITY OF MANITOWOC**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has jurisdictional control over the entire portion of County Trunk CR
2 in the City of Manitowoc ("City") that is located between Viebahn Street and Dewey Street; and

3
4 WHEREAS, the City is planning a construction project to make repairs and improvements to that
5 portion of County Trunk CR located between Viebahn Street and Dewey Street; and

6
7 WHEREAS, the County and City believe that it would be to their mutual benefit to cooperate on a
8 joint construction project to make repairs and improvements to the portion of County Trunk CR located
9 between Viebahn Street and Dewey Street and to ultimately transfer jurisdictional control over that portion
10 of County Trunk CR from the County to the City; and

11
12 WHEREAS, the County Board has been provided with a proposed Joint Construction Agreement for
13 County Trunk CR in the City of Manitowoc, which has been reviewed by the Corporation Counsel;

14
15 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board of Supervisors authorizes
16 the County Executive and County Clerk to execute the Joint Construction Agreement with the City of
17 Manitowoc.

Dated this 18th day of March 2008.

Respectfully submitted by the Highway Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe gave a brief report and answered supervisors' questions.

Land Conservation Committee/Natural Resources and Education Committee: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 6 (2007/2008-122) Approving Land and Water Resource Management Plan. Upon vote, the motion carried unanimously.

No. 2007/2008 - 122

**RESOLUTION APPROVING LAND AND WATER
RESOURCE MANAGEMENT PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1997 Wisconsin Act 27 amended Wisconsin Statutes Chapter 92 so that counties are
2 required to develop a Land and Water Resource Management Plan; and

3
4 WHEREAS, Land and Water Resource Management Plans foster and support a locally led process
5 that improves decision-making, streamlines administrative and delivery mechanisms, and better utilizes local,
6 state, and federal funds to protect a County's land and water resources; and

7
8 WHEREAS, Manitowoc County has developed a Land Water Resource Management Plan after taking
9 into consideration existing resource management plans, current state mandates and County ordinances, and
10 the priority concerns of County residents and local natural resource professionals; and

11
12 WHEREAS, the Plan that has been prepared will serve as a guide to County departments, state and
13 federal agencies, citizens, and organizations when targeting their resources to protect and improve our
14 County's natural resources; and

15
16 WHEREAS, a copy of the Plan has been provided to the County Board and the Land Conservation
17 Committee recommends that the County Board adopt the Plan;

18
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts
20 the Land and Water Resource Management Plan as a blueprint for an effective land and water program for
21 Manitowoc County; and

22
23 BE IT FURTHER RESOLVED that the Land Conservation Committee and the Soil and Water
24 Conservation Department serve as the facilitator and lead agency in implementing and updating this Plan.

Dated this 18th day of March 2008.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: Approval of the Plan qualifies Manitowoc County for grant funds from DNR
and DATCP.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Zigmunt, to adopt Resolution 7 (2007/2008-123)

Accepting Donation from Manitowoc Golden K and Two Rivers Kiwanis Club. Upon vote, the motion carried unanimously.

No. 2007/2008 - 123

**RESOLUTION ACCEPTING DONATIONS FROM
MANITOWOC GOLDEN K AND TWO RIVERS KIWANIS CLUBS**

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;

4
5 WHEREAS, the Manitowoc County UW-Extension Office is committed to providing education
6 through methods that are most beneficial for its clientele, and research-based newsletters are one method
7 through which Manitowoc County UW-Extension is able to educate parents;

8
9 WHEREAS, evaluations of the “Parenting the First Year” and “Parenting the Second and Third Years”
10 newsletters have demonstrated the value of the education by parents;

11
12 WHEREAS, local Kiwanis Clubs have financially supported the distribution of these newsletters for
13 more than 15 years;

14
15 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County accepts the donations of \$850 from
16 the Manitowoc Golden K Kiwanis Club and \$400 from the Two Rivers Kiwanis Club to support printing and
17 mailing of the UW-Extension parenting newsletters; and

18
19 BE IT FURTHER RESOLVED that the 2008 budget is amended by the amount of the donations
20 received and that the Comptroller/Auditor is directed to record such information in the official books of the
21 County for the year ending December 31, 2008 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts not to exceed \$1,250.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zigmunt gave a brief report.

