

**2019 – 2020**

## **COUNTY BOARD PROCEEDINGS**

### **COUNTY BOARD OF SUPERVISORS OF MANITOWOC COUNTY**



Social distancing meetings became the new normal during the spring of 2020 due to COVID-19.

**Sessions: April 9, 2019 - March 24, 2020**

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



**2019/2020 OFFICIAL PROCEEDINGS**  
**MANITOWOC COUNTY BOARD OF SUPERVISORS**

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MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, April 9, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 9<sup>th</sup> day of April 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:32 p.m.

Supervisor Hansen gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the March 19, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming the Month of May as Foster Care Month to Foster Care Administrator Karen Zahn, Kinship Administrator Cindy Schley, and Foster Care Administrative Assistant Tabitha Lecher. Ms. Zahn introduced foster parents Brenda and Craig Carle. Mr. and Mrs. Carle have been foster parents since 2017 and were approved for another two years. Mrs. Carle spoke passionately how more foster families are needed. It can be a challenge at times, but a wonderful adventure.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Nancy Saueressig thanking her for her many years of service to Manitowoc County and as County Treasurer. County Treasurer Nancy Saueressig thanked the board for the honor. She felt privileged to be able to serve the residents of Manitowoc County.

County Executive Bob Ziegelbauer and Chairperson Brey read the Proclamation commending Emily Hutterer, Manitowoc County Outgoing Fairest of the Fair.

Public Works Director Gerry Neuser, Comptroller Todd Reckelberg, and Expo Facility Manager Jennell Shelton presented an Expo Overview and 2018 results of operation. Todd Reckelberg explained Expo operations is accounted for in a Special Revenue Fund comprised of four activity areas, Expo Activities, County Fair, Expo Maintenance and Improvements, and Ice Center. None of the four activities currently receive tax levy dollars. Gerry Neuser explained how the revenue from the land sale had been used over the last two years. He mentioned 2019 would be the last year for major expenses to update the Expo Facility. The expenses included sewer/water, lights, bleachers, equipment, and parking lot completion. Jennell Shelton highlighted the new cattle barn, thanked the community supporters, and listed the various events that take place at the Expo Facility. She informed everyone that this year's Manitowoc County Fair would take place August 21-25 with the theme "160 Years of Harvesting Memories".

#### PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:15 p.m.

Maura Yost, Town of Centerville, made an announcement about Severe Weather Spotter Training that would take place on April 18<sup>th</sup> at 6pm at the UWGB-Manitowoc Campus. She informed everyone that the Ad Hoc Exploratory Committee was in the process of formalizing a plan proposal regarding the half-percent sales tax. She would like the public to take time to express support to his/her County Board Supervisor. The tax would help keep tax dollars circulating in Manitowoc County instead of exporting them by paying interest to borrow money.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:18 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Shirley Fessler to the Aging and Disability Resource Center to complete a vacancy expiring December 31, 2020. Supervisor Baumann moved, seconded by Supervisor Holschbach to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Kayla Drumm to the Board of Health for a two-year term expiring April 2021. Supervisor Vogel moved, seconded by Supervisor Williams to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Jessica Backus to the Local Emergency Planning Committee. Supervisor Hoffman moved, seconded by Supervisor Holschbach to approve the appointments. Upon voice vote, the motion carried unanimously.

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

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

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Public Safety Committee: Supervisor Vogel gave a brief report.

Supervisor Vogel moved, seconded by Supervisor Holschbach to adopt Resolution (2019/2020-1) Authorizing the Clerk of Court to Contract with Wisconsin Department of Revenue for the Collection of Unpaid Debt. Upon vote, the motion carried unanimously.

No. 2019/2020 - 1

**RESOLUTION AUTHORIZING THE CLERK OF COURT TO  
CONTRACT WITH WISCONSIN DEPARTMENT OF REVENUE FOR  
THE COLLECTION OF UNPAID DEBT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Clerk of Circuit Court collects court-ordered financial  
2 obligations; and  
3

4 WHEREAS, the Manitowoc County Clerk of Circuit Court employs several methods of  
5 collection, including but not limited to, income assignments, payment plans, civil judgments, and  
6 tax refund intercept; and  
7

8 WHEREAS, Wisconsin Stat. § 59.40(4) allows the Clerk of Circuit Court, if authorized by  
9 the County Board under Wis. Stat. § 59.52(28), to contract with the Wisconsin Department of  
10 Revenue (DOR) for the collection of unpaid debts; and  
11

12 WHEREAS, any agreement entered into with the DOR shall indicate that any collection  
13 fees incurred by the DOR, as allowed by Wis. Stat. § 71.93(8)(b)(1), shall be in addition to the  
14 debt owed to the Clerk of Circuit Court and charged by the DOR directly to the debtor; and  
15

16 WHEREAS, the proceeds received by the Manitowoc County Clerk of Circuit Court from  
17 the DOR shall include the entire amount of debt collected for purposes of distribution;  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
20 Supervisors authorizes the Manitowoc County Clerk of Circuit Court to enter into a contract with  
21 the DOR for the collection of unpaid debt pursuant to Wisconsin Statutes, subject to the review  
22 and approval of Corporation Counsel.

Dated this 9th day of April 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Baumann moved to adjourn, seconded by Supervisor Dyzak, and the motion was adopted by acclamation. The meeting adjourned at 7:33 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at: <https://youtu.be/V86FyczmPdQ>



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, May 21, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 21<sup>st</sup> day of May 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:32 p.m.

Supervisor Brunner gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Baumann, seconded by Supervisor Swade the April 9, 2019 meeting minutes were approved on a unanimous vote.

County Clerk Backus announced the following additions to the agenda: VII. Reports, Item 5. Chairperson Brey-Statement on Proposed County Sales Tax; IX. Communications, Item 4. City of Kiel-Email Regarding Manitowoc County 0.5% Sales Tax; and XII. Committee Reports, K. Planning & Park Commission, Item 5. Resolution 2019/2020-11 Adopting Report Denying Petition for Ordinance Amendment (Small Wind Energy Ordinance). Supervisor Hoffman moved, seconded by Supervisor Gauger to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring the Valders Boys Cross Country Team Division 2 Back to Back State Champions. Coach Bill Dietrich, Coach Becca Oswald and the Valders Boys Cross Country team thanked the County Board for the proclamation.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming June Dairy Month to the Haelfrisch family, the host farm for the 2019 Breakfast on the Farm. The family invited everyone to attend Breakfast on the Farm on June 9.

Corporation Counsel Peter Conrad reported typographical corrections made to Chapter 2, 4, 12, and 13 for the Manitowoc County Code of Ordinances.

Public Works Director Gerry Neuser, IS Senior Network Engineer Luke Kalista, and IS Manager Kody Burg provided an IS Division Report. Mr. Neuser reported on the department's mission statement and accomplishments after one year of merging with Public Works. Mr. Kalista reported on the infrastructure, network security, and disaster recovery that has been implemented. Mr. Burg reported on the myAvatar project for the Human Services department, updates on the new county website, and a current list of projects the department has been tasked with.

Chairperson Brey informed the board and the public that the Ad Hoc County Sales Tax Exploratory Committee adopted the Ordinance for Chapter 33 County Sales and Use Tax as amended, and that the ordinance would be discussed at the June County Board Meeting. The committee would seek letters of support for the ordinance from the municipalities. However, the June discussion will be postponed due to the feedback received from the municipalities. There was also still the question on the legal aspect of the ordinance based on whether or not the school districts need to be included in the distribution. The Ad Hoc County Sales Tax Exploratory Committee will meet on Thursday, May 30 to discuss and take possible action on a resolution requesting corporation counsel seek the attorney general's opinion on various legalities.

#### PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

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

Manitowoc Public Library Director Kristin Stoeger provided an overview of the services and programs the library provided to the public in 2018. She also presented what is to come in 2019 such as Phase II of the first floor redesign, the summer reading program, and adventure passes.

Dan Hornung, City of Manitowoc, advocated support for Painting Pathways Clubhouse and their Capital Campaign. The clubhouse is growing and needs space to expand to continue the important work that changes lives by empowering adults with diagnosed mental illness, building community, and supporting recovery. He welcomed everyone to visit the clubhouse.

Maura Yost, Town of Centerville, supported the county-wide half cent sales tax. She provided justification for the need of a sales tax, which would be used to fund our growing and recurring transportation needs in the most fiscally conservative way without having to create more debt through bonding.

Richard Kunz, City of Manitowoc, was opposed to a half cent sales tax. He believes that he has incurred enough tax increases from the City of Manitowoc. He does not want to pay another tax.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:44 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Chad Bennin, Karl Puestow, Robert Wenger, and Alternate) Bob Meyer to the Local Emergency Planning Committee for a two-year term expiring June 2021. Supervisor Behnke moved, seconded by Supervisor Dyzak to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Steven Denzien and Alternate) Dave Murak to the Traffic Safety Commission. Supervisor Swade moved, seconded by Supervisor Falkowski to approve the appointments. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

Criminal Justice Coordinating Council: Supervisor Muench gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brunner to adopt Resolution (2019/2020-2) Denying Claim (Wendy Smith). Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Williams voted no; all other supervisors voted aye.

No. 2019/2020 - 2

**RESOLUTION DENYING CLAIM**  
(Wendy Smith)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wendy Smith filed a claim with Manitowoc County on April 3, 2019 seeking  
2 the following relief that was purportedly the result of flooding allegedly caused by the Manitowoc  
3 County Highway Department: manufactured home replacement; personal property – contents in  
4 home and garage; hotel cost; loss of wages; loss of propane; pain and suffering; clean up and  
5 removal of home and contents; reconnect/replacement of septic, well, and electric services; and  
6 central air unit; and  
7

8 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to  
9 its insurance carrier; and  
10

11 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
12 facts, and determined that Manitowoc County should deny the claim; and  
13

14 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the  
15 insurance carrier's recommendation that the claim be denied and that the county issue a formal  
16 disallowance;  
17

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

Dated this 21st day of May 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Cavanaugh gave a brief report.

Land Conservation Committee: Supervisor Wagner gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Planning & Park Commission: Supervisor Dyzak and Supervisor Zimmer gave brief reports. Supervisor Dyzak moved, seconded by Supervisor Hoffman to enact Ordinance (2019/2020-3) Amending Manitowoc County Code Ch. 8 (General Zoning and Land Use Regulation). Upon discussion and vote, the motion carried with 22 ayes and 2 noes. Supervisor Falkowski and Holschbach voted no; all other supervisors voted aye.