Personnel Committee: Supervisor Vogt gave a brief report.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Rasmussen, to adopt Resolution 8 (2007/2008-124) Authorizing 2008-2009 Snowmobile Trail Program. Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING
2008-2009 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 35 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 participation in the Snowmobile Aids
9 Program and has budgeted \$61,275 for a Snowmobile Trail Program to cover the costs for 245.1 miles of
10 trail; and
11

12 WHEREAS, the Planning and Park Commission has provided the County Board with a trail system
13 map showing the 245.1 miles of trail that are included in the Snowmobile Trail Program;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
16 the trail system map provided by the Planning and Park Commission; and
17

18 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors designates the
19 Planning and Park Commission as the agency to act on behalf of Manitowoc County in submitting
20 applications for state snowmobile aids for acquisition, bridge rehabilitation, development, insurance, and
21 maintenance costs of the county's public snowmobile trail system; and
22

23 BE IT FURTHER RESOLVED that the Planning and Park Director is authorized to sign documents
24 and take the actions necessary to undertake, direct, and complete the 2008-2009 Snowmobile Trail Program;
25 and
26

27 BE IT FURTHER RESOLVED that upon completion of the acquisition, development, and
28 redevelopment of the snowmobile trails through the Snowmobile Trail Program, the trails will be designated
29 as public snowmobile trails; and
30

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

Dated this 18th day of March 2008.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. \$61,275 is included in the 2008 approved budget. The State will reimburse the County the total amount spent on this program.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Hansen, to enact Ordinance 9 (2007/2008-125) Amending Zoning Map for Delores Gettelman. Upon discussion and vote, the motion carried with 20 ayes and 1 no. Supervisor Wagner voted no; all other supervisors voted aye.

No. 2007/2008 - 125

**ORDINANCE AMENDING ZONING MAP
(Delores Gettelman)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on February 25, 2008; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
5 examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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, NE¼, Section 17, T21N-R23E, Town of Gibson,
12 commencing at the N¼ Corner of said Section 17; thence southerly approximately 33 feet to
13 the north r/w of North Lake Road which is the point of real beginning; thence easterly along
14 the north r/w of North Lake Road approximately 660 feet; thence southerly approximately 660
15 feet; thence westerly approximately 660 feet; thence northerly along the east r/w of Harpt Lake
16 Road approximately 660 feet to the point of real beginning; said parcel containing
17 approximately 10.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2
18 Agriculture.

Dated this 18th day of March 2008.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 10 (2007/2008-126) Amending zoning Map for Scott O'Connell. Chairperson Brey offered a friendly amendment to line 18 to strike "18.4 acres" and replace it with "1.84 acres." Upon discussion and vote on the amended ordinance, the motion carried with 20 ayes and 1 no. Supervisor Rappe voted no; all other supervisors vote aye.

**ORDINANCE AMENDING ZONING MAP
(Scott O'Connell)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a public
2 hearing on a petition for a zoning ordinance amendment on February 25, 2008; and

3
4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
5 examination of the facts, recommends that the petition be approved for the reasons stated in the attached
6 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 T20N-R21E, Town of Maple Grove:

10
11 Parcel No. 1, a parcel of land located in the SW¼, SW¼, Section 11, T20N-R21E, Town of
12 Maple Grove, commencing at the SW corner of Section 11; thence northerly along the
13 centerline of CTH W approximately 100 feet; thence easterly approximately 33 feet to the east
14 r/w of CTH W which is the point of real beginning; thence continue easterly approximately 400
15 feet; thence northerly approximately 200 feet; thence westerly approximately 400 feet; thence
16 southerly along the east r/w of CTH W approximately 200 feet to the point of real beginning,
17 said parcel containing approximately 1.84 acres of land, shall be and is hereby rezoned from
18 A3 Agriculture to A1 Agriculture; and

19
20 Parcel No. 2, a parcel of land located in the NE¼, SE¼, Section 10, T20N-R21E, Town of
21 Maple Grove, commencing at the SE corner of said Section 10; thence northerly along the
22 centerline of CTH W approximately 2370 feet; thence westerly approximately 60 feet to the
23 west r/w of CTH W which is the point of real beginning; thence continue westerly
24 approximately 400 feet; thence southerly approximately 200 feet; thence easterly approximately
25 400 feet; thence northerly along the west r/w of CTH W approximately 200 feet to the point of
26 real beginning, said parcel containing approximately 1.84 acres of land, shall be and is hereby
27 rezoned from A3 Agriculture to A1 Agriculture.

Dated this 18th day of March 2008.

Respectfully submitted by the Planning and Park Commission.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller reported their next meeting will be March 24.