No. 2019/2020 - 3

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 8  
(General Zoning and Land Use Regulation)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted various ordinances that regulate the use and  
2 development of land and buildings within the County, including Chapters 8 (General Zoning and  
3 Land Use Regulation), 9 (Shoreland Zoning), and 10 (Setback Ordinance); and  
4

5 WHEREAS, amendments must be made to the General Zoning and Land Use Regulation  
6 Ordinance from time-to-time to keep the policies current, reflect current practice, and address new  
7 issues and circumstances; and  
8

9 WHEREAS, the state has recently passed legislation that limits how a county may regulate,  
10 *inter alia*, nonconforming structures and nonconforming parcels of property; and  
11

12 WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances  
13 that regulate the use and development of land and buildings in the County and determined that  
14 updates to the General Zoning and Land Use Regulation Ordinance are warranted; and  
15

16 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
17 a public hearing on the proposed amendments to the Zoning Ordinance on April 22, 2019; and

18  
19 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
20 and an examination of the facts, recommends approval of the following amendments to the Zoning  
21 Ordinance;

22  
23 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
24 ordain as follows:

25  
26 Manitowoc County Code § 8.07 (Definitions) is amended to remove the following definitions in  
27 their entirety as follows:

28  
29 ~~“Nonconforming lot of record” means a single nonconforming parcel that was recorded~~  
30 ~~with the Register of Deeds prior to the date that the town in which the parcel is located~~  
31 ~~initially adopted this ordinance. It also means one or more nonconforming parcels that~~  
32 ~~were recorded with the Register of Deeds prior to the date that the town in which they are~~  
33 ~~located initially adopted this ordinance and that, taken collectively with all adjacent parcels~~  
34 ~~held in common ownership, do not conform to the requirements of this ordinance for the~~  
35 ~~zoning district in which they are located.~~

36  
37 ~~“Nonconforming parcel” means a parcel that does not conform to the requirements of this~~  
38 ~~ordinance for the zoning district in which it is located, was established prior to the date that~~  
39 ~~the town in which it is located initially adopted this ordinance, and was lawful when it was~~  
40 ~~established.~~

41  
42 Manitowoc County Code § 8.07 (Definitions) is amended to revise the following definition as  
43 follows:

44  
45 “Nonconforming structure” means a dwelling or other building that existed lawfully before  
46 the current Zoning Ordinance was enacted or amended but no longer conforms with a  
47 building or other structure whose dimensions, location, or other physical characteristics  
48 required by this Zoning Ordinance, which include setback, height, and lot coverage do not  
49 conform to the requirements of this ordinance, but that conformed to the requirements of  
50 the ordinance in effect at the time it was constructed or placed in its current location.

51  
52 Manitowoc County Code § 8.07 (Definitions) is amended to include the following definition to  
53 read as follows:

54  
55 “Substandard lot” means a legally created lot or parcel that met any applicable lot size  
56 requirements when it was created, but does not meet current lot size requirements.

57  
58 Manitowoc County Code § 8.19 is amended to read as follows:

59  
60 8.19 Substandard Lots.

61  
62 ~~A nonconforming lot of record may be developed even though it does not meet the~~  
63 ~~minimum lot size and lot width requirements of this ordinance if the proposed use~~  
64 ~~is a single family dwelling or a principal or accessory use in the district in which it~~

is located. ~~A nonconforming lot of record is subject to all other requirements contained in this ordinance.~~ A substandard lot may be used as a building site only if all of the following apply:

- (1) the substandard lot has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel; and
- (2) the substandard lot is developed to comply with all requirements of the Manitowoc County Code of Ordinances.

Manitowoc County Code § 8.20 is amended to read as follows:

8.20 Nonconforming Structures.

- (1) An uncompleted structure for which a zoning permit was issued and construction commenced may be completed if the completed structure complies with the ordinance in effect at the time the permit was issued, even if the structure does not conform to the requirements of this ordinance at the time construction is completed; ~~and the completed structure will be deemed a nonconforming structure.~~
- (2) A nonconforming structure may be continued in use subject to the limitations provided in this Section 8.20. ~~A nonconforming structure may continue to be used and maintenance and repairs may be made to the nonconforming structure.~~
- (3) Except as provided in § 8.20(4) of this Zoning Ordinance, a nonconforming structure may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure.
- (34) A nonconforming structure may be enlarged provided that the addition does not:
  - (a) encroach into any required setback area more than the existing structure; and
  - (b) increase the height of a structure that does not comply with the existing height requirement of this Zoning Ordinance.

However, in no event may a nonconforming structure ~~A nonconforming structure's area may not be increased by more than 50% of the structure's square footage at the time that it the structure became nonconforming, except when necessary to comply with applicable county, state, and federal public health and safety law requirements or to make it a conforming structure.~~

(4) ~~A nonconforming structure's exterior dimensions may be changed provided that the change does not reduce any existing nonconforming setback or increase any existing nonconforming height.~~

(5) ~~Restoration of Certain Nonconforming Structures.~~ In accordance with Wis. Stat. § 59.69(10m), a nonconforming structure that is damaged or destroyed by fire, flood, ice, infestation, mold, snow, vandalism, or violent wind may be restored to the size, location, and use that it had immediately before the damage or destruction occurred. The size of the nonconforming structure may be enlarged, but only to the extent necessary for the structure to comply with applicable county, state, and federal requirements.

Manitowoc County Code § 8.44(3) is amended to read as follows:

(3) Nonconforming signs.

(a) A nonconforming sign may continue to be used and the copy displayed on the sign may be changed.

(b) Normal maintenance may be performed on and repairs made to a nonconforming sign, but a nonconforming sign may not be ~~structurally altered~~enlarged unless the alteration is required to brings the sign into compliance with this Zoning ~~e~~Ordinance.

~~(c) Normal maintenance may be performed on the structure supporting a nonconforming sign, but the structure supporting a nonconforming sign may not be repaired unless the sign is brought into compliance with this ordinance. If repairs are made to the supporting structure and the sign cannot be brought into compliance with this ordinance, the sign must be removed.~~

~~(d) A nonconforming sign may not be enlarged.~~

~~(e)~~ A nonconforming sign may not be relocated.