Public Safety Committee: Supervisor Henrickson moved, seconded by Supervisor Gauger, to adopt Resolution 11(2007/2008-127) Authorizing Out-Of-State Travel (Connie Bashaw). Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING OUT OF STATE TRAVEL
(Connie Bashaw)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Joint Dispatch Center maintains and supports critical hardware and software systems
2 that assist law enforcement agencies, fire departments, and emergency medical service providers in providing
3 critical care and support services to the citizens of Manitowoc County; and
4

5 WHEREAS, the software systems supporting this environment are in a state of constant change and
6 the Joint Dispatch Center Supervisors must stay current with these changes through continuing education;
7 and

8 WHEREAS, the annual AEGIS software systems conference is the primary means by which
9 Manitowoc County can stay current with these changes and provides an excellent forum to exchange ideas,
10 learn new methodologies, and participate in hands-on seminars to improve the skill sets required to maintain
11 the systems;
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
14 Joint Dispatch Supervisor Connie Bashaw to attend the three day Aegis MSP Users Conference in Scottsdale,
15 Arizona from April 27 through April 29, 2008.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Travel and conference costs are included in the approved JDC budget.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Konen, to adopt Resolution 12 (2007/2008-128) Authorizing Out-Of-State Travel (Katherine Shoulak). Upon discussion and vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Katherine Shoulak)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Sheriff's Department utilizes the Aegis shared records system to record and store all
2 law enforcement records relevant to its jurisdiction; and
3

4 WHEREAS, a new software version release highlighting the latest features and updates to the records
5 program will be presented during workshops and educational sessions at the 2008 Aegis Public Safety
6 Conference; and
7

8 WHEREAS, the Sheriff's Department is currently in the process of earning Incident-Based Reporting
9 certification from the State of Wisconsin, which requires a thorough understanding of the new software
10 version and how it will affect state compliance reporting; and

11
12 WHEREAS, the annual conference is the principal source for learning software updates to train other
13 Sheriff's Department staff;

14
15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorize
16 Katherine Shoulak to attend the 2008 Aegis Public Safety Conference in Scottsdale, Arizona from April 27
17 – 29, 2008.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Travel and conference costs are included in the 2008 Sheriff's Department
2008 budget.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 13 (2007/2008-129)
Authorizing Out-Of-State Travel (Joseph Keil). Upon vote, the motion carried unanimously.

No. 2007/2008 - 129

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, impaired driving continues to be one of the greatest and most persistent threats to public
2 safety; and

3
4 WHEREAS, the Drug Recognition Expert (DRE) Program has proven to be effective in training
5 officers to detect and remove impaired drivers from our roadways; and

6
7 WHEREAS, the 14th International Association of Chiefs of Police (IACP) DRE Training Conference
8 on Drugs, Alcohol, and Impaired Driving will present updates on drug trends, legal issues, innovative
9 technology, research, and initiatives to officers, trainers, prosecutors, and other professionals; and

10
11 WHEREAS, Deputy Joseph Keil holds National Instructor Drug Recognition Expert Status, and DRE
12 training will allow him to continue to provide other Sheriff's Department officers with medical and scientific
13 foundations of the various components of the DRE protocol; 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 authorize
19 Deputy Joseph Keil to attend the 14th IACP DRE Training Conference on Drugs, Alcohol, and Impaired
20 Driving in Indianapolis, Indiana from August 10 – 12, 2008.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Wisconsin Department of Transportation will pay approximately \$850 for travel, lodging, registration, and meals.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Bauknecht, to adopt Resolution 14 (2007/2008-130) Accepting Grant Funds for Exercise Equipment. Upon vote, the motion carried unanimously.

No. 2007/2008 - 130

**RESOLUTION ACCEPTING GRANT FUNDS
FOR EXERCISE EQUIPMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department recognizes the importance of physical
2 fitness and wellness for employees; and
3

4 WHEREAS, the Sheriff's Department has designed an exercise area for employees equipped with
5 physical fitness apparatus to promote healthy physical conditioning; and
6

7 WHEREAS, the majority of the current exercise equipment is over 25 years old, is wearing out, and
8 is becoming unsafe for everyday use; and
9

10 WHEREAS, the Sheriff's Department has received a grant in the amount of \$16,318 to fund the
11 replacement of a portion of the equipment;
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
14 the Manitowoc County Sheriff's Department to accept \$16,318 in grant funding to purchase the exercise
15 equipment; and
16

17 BE IT FURTHER RESOLVED that upon receipt of those grant funds, appropriate revenue and
18 expenditure line items in the 2008 budget will be amended by the amount of the grant and the
19 Comptroller/Auditor is directed to record such information in the official books of the County for the year
20 ending December 31, 2008 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21200.48500) and expenditures (21200.58100) by equal amounts of up to \$16,318.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Konen, to adopt Resolution 15 (2007/2008-131) Accepting Grant Funds for Communication Equipment. Upon discussion and vote, the motion carried unanimously.