~~(f) A nonconforming sign may not be replaced.~~

and

BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County General Zoning and Land Use Regulation Ordinance shall be updated to be consistent with any amendments adopted under this ordinance; and

and

BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 21st day of May 2019.  
Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Hoffman to enact Ordinance (2019/2020-4) Amending Manitowoc County Code Ch. 9 (Shoreland Zoning). Upon discussion and vote, the motion carried with 18 ayes and 6 noes. Supervisor Falkowski, Hansen, Holschbach, Metzger, Neils, and Zimmer voted no; all other supervisors voted aye.

No. 2019/2020 - 4

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 9  
(Shoreland Zoning)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the regulation of lands within a certain distance of navigable waters, outside  
2 of incorporated areas, is governed by the Manitowoc County Shoreland Zoning Ordinance, and  
3

4 WHEREAS, the Shoreland Zoning Ordinance was codified by Ordinance No. 88/89-19  
5 effective May 9, 1988 and repealed and recreated in its entirety by Ordinance No. 2016/2017-38  
6 effective October 26, 2016; and  
7

8 WHEREAS, amendments must be made to the Shoreland Zoning Ordinance from time-to-  
9 time to keep the policies current, reflect current practice, and address new issues and  
10 circumstances; and  
11

12 WHEREAS, the state has recently passed legislation that limits how a county may regulate  
13 nonconforming parcels of property in the shoreland zone; and  
14

15 WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances  
16 that regulate the use and development of land and buildings in the County and determined that  
17 updates to the Shoreland Zoning Ordinance are warranted; and  
18

19 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
20 a public hearing on the proposed amendments to the Shoreland Zoning Ordinance on April 22,  
21 2019; and  
22

23 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
24 and an examination of the facts, recommends approval of the following amendments to the  
25 Shoreland Zoning Ordinance;  
26



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

29  
30 Manitowoc County Code § 9.05 (Definitions) is amended to create § 9.05(36m) to read as follows:

31  
32 (36m) “Shoreland Alteration” means any land disturbing activity in the shoreland that is  
33 done on the landward side of the ordinary high water mark of a navigable body of  
34 water such as filling, grading, lagooning, dredging, ditching, excavating, or similar  
35 activity.

36  
37 Manitowoc County Code § 9.05 (Definitions) is amended to read as follows:

38  
39 (41) “Substandard Lots” means a legally created lot or parcel that met minimum area  
40 and minimum average width requirements when created, but does not meet current  
41 lot size requirements for a new lot.

42  
43 Manitowoc County Code § 9.24 (Substandard Lots) is amended to read as follows:

44  
45 9.24 Substandard Lots.

46  
47 (1) ~~A substandard lot~~~~legally created lot or parcel that met minimum area and~~  
48 ~~minimum average width requirements when created, but does not meet~~  
49 ~~current lot size requirements,~~ may be used as a building site if all of the  
50 following apply:

51  
52 (a) The substandard lot or parcel was never reconfigured or combined  
53 with another lot or parcel by plat, survey, or consolidation by the  
54 owner into one property tax parcel.

55  
56 (b) The substandard lot or parcel has never been developed with one or  
57 more of its structures placed partly upon an adjacent lot or parcel.

58  
59 (c) The substandard lot or parcel is developed to comply with all other  
60 ordinance requirements.

61  
62 (2) ~~Other substandard lots. Except for lots that meet the requirements set forth~~  
63 ~~in~~~~of~~ § 9.24(1) of this Shoreland Zoning Ordinance, a zoning permit  
64 ~~to build a new structure for the improvement of a lot having lesser~~  
65 ~~dimensions than those stated in Section 9.22 or 9.23 of this Shoreland~~  
66 ~~Zoning Ordinance~~ shall be issued only if a variance is granted by the Board  
67 of Adjustment.  
68

Manitowoc County Code Chapter 9 Part IX (Filling, Grading, Lagooning, Dredging, Ditching and Excavating) is amended to read as follows:

PART IX. SHORELAND ALTERATIONS ~~FILLING, GRADING, LAGOONING, DREDGING, DITCHING AND EXCAVATING.~~

Manitowoc County Code § 9.34 (Purpose) is amended to read as follows:

9.34 Purpose.

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

Manitowoc County Code § 9.35 (General Standards) is amended to read as follows:

9.35 General Standards.

Any shoreland alteration ~~filling, grading, lagooning, dredging, ditching, and excavating~~ that does not require a conditional use permit under ~~Section 9.36~~ of this Shoreland Zoning Ordinance may be permitted in the shoreland area provided:

- (1) Any filling, grading, lagooning, dredging, ditching, or excavating is done in a manner designed to minimize erosion, sedimentation, and impairment of fish and wildlife habitat.
- (2) Any shoreland alteration ~~filling, grading, lagooning, dredging, ditching, or excavating~~ in a Shoreland-Wetland district meets the requirements of Sections 9.15(2) and (3) of this Shoreland Zoning Ordinance.
- (3) All applicable federal, state and local permits are obtained in addition to a zoning permit under this Shoreland Zoning Ordinance.
- (4) Any fill placed in the shoreland area is protected against erosion by the use of riprap, jute netting, plastic cover, filter fabric fencing, vegetative cover, or bulkhead.

Manitowoc County Code § 9.36 (Permit Required) is amended to read as follows:

9.36 Filling and Grading ~~Permit Required~~.

- (1) Permit Required ~~Filling and Grading~~. A ~~zoning~~ conditional-use permit is required for any filling or grading of any area that is within 300 feet

landward of the ordinary high water mark of navigable water body and has surface drainage toward the water and where there is either:

(a) Filling or grading on slopes of 20 percent or more;

(b) Filling or grading of more than 1,000 square feet on slopes greater than 12 percent and less than 20 percent; or;

(c) Filling or grading of more than 2,000 square feet on slopes of 12 percent or less.