No. 2007/2008 - 131

**RESOLUTION ACCEPTING GRANT FUNDS
FOR COMMUNICATION EQUIPMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Protective Security Coordination Division of the U.S. Department of Homeland
2 Security, in coordination with the Office of Grants & Training, has developed the Buffer Zone Protection
3 Program to reduce the risk of a terrorist attack at the Point Beach Nuclear Plant through awareness,
4 prevention, preparedness, and response; and
5

6 WHEREAS, the Manitowoc County Sheriff's Department, Two Creeks Fire Department, and Point
7 Beach Nuclear Plant need improved equipment to enhance communication capabilities; and
8

9 WHEREAS, the Sheriff's Department has been awarded a Department of Homeland Security grant
10 to purchase radio equipment for law enforcement, fire service, and the nuclear plant;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
13 the Sheriff's Department to accept \$183,299 in grant funding for the purchase of communication equipment;
14 and
15

16 BE IT FURTHER RESOLVED that upon receipt of those grant funds, appropriate revenue and
17 expenditure line items in the 2008 budget will be amended by the amount of the grant and the
18 Comptroller/Auditor is directed to record such information in the official books of the County for the year
19 ending December 31, 2008 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21200.43216) and expenditures (21200.58114) by equal amounts of up to \$183,299.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 16 (2007/2008-132) Accepting Career Development Training Scholarship Award. Upon vote, the motion carried unanimously.

No. 2007/2008 - 132

**RESOLUTION ACCEPTING CAREER DEVELOPMENT
TRAINING SCHOLARSHIP AWARD**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Department strives to provide its management officers
2 with command-level training; and

3
4 WHEREAS, Sgt. Jason Orth is currently enrolled in a comprehensive 10-week management studies
5 program at Fox Valley Technical College in Appleton; and

6
7 WHEREAS, the Wisconsin Department of Justice, Training & Standards Bureau has awarded a \$2,000
8 scholarship to the Manitowoc County Sheriff's Department to support and partially fund management
9 training;

10
11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts
12 the scholarship award from Wisconsin Department of Justice, Training & Standards Bureau in the amount
13 of \$2,000; and

14
15 BE IT FURTHER RESOLVED that upon receipt of those grant funds, appropriate revenue and
16 expenditure line items in the 2008 budget will be amended by the amount of the scholarship award and that
17 the Comptroller/Auditor is directed to record such information in the official books of the County for the year
18 ending December 31, 2008 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21100.43520.01) and expenditures
(21100.53033) by equal amounts of \$2,000. The balance of training costs are
included in the 2008 Sheriff's Department budget.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke gave a brief report.

Transportation Coordinating Committee: Supervisor Mueller gave a brief report and announced that they
will meet on March 27.

Miscellaneous: Supervisor Kozlowski moved, seconded by Supervisor Rappe, to adopt Resolution 17
(2007/2008-133) Amending 2007 Budget (Human Services Department). Upon vote, the motion carried
unanimously.

No. 2007/2008 - 133

**RESOLUTION AMENDING 2007 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; and

2
3 WHEREAS, the Human Services Department receives funding from a variety of sources, including
4 the State of Wisconsin, and this funding is subject to change during the course of the calendar year; and

5 WHEREAS, Human Services Department revenues and expenditures have changed as shown below
 6 and the Finance Committee recommends that the County Board amend the Human Services Department
 7 budget to reflect the following changes:

8					NEW	
9	ACCOUNT NO.	ACCOUNT NAME	DEBIT	CREDIT	BALANCE	
10						
11	43060 47240	MH CH Revenue		4,484	5,584	
12	43060 47241	Crisis MA Revenue		10,228	20,153	
13	43060 47242	MH Medicare Revenue		20,413	26,413	
14	43060 52301	MH Inpatient Expense	35,125		241,125	
15						
16	43260 48500	Donation/Contrib. MCW		47,466	47,466	
17	43260 52120	Program Director	28,217		28,217	
18	43260 53005	Operating Supplies	9,250		9,250	
19	43260 53033	Conference/Training	1,000		1,000	
20	43260 53034	Special Training	3,583		3,583	
21	43260 53039	Other Travel	1,250		1,250	
22	43260 54310	Rents/Leases	2,083		2,083	
23	43260 58100	Equipment	2,083		2,083	
24						
25	45062 43560 82	Training Grant		8,000	8,000	
26	45062 52999	Other Contract Serv. QSR	8,000		8,000	
27						
28	45066 43560 28	Youth Aids Revenue		14,351	575,030	
29	45066 43560 29	Youth Aids/AODA		13,620	13,620	
30	45066 43560 31	Lincoln Hills Escrow	32,985		87,575	
31	45066 43560 89	Early Intervention DOC		17,000	32,000	
32	45066 43560 91	Wrap Around High Risk		112,798	112,798	
33	45066 52175	Contract Worker OJA	112,798		112,798	
34	45066 52154	Court Costs-Early Interv.	17,000		32,000	
35	45066 52313	Adolescent Therapy	27,971		85,971	
36	45066 52315	Lincoln Hills Expense		32,985	87,575	
37						
38	43070 43560 78	AFH Continuation		6,846	36,846	
39	43070 48500	Donations/Contrib.		6,500	6,500	
40	43070 52305	CBRF	6,500		266,392	
41	43070 52357	Act 405 Expense	6,846		36,846	
42						
43	43072 43560 66	Brain Injury Waiver		90,218	246,225	
44	43072 51997	Allocated Admin.	8,201		20,931	
45	43072 51998	Allocated CM	13,045		13,833	
46	43072 52371	Brain Injury Waiver	68,972		210,009	
47						
48	43270 43560 38	CIP 1B Rev.		255,654	2,956,692	
49	43575 51998	CIP 1B-FF Alloc. CM	32,273		149,045	
50	43575 52334	CIP 1B FF Services	65,803		2,058,283	
51	43670 51998	CIP 1B-COP Alloc CM	36,160		54,376	
52	43670 52334	CIP 1B-COP Serv.	31,322		411,944	
53	43670 52347	CIP 1B-COP CM		21,038	15,805	
54	43870 51998	CIP 1B-CA Alloc CM	42,758		54,821	

55	43870	52334		CIP 1B-CA Services	27,601		552,950
56	43870	52347		CIP 1B-CA CM		25,936	24,749
57	43970	51997		CIP 1B-CA Alloc. Admin.		26,085	0
58	43970	52334		CIP 1B-CA Match Serv.	92,796		480,304
59							
60	43472	43560	85	Children LTS Autism	105,859		355,376
61	43472	51997		Allocated Admin.		6,925	19,618
62	43472	51998		Children LTS Autism Al.CM	3,828		13,202
63	43472	52334		Children LTS Autism-Serv		92,442	295,455
64	43472	52347		Children LTS Autism-CM		10,320	23,470
65							
66	43570	43560	87	H&CB Waiver/ICF-MR		1,226,076	2,551,389
67	43570	51997		H&CB Waiver Alloc Admin	80,209		156,745
68	43570	51998		H&CB Waiver Alloc. CM	14,666		38,483
69	43570	52333		H&CB Waiver Day Serv.	943		102,056
70	43570	52347		H&CB Waiver Case Mgt.		14,995	54,697
71	43570	52368		H&CB Waiver Other Exp	463,106		880,229
72	43570	53080		H&CB Waiver Room/Bd.	682,147		1,309,011
73							
74	45071	43560	39	COP Revenue		44,377	803,362
75	45071	48475		MA Cost Share		19,000	62,000
76	45071	51998		Allocated CM	13,074		53,605
77	45071	52334		COP Services	65,453		633,121
78	45071	52347		COP CM		55,150	8,010
79	45071	52348		Non-Medical Assess.	29,000		54,000
80	45071	52349		Case Plans	11,000		21,000
81							
82	45073	43560	41	CIP II/COP W Rev.		168,887	3,599,859
83	45073	51997		CIP II Alloc. Admin.	14,431		133,005
84	45073	51998		CIP II Alloc. CM		4,201	123,266
85	45073	52334		CIP II Services	71,508		1,650,257
86	45073	52347		CIP II Case Mngment	75,469		301,790
87	45173	51997		COP-W Alloc Admin	765		79,049
88	45173	51998		COP-W Alloc CM		24,335	82,531
89	45173	52334		COP-W Services	51,556		1,018,664
90	45173	52347		COP-W Case Mng.		16,306	183,699
91							
92	45273	43560	41	Comm Reloc. Initiative		108,012	419,252
93	45273	51997		Allocated Admin.	14,907		25,993
94	45273	51998		Allocated CM	45,653		66,552
95	45273	52105		DP-Internal		17	321,883
96	45273	52334		Services	88,491		321,883
97	45273	52347		CM		41,022	3,439
98	45373	43560	41	CRI Diversion Rev.		174,345	276,515
99	45373	51997		CRI Allocated Admin.	10,938		17,218
100	45373	51998		Allocated CM	51,649		57,563
101	45373	52334		Services	119,907		194,972
102	45373	52347		CM		8,149	5,709
103							

104 NOW, THEREFORE, BE IT RESOLVED that the 2007 Human Services Department budget is
105 amended by the amounts shown above and that the Comptroller/Auditor is directed to record such
106 information in the official books of the County for the year ending December 31, 2007 as may be required.