(2) Permit Conditions. In addition to meeting all other requirements specified in this Shoreland Zoning Ordinance, the following conditions shall be met as part of any zoning permit issued under this § 9.36.

(a) The smallest amount of bare ground shall be exposed for as short a time as feasible.

(b) Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetation cover shall be established.

(c) Diversion berms or bales, silting basin, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.

(d) Lagoons shall be constructed to avoid fish trap conditions.

(e) Fill shall be stabilized according to accepted engineering standards.

(f) Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.

(g) Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical distance or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

Manitowoc County Code § 9.38 (Ponds and Wetland Scrapes Less Than Two (2) Acres in Area) is amended to read as follows:

9.38 Ponds and Wetland Scrapes Less Than Two (2) Acres in Area.

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

- 160 ...  
161  
162 (6) The pond ~~and~~ wetland scrape shall be for the purpose of improving  
163 wildlife or fish habitat or for recreational opportunities and may not be  
164 associated with a commercial use.  
165

166 Manitowoc County Code § 9.40 (Permit Stipulations) is deleted in its entirety as follows:  
167

168 ~~9.40 — Permit Stipulations.~~  
169

170 ~~In granting a conditional use permit under Section 9.36 of this Shoreland Zoning~~  
171 ~~Ordinance, the following stipulations shall be met, in addition to all other~~  
172 ~~provisions specified in this Shoreland Zoning Ordinance.~~  
173

- 174 ~~(1) — The smallest amount of bare ground shall be exposed for the as short a time~~  
175 ~~as feasible.~~  
176  
177 ~~(2) — Temporary ground cover (such as mulch or jute netting) shall be used and~~  
178 ~~permanent vegetation cover shall be established.~~  
179  
180 ~~(3) — Diversion berms or bales, silting basin, terraces, filter fabric fencing, and~~  
181 ~~other methods shall be used to prevent erosion.~~  
182  
183 ~~(4) — Lagoons shall be constructed to avoid fish trap conditions.~~  
184  
185 ~~(5) — Fill shall be stabilized according to accepted engineering standards.~~  
186  
187 ~~(6) — Filling shall comply with any local floodplain zoning ordinance and shall~~  
188 ~~not restrict a floodway or destroy the flood storage capacity of a floodplain.~~  
189  
190 ~~(7) — Channels or artificial watercourses shall be constructed with side slopes of~~  
191 ~~two (2) units horizontal distance to one (1) unit vertical distance or flatter~~  
192 ~~which shall be promptly vegetated, unless bulkheads or riprap are provided.~~  
193

194 Manitowoc County Code § 9.41 (Soil Conservation Practices) is amended to read as follows:  
195

196 9.41 Soil Conservation Practices.  
197

- 198 (1) Soil conservation practices such as tiled terraces, runoff diversions, and  
199 grassed waterways used for erosion control shall not require a ~~conditional~~  
200 ~~use permit under Section 9.36 of this Shoreland Zoning Ordinance when~~  
201 ~~designed and constructed to~~ Natural Resource Soil Conservation Service  
202 technical standards.  
203  
204 (2) The maintenance of existing agricultural drainage systems shall not require  
205 a permit under this Shoreland Zoning Ordinance when designed and

206                                constructed according to Natural Resource Conservation Service technical  
207                                standards.

208  
209        and

210  
211                BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County  
212        Shoreland Zoning Ordinance shall be updated to be consistent with any amendments adopted under  
213        this ordinance; and

214  
215                BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

              Dated this 21st day of May 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT:     None.

APPROVED:                Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Behnke to enact Ordinance (2019/2020-5)  
Amending Manitowoc County Code Ch. 10 (Setback Ordinance). Upon discussion and vote, the  
motion carried unanimously.

                                      No. 2019/2020 - 5

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 10**  
**(Setback Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1                WHEREAS, Manitowoc County has adopted various ordinances that regulate the use and  
2        development of land and buildings within the County, including Chapters 8 (General Zoning and  
3        Land Use Regulation), 9 (Shoreland Zoning), and 10 (Setback Ordinance); and

4  
5                WHEREAS, amendments must be made to the Setback Ordinance from time-to-time to  
6        keep the policies current, reflect current practice, and address new issues and circumstances; and

7  
8                WHEREAS, the state has recently passed legislation that limits how a county may regulate,  
9        *inter alia*, nonconforming structures and nonconforming parcels of property; and

10  
11                WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances  
12        that regulate the use and development of land and buildings in the County and determined that  
13        updates to the Setback Ordinance are warranted; and

14  
15                WHEREAS, the Planning and Park Commission, after providing the required notice, held  
16        a public hearing on the proposed amendments to the Setback Ordinance on April 22, 2019; and

17  
18 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
19 and an examination of the facts, recommends approval of the following amendments to the Setback  
20 Ordinance;

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

24  
25 Manitowoc County Code § 10.04 (Definitions) is amended to include the following definition to  
26 read as follows:

27  
28 “Nonconforming structure” means a dwelling or other building that existed lawfully before  
29 the current Setback Ordinance was enacted or amended but no longer conforms with any  
30 setback required by this Setback Ordinance.

31  
32 Manitowoc County Code § 10.07 is amended to read as follows:

33  
34 10.07 ~~Pre-existing Structures~~ Maintenance, Repair, Replacement, or Remodeling of  
35 Nonconforming Structures.