Dated this 18th day of March 2008.

Respectfully submitted by the Human Services Board and Finance Committee.

FISCAL IMPACT: No tax levy impact. Increases authorized revenues and expenditures by
\$2,209,431.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Bauknecht, to adopt Resolution 18 (2007/2008-134)
Approving Town of Centerville Zoning Ordinance (Michael Dins) and Resolution 19 (2007/2008-135)
Approving Town of Centerville Zoning Ordinance (Clarence Grupe). Upon vote, the motion carried with
20 ayes and 1 no. Supervisor Rappe voted no; all other supervisors voted aye.

No. 2007/2008 - 134

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE
(Michael Dins)**

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 Michael Dins on
13 February 18, 2008.

Dated this 18th day of March 2008.

Respectfully submitted by Kevin L. Behnke, Supervisor

APPROVED: Bob Ziegelbauer, County Executive.

No. 2007/2008 - 135

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE
(Clarence Grupe)**

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 Clarence Grupe
13 on February 18, 2008.

Dated this 18th day of March 2008.

Respectfully submitted by Kevin L. Behnke, Supervisor.

APPROVED: Bob Ziegelbauer, County Executive.

ANNOUNCEMENTS

Supervisor Markwardt announced the Manitowoc County Home Show will be held at the Manitowoc Ice Center March 28-30.

Supervisor Behnke invited everyone to the Wisconsin Towns Association meeting on March 27.

Supervisor Tittl announced the Energy Summit that will feature “Agricultural Energy Solutions” will be held on March 27 at Lakeshore Technical College.

Chairperson Brey announced that there will be a “Candidates Forum” sponsored by the League of Women Voters on March 27.

Supervisor Rasmussen moved to adjourn, Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:43 P.M.

Respectfully submitted,
Jamie J. Aulik, County Clerk

COUNTY BOARD PROCEEDINGS INDEX

APPOINTMENTS

April 17, 2007 Session:

- ▶ Transportation Coordinating Committee: Shirley Fessler, Jamie Lee, Lisa Behnke and Don Goeke.

May 15, 2007 Session:

- ▶ Local Emergency Planning Committee: Joe Collins, Travis Waack, Roger Vetting and Alternate, Nicki Davis.

June 19, 2007 Session:

- ▶ Aging and Disability Resource Center Board: Melvin Bourgeois
- ▶ Board of Adjustment: Laurel Vondrachek
- ▶ Board of Health: Tony Yaggie
- ▶ Manitowoc Public Library Board of Trustees: Supervisor Jan Graunke
- ▶ Bay Area Agency on Aging: Supervisor Clyde Mueller
- ▶ Northeast Wisconsin Regional Economic Partnership: David Less and Alternates Ken Stubbe, Dan Pawlitzke
- ▶ Planning and Park Commission: Supervisor Clyde Mueller

October 16, 2007 Session:

- ▶ Veterans Service Officer: Patricia "Jane" Babcock

November 20, 2007 Session:

- ▶ Ethics Board: Attorney Katherine Reynolds
- ▶ Local Emergency Planning Committee: Supervisors Joe Janowski and Ed Rappe, Nancy Crowley, Jim Blaha, Amy Wergin, Randy Neils, Chris Meyer and Gerald Wiesner
- ▶ Veterans Commission: Allen Karl

December 18, 2007 Session:

- ▶ Solid Waste Management System Advisory Committee: Valerie Mellon, Donna Kieckbusch, Yvonne Kaelin, Harvey Jannette and Scott Ahl.
- ▶ Expo Board: Jerome Valenta, Doreen Bessert, Ken Swade, Gary Vondrachek, Tonya Dvorak.
- ▶ Ice Center Board: Dave Pawlowski and Michelle Hoffman.
- ▶ Transportation Coordinating Committee: Derek Muench and Sharon Walling.
- ▶ Wisconsin Works Steering Committee: Nyialong Yang, Tom Hilke, Faye Malek, Dale Moshea.
- ▶ Manitowoc-Calumet Library System Board of Trustees: John Wallace, Cheryl Kjelstrup, Supervisor Faye Konen and Darlene Waterstreet.

February 23, 2008 Session:

- ▶ Wisconsin Works Steering Committee: Rebecca Martell

March 18, 2008 Session:

- ▶ Lester Public Library Board of Trustees: Supervisor Rick Henrickson
- ▶ Local Emergency Planning Committee: Mary Coenen and alternate Mary Stangel
- ▶ Veteran's Service Commission: Steven M. Czekala
- ▶ Long Term Support Planning Committee: Marilyn Garceau, May Ann Johnson and Anna Wood
- ▶ Board of Health: Dr. Todd Nelson

COMMUNICATIONS

May 15, 2007 Session:

1. Brown County - Resolution Supporting Increasing Medicaid Reimbursement Rate for Dental care.
2. Ozaukee County - Resolution Urging Federal Regulation to Allow Federal Financial Medical Benefits for Incarcerated Individuals Until Sentenced to Secure Detention.

July 17, 2007 Session:

1. St. Croix County - Resolution Supporting SB 122 Regarding Property Tax Exemption for Certain Manufacturing Facilities.
2. Waushara County - Resolution Requesting Repeal of Wisconsin Act 420 Regarding Library Reimbursement.
3. Brown County - Resolution Requesting Federal Action to Enforce Existing Immigration Legislation.

July 30, 2007 Special Session:

1. Town of Maple Grove - Resolution Supporting County Owned Health Care Center.

August 7, 2007 Special Session:

1. Teresa Fischer - letter Regarding Sale of The Health Care Center.

August 21, 2007 Session:

1. Vilas County - Resolution Opposing NR 115 Revisions Relating to Standards for County Shoreland Zoning Ordinances.
2. Douglas County - Resolution Requesting WCA Board of Directors to Revise Bylaws Relating to Membership.
3. Douglas County - Resolution Urging WCA Board of Directors to Revise Voting Procedures.

September 18, 2007 Session:

1. Brown County - Resolution Encouraging Legislature to include \$44 million in the Budget for Incarceration Programs.
2. Brown County and Vilas County - Resolution Opposing AB 438 Relating to the Reduction of the Number of Wisconsin Counties.
3. Brown County - Resolution Requesting Congress to Amend Federal Regulation to Allow Federal Financial Participation for Medical Benefits to Incarcerated Individuals.
4. Marquette County - Resolution Urging Passage of Wisconsin State Budget.
5. Oneida County - Resolution Opposing Release of Aquatic Invasive Species from ocean Going Ships in the Great Lakes.
6. Vilas County - Resolution Requesting Federal Action to Enforce Existing Immigration Legislation.
7. Village of Maribel - Resolution Supporting a County Owned Health Care Center.
8. Lucy Kujawski - Letter Regarding Current Health Care Issues.
9. Ozaukee County Board - Resolution Opposing the One-Half Mile Ash Tree Removal Eradication Option.
10. Washburn County - Resolution Requesting Legislation to Re-emphasize Transportation user Fee Concept.

October 29, 2007 Session:

1. Green Lake County - Resolution Requesting Congress Amend Federal Regulations to Allow Federal Financial Protection for Medical Benefits to Incarcerated Individuals Until Convicted and Sentenced.

November 20, 2008 Session:

1. Sauk County - Resolution Requesting Legislators to Re-Emphasize the Transportation User Fee Concept Segregating Dual Tax Revenues and Vehicle Registration Fees for Transportation Fund.

COMMUNICATIONS continued...

2. Calumet County - Resolution Requesting Congress Amend Federal Regulations to Prevent the Loss of Federal Entitlement Benefits.
3. Door County - Resolution Supporting the Great Lakes-St. Lawrence River Basin Water Resources.
4. Calumet County - Resolution Authorizing The Sale of the Calumet Homestead to Rice Partnership, LLC.

December 18, 2007 Session:

1. Brown County - Resolution Supporting Change for Returning Federal Funds from Certified Public Expenditures of County Nursing Homes.
2. Brown County - Resolution Supporting Enactment of Legislation Related to County Board Powers and Duties as to Mass Transit Facilities and Plans.
3. Brown County - Resolution Opposing Bill H.R. 811 Entitled "The Voter Confidence and Increased Accessibility Act of 2007".

January 15, 2008 Session:

1. Florence and Oconto Counties - Resolution Supporting AB 509 that could reduce Reimbursement by County Departments of community Programs for Inpatient Facility Care and Services for Mentally Ill County Residents.
2. Eau Claire County - Resolution Supporting Legislation Related to County Board Powers and duties Related to mass Transit Plans and Facilities.
3. Ozaukee County - Resolution Supporting the Great Lakes - St. Lawrence River Basin Water Resources Compact.
4. Oconto County - Resolution Opposing Bill H.R. 811 Entitled "The Voter Confidence and Increased Accessibility Act of 2007".