36  
37 ~~No structure or any portion of a structure that exists on the effective date of this~~  
38 ~~ordinance and that is located within a minimum setback distance established by this~~  
39 ~~ordinance may be modified in any way that increases or prolongs its useful life. A~~  
40 ~~nonconforming structure may be maintained, repaired, replaced, restored, rebuilt,~~  
41 ~~or remodeled if the activity does not expand the footprint of the nonconforming~~  
42 ~~structure.~~

43  
44 Manitowoc County Code § 10.08 is deleted in its entirety as follows:

45  
46 ~~10.08 Damaged Structures.~~

47  
48 ~~No structure or any portion of a structure that has been damaged by fire, storm, or~~  
49 ~~other catastrophe to the extent of 60 percent or more of its last assessed valuation~~  
50 ~~as determined by the local assessor may be repaired, rebuilt, or replaced. However,~~  
51 ~~a sign that has been knocked down may be re-erected provided that it complies with~~  
52 ~~the provisions of this ordinance.~~

53  
54 and

55  
56 BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County  
57 Setback Ordinance shall be updated to be consistent with any amendments adopted under this  
58 ordinance; and

59  
60 and

61  
62 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 21st day of May 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-11) Adopting Report Denying Petition for Ordinance Amendment (Chapter 25-Small Wind Energy Ordinance). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 11

**RESOLUTION ADOPTING REPORT DENYING PETITION FOR  
ORDINANCE AMENDMENT**

(Chapter 25 - Small Wind Energy System Ordinance)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Planning and Park Commission submitted a petition  
2 on April 5, 2019 seeking to amend the text of Chapter 25 of the Manitowoc County Code (Small  
3 Wind Energy System Ordinance); and  
4

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

8 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
9 a public hearing on the petition on April 22, 2019; and  
10

11 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
12 and an examination of the facts, recommends that the petition be denied for the reasons stated in  
13 the attached report;  
14

15 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
16 county of Manitowoc adopts the report of the Planning and Park Commission and denies the  
17 proposed text amendments to Chapter 25 of the Manitowoc County Code (Small Wind Energy  
18 System Ordinance).

Dated this 21st day of May 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous-Finance Committee and Planning and Park Commission: Supervisor Hansen moved, seconded by Supervisor Neils to adopt Resolution (2019/2020-6) Authorizing the Use of \$21,633 from the Unres/Desig-Utility Conservation Account to Complete Blacktopping of the Cedar Lake Parking Lot. Upon vote, the motion carried unanimously.

No. 2019/2020 - 6

**RESOLUTION AUTHORIZING THE USE OF \$21,633 FROM THE  
UNRES/DESIG-UTILITY CONSERVATION ACCOUNT TO COMPLETE  
BLACKTOPPING OF THE CEDAR LAKE PARKING LOT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted an operating budget for  
2 2019; and  
3

4 WHEREAS, the budget included a number of projects for the Park Department, one of  
5 which was blacktopping the parking lots at Cedar Lake; and  
6

7 WHEREAS, bids have been received for the Cedar Lake parking lot blacktopping work to  
8 be completed; and  
9

10 WHEREAS, when the bid includes alternative #1 (blacktopping the parking lot that is  
11 adjacent to the main lot) to the project, the budget falls \$21,633 short; and  
12

13 WHEREAS, performing the additional blacktopping at this time would save Manitowoc  
14 County future mobilization and construction costs; and  
15

16 WHEREAS, finishing the additional portion of the parking lot would provide additional  
17 surface parking and complete the currently scheduled projects that were planned for Cedar Lake;  
18 and  
19

20 WHEREAS, Manitowoc County has adequate funds remaining in its' Unres/Desig-Utility  
21 Conserv. Reserve account to complete the Cedar Lake blacktopping project in its entirety;  
22

23 NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of  
24 Manitowoc hereby authorizes the transfer of \$21,633 from its Unres/Desig Utility Conserv.  
25 Reserve account no. 100.34256 to the Paving-Piers-Land Improv. account no.  
26 52000.58279 – 12120 W for the purpose of completing the parking lot blacktopping project at  
27 Cedar Lake; and  
28



29 BE IT FURTHER RESOLVED; that the Comptroller is hereby directed to record such  
30 information in official books of Manitowoc County for the year ending December 31, 2019 as may  
31 be required.

Dated this 21st day of May 2019.

Respectfully submitted by the Finance Committee and Planning and Park Commission.

FISCAL IMPACT: No Tax levy impact. Increases authorized expenses (account no. 52000.58279 - 12120 W) for the Park Department by \$21,633 in the 2019 Budget and reduces the amount in the Unres/Desig-Utility Reserve (account no. 100.34256) account by an equal amount, \$21,633.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous-Personnel Committee and Human Services Board: Supervisor Baumann moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-7) Authorizing Addition of 1.0 Full-Time Equivalent Human Services Employee (Child Protective Services Ongoing Social Worker). Upon vote, the motion carried unanimously.

No. 2019/2020 - 7

**RESOLUTION AUTHORIZING ADDITION OF 1.0 FULL-TIME  
EQUIVALENT HUMAN SERVICES EMPLOYEE  
(Child Protective Services Ongoing Social Worker)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, an increase in the number of cases referred to Child Protective Services  
2 necessitates an increase in staffing; and  
3

4 WHEREAS, the Human Services Department has secured funding that will fully fund this  
5 additional full-time equivalent Social Worker position; and  
6

7 WHEREAS, after careful consideration and review, the Human Services Board and  
8 Personnel Committee support the creation of an additional 1.0 full-time equivalent Child  
9 Protective Services Ongoing Social Worker;  
10

11 NOW, THEREFORE, BE IT RESOLVED that the number of authorized full-time Human  
12 Services Department positions is increased by 1.0 full-time equivalent positions; and  
13

14 BE IT FURTHER RESOLVED that the 2019 Full-Time Equivalent Report (FTE) by  
15 Department included in the 2019 Adopted Annual Budget Book is amended accordingly and that

16 the Comptroller/Auditor is directed to record such information in the official books of the County  
17 for the year ending December 31, 2019 as may be required.

Dated this 21st day of May 2019.

Respectfully submitted by the Personnel Committee and Human Services Board.

FISCAL IMPACT: The estimated annual cost of the additional 1.0 FTE Child Protective Services Ongoing Social Worker position is \$78,205. However, the beginning date for this position is estimated as July 1, 2019, or one-half of the year, thus the estimated first year cost of the position is \$39,103. Therefore, the Human Services budget will be amended as follows: increase expenses in account number 45062.51100 (Human Services Salaries) by \$39,103, and increase revenues in an offsetting amount in account number 45062.43560.25 (Prior Year State Aid Revenue) by \$39,103.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous-Supervisor Bob Cavanaugh: Supervisor Cavanaugh moved, seconded by Supervisor Falkowski to adopt Resolution (2019/2020-8) Approving Town of Franklin Zoning Ordinance Text and Map Amendments. Upon vote, the motion carried unanimously.

No. 2019/2020 - 8

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING  
ORDINANCE TEXT AND MAP AMENDMENTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin has adopted a zoning ordinance (known as the Town of  
2 Franklin Unified Development Ordinance) pursuant to the authority granted to towns under Wis.  
3 Stat. § 60.62; and  
4

5 WHEREAS, Manitowoc County has adopted a zoning ordinance pursuant to the authority  
6 granted to counties under Wis. Stat. § 59.69; and  
7

8 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments  
9 thereto, are subject to county board approval in counties that have adopted a zoning ordinance  
10 under Wis. Stat. § 59.69; and  
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on April  
13 9, 2019 by making certain text amendments to the ordinance, which include:  
14

- Amending Section 6.3 (Accessory Uses and Structures) to create size standards for accessory buildings and adjust front, side and rear lot set back standards;
- Creating Section 6.8 (Manmade Ponds) to define the purpose, process, set back, slope standards, maintenance, and permit requirements;
- Amending Section 10 (Conditional Use Permits) to create new language to address 2017 WI Act 67 including the need for substantial evidence and approval requirements; and
- Amending Section 13-154 (Blocks) to extend public road frontage requirements to minor land divisions and creating frontage requirements for angled curves;

and

WHEREAS, the Town of Franklin amended its official zoning map on April 9, 2019 by rezoning the property owned by the Town of Franklin and located at 14134 Taus Road from Exclusive Agriculture (EAG) District to Commercial-Industrial (C-1) District; and

WHEREAS, the Town of Franklin has submitted its text and map amendments to the Manitowoc County Board of Supervisors for approval, and a copy of the amended zoning ordinance has been provided to each member of the Manitowoc County Board of Supervisors for review;

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the County of Manitowoc approves the text amendments to the Town of Franklin Unified Development Ordinance that were adopted by the Town Board of the Town of Franklin on April 9, 2019; and

BE IT FURTHER RESOLVED that the County Board of Supervisor of the County of Manitowoc approves the Town of Franklin's map amendment, which rezones that certain property located at 14134 Taus Road from Exclusive Agriculture (EAG) District to Commercial-Industrial (C-1) District and was adopted by the Town Board of the Town of Franklin on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by Bob Cavanaugh, Supervisor, District 16.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous-Supervisor Randy Vogel: Supervisor Vogel moved, seconded by Supervisor Holschbach to adopt Resolution (2019/2020-9) Approving Town of Newton Zoning Ordinance (Town Planning Commission). Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE**  
(Town Planning Commission)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3  
4           WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69;  
5 and

6  
7           WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments  
8 thereto, are subject to county board approval in counties that have adopted a zoning ordinance  
9 under Wis. Stat. § 59.69; and

10  
11           WHEREAS, the Town of Newton amended its zoning ordinance on April 9, 2019 by  
12 rezoning the property located at 2743 County Highway CR from R-2 (Residential) District to B-1  
13 (Business) District and rezoning the property located at 2716 County Highway CR from R-2  
14 (Residential) District to B-1 (Business) District in accordance with Wis. Stat. § 60.62; and

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

19  
20           NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
21 Supervisors approves the Town of Newton's amended zoning ordinance that rezones that certain  
22 property located at 2743 County Highway CR from R-2 (Residential) District to B-1 (Business)  
23 District and rezones that certain property located at 2716 County Highway CR from R-2  
24 (Residential) District to B-1 (Business) District and was adopted by the Town Board of the Town  
25 of Newton on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by Randy Vogel, Supervisor, District 11.

FISCAL IMPACT:   None.

APPROVED:           Bob Ziegelbauer, County Executive.

Miscellaneous-Supervisor Kevin Behnke: Supervisor Behnke moved, seconded by Supervisor Vogel to adopt Resolution (2019/2020-10) Approving Town of Newton Zoning Ordinance (Roger Bauer). Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE**  
(Roger Bauer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69;  
5 and  
6

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

11 WHEREAS, the Town of Newton amended its zoning ordinance on April 9, 2019 by  
12 rezoning property owned by Roger Bauer from A-3 (Farmland Preservation) District to A-1  
13 (Agriculture/Rural Residential) District in accordance with Wis. Stat. § 60.62; and  
14

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

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
20 Supervisors approves the Town of Newton's amended zoning ordinance that rezones that certain  
21 property owned by Roger Bauer from A-3 (Farmland Preservation) District to A-1  
22 (Agriculture/Rural Residential) District and was adopted by the Town Board of the Town of  
23 Newton on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by Kevin Behnke, Supervisor, District 12.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ANNOUNCEMENTS

Chairperson Brey announced that the City of Manitowoc Public Works Department will host an Open House on May 22 from 2:00 p.m. to 7:00 p.m. at 2655 S 35<sup>th</sup> St, Manitowoc.