February 12, 2008 Session:

1. Vilas County - Resolution Recommending Legislature Amend AB 187 Non-resident Fishing License Increased to \$12.50.
2. Vilas County - Resolution Supporting AB 543 Regarding the County's Capability of Making the Ordinary High-Water Mark Determination.
3. Vilas County - Resolution Requesting Legislators Enact Legislation to Re-emphasize the Transportation User Fee by Segregating Fuel Tax Revenues and Vehicle Registration Fees.
4. Brown County - Resolution Requesting Increased Reimbursement Payments for State Probation and Parole Prisoners Held in Brown County Jail.

March 18, 2008 Session:

1. Oconto and Brown Counties - Resolution Opposing Federal Assistance Allocation to Fund a Statewide VHR Digital Trunking System.
2. Oconto County - Resolution Requesting Increased Reimbursement Payments for State Probation and Parole Prisoners Held in the Oconto County Jail.
3. Vilas County - Resolution Opposing H.R. 811 "The Voter Confidence & Increased Accessibility Act of 2007".
4. Vilas County - Resolution Opposing Further Regulation or Fees on Fishing Tournaments.
5. Brown County - Resolution Requesting Ratification of Great Lakes and St. Lawrence River Basin Water Resources Compact.
6. Brown County - Resolution Requesting Legislation to re-emphasize the Transportation User Fee Concept.

PETITIONS

April 17, 2007 Session:

1. Roman Lulloff - Town of Schleswig
2. Joseph Quist - Town of Rockland
3. James Schlies - Town of Gibson

July 17, 2007 Session:

1. Scott and Patty Lieburn - Town of Schleswig
2. Patricia Foelske - Town of Cooperstown

August 21, 2007 Session:

1. Kenneth Halbach - Town of Rockland
2. Manitowoc County Planning and Park Commission - Chapter 10 Text Amendment
3. Manitowoc County Planning and Park Commission - Chapter 24 Text Amendment

September 18, 2007 Session:

1. Todd Buchanan - Town of Liberty

November 20, 2007 Session:

1. John Abler - Town of Schleswig

December 18, 2007 Session:

1. Town of Centerville - B-36-0024 Point Creek Bridge
2. Town of Cooperstown - C-36-040 Kocian Road Bridge
3. Town of Eaton - B-36-0163 Quarry Road Bridge
4. Town of Franklin - Hill Bridge
5. Town of Gibson - B-36-162 Melnik Road Bridge
6. Town of Gibson - Peterson Bridge
7. Town of Kossuth - Basken Bridge
8. Town of Kossuth - Heinsen Bridge
9. Town of Kossuth - Kunz Bridge
10. Town of Kossuth - Oswald Bridge
11. Town of Liberty - Lindeman Bridge
12. Town of Liberty - Patek Bridge
13. Town of Manitowoc - B-36-0165 Silver Creek Bridge
14. Town of Manitowoc - Mecca Bridge
15. Town of Manitowoc - Nagle Bridge
16. Town of Manitowoc - Pohl Bridge
17. Town of Manitowoc Rapids - B-36-0164 Village Drive Bridge
18. Town of Manitowoc Rapids - B-36-0169 Michigan Avenue Bridge
19. Town of Manitowoc Rapids - Drumm Bridge
20. Town of Maple Grove - Freimuth Bridge
21. Town of Maple Grove - Levash Bridge
22. Town of Maple Grove - Peters Bridge
23. Town of Maple Grove - Schuh Bridge
24. Town of Maple Grove - Wordell Bridge
25. Town of Mishicot - Paplham Bridge

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- 26. Town of Rockland - Gilbertson Bridge
- 27. Town of Rockland - L & S Bridge
- 28. Town of Rockland - Malliett Bridge
- 29. Town of Rockland - Phipps Bridge
- 30. Town of Rockland - Timm Bridge
- 31. Town of Rockland - Wenzel Bridge
- 32. Town of Schleswig - P-36-200 Steinthal Road Bridge
- 33. Town of Two Rivers - Coenen Bridge

February 12, 2008 Session:

- 1. James Brick - Town of Manitowoc Rapids

March 18, 2008 Session:

- 1. Delores Gettelman - Town of Gibson
- 2. Scott O'Connell - Town of Maple Grove
- 3. Manitowoc County Planning and Park Commission - Manitowoc County
- 4. Lynn and Sharon Busch - Town of Mishicot
- 5. Dan Gierke - Town of Schleswig
- 6. Daniel Gutman - Town of Cato
- 7. Daryl and Tina Mahloch - Town of Maple Grove
- 8. Bernadine Maigatter - Town of Two Creeks
- 9. Karl Stueck - Town of Kossuth
- 10. Nancy Weber - Town of Cooperstown

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