ADJOURNMENT

Supervisor Dyzak moved to adjourn, seconded by Supervisor Hoffman, and the motion was adopted by acclamation. The meeting adjourned at 8:30 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at: [https://youtu.be/4z\\_v6f0zP5g](https://youtu.be/4z_v6f0zP5g)

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, June 18, 2019

6:32 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 18<sup>th</sup> day of June 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:32 p.m.

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

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

On a motion by Supervisor Holschbach, seconded by Supervisor Behnke the May 21, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Comptroller Todd Reckelberg introduced Bryan Grunewald, External Auditor from Clifton Larson Allen, who summarized results of the 2018 audit and explained that the county continued to be in good financial condition with the consistent and conservative budget that had been well-maintained during the year. Mr. Grunewald highlighted the substantial increase in the Unassigned Fund Balance from 2017. The Highway Department had increased revenue and expenses over 2017 with revenues up over 14%. The Human Services Department made great strides compared to the previous year as well. They went from a negative fund balance of just over \$214,000 in 2017 to a respectful \$184,000 plus fund balance at the end of 2018. A turn-around of almost \$400,000. Mr. Grunewald also discussed the County's Long-Term Obligation debt of \$25,110,000, which was very low compared to the \$271,917,895 debt limitation imposed by WI Statute. The County's low debt compared to the equalized value was only 9%. When he compared our debt outstanding as a percentage of equalized value with ten of the surrounding Counties, we also compared very favorably. Our 9% came in second lowest as the other Counties in his comparison were between the 10% to 16% range. Lastly, he pointed out that for the twenty-seventh consecutive year, Manitowoc County has received a Certificate of Achievement for Excellence in Financial Reporting.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:45 p.m.

Manitowoc County Historical Society (MCHS) Executive Director Amy Meyer provided an overview of the history, services, and programs the historical society delivers at the Pinecrest Historical Village. She was excited to announce that MCHS would receive 2 awards from the state this year, the Historical Society of the year (Thwaite Trophy) and the Governor's Archives Achievement award. Also Pinecrest turns 50 years old in November and the Historical Society is 113 years old. She extended an invitation to the County Board to attend the special reception.

Lakeshore Natural Resource Partnership Executive Director Jim Kettler, Local Liaison Tom Ward and Stantec Consulting Services Representative Melissa Curran presented on Manitowoc County Phragmites Control program. Mr. Ward explained what the invasive species phragmites was and how it is detrimental to the area and wildlife. Mr. Kettler provided information regarding the State and Federal grants that were received or are pending. He presented the three phases to eradicate phragmites. Phase one focused on the Lake Michigan shoreline properties, which took place from April 2015-December 2017. Phase two focused on the coastal townships, which started April 2016 and will be complete December 2019. Phase three would focus on the western townships, which started April 2019 and will be complete December 2021. Ms. Curran provided the phragmites management overview. Mr. Ward discussed the plan to sustain funding post-grant management through annual contributions from the municipalities, private landowners, and businesses. Mr. Kettler did recognize the Highway Department for the \$10,000 allocated towards the project. He has been working with the Highway Director on cost evaluations to allocate another \$10,000 in the upcoming budget. Mr. Kettler asked for the County Board's support when the budget is discussed later this year.

Maura Yost, Town of Centerville, considered Manitowoc County's debt at a tipping point. She informed the public that in the last three years the county has borrowed \$18 million. Over the past ten plus years the county has exported \$31.5 million taxpayers' dollars in principal and interest to bondholders. She believes that not only does the county owe more principal now, but by exporting those dollars, the local economy has lost the possibility of growth. She trusts the Ad Hoc Committee worked diligently over the past year to draft an adequate sales tax ordinance.

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

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Kristine Damman as the Child Support Department Director. Supervisor Baumann moved, seconded by Supervisor Gauger to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Amy Kocian to the Land Information Council for a term which ends when employment with Manitowoc County terminates. Supervisor Falkowski moved, seconded by Supervisor Maresh to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Chuck Krueger to the Manitowoc – Calumet Library System Board of Trustees to fulfill a term expiring January 2020. Supervisor Holschbach moved, seconded by Supervisor Baumann to approve the

appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Peter Willis, Alternate) April Kroner, and Alternate) Dan Pawlitzke to the Northeast Wisconsin Regional Economic Partnership for a one year term expiring July 2020. Supervisor Gauger moved, seconded by Supervisor Hoffman to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of David Dyzak to the Planning and Park Commission for a seven-year term expiring July 2026. Supervisor Henrickson moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Ad Hoc County Sales Tax Exploratory Committee: Supervisor Baumann gave a brief report. Supervisor Baumann moved, seconded by Supervisor Brunner to adopt Resolution 2019/2020-12 Requesting Corporation Counsel to Seek Attorney General Opinion. Upon discussion and vote, the motion carried with 15 ayes and 8 noes. Supervisors Dyzak, Falkowski, Gauger, Gerroll, Muench, Vogel, Wagner, and Zimmer voted no; all other supervisors voted aye.

No. 2019/2020 - 12

**RESOLUTION REQUESTING CORPORATION COUNSEL TO SEEK  
ATTORNEY GENERAL OPINION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Finance Committee of the Manitowoc County Board of Supervisors has  
2 recently discussed the possibility of implementing a countywide sales tax; and

3  
4 WHEREAS, a part of that discussion has centered on potential uses of the sales tax revenue;  
5 and

6  
7 WHEREAS, the Corporation Counsel was asked for an opinion on the following questions:  
8

- 9 1. Must county sales tax revenue be used exclusively to directly reduce the property  
10 tax levy;  
11  
12 2. Can the County distribute sales tax proceeds only to certain entities and exclude  
13 others;  
14  
15 3. Can the County direct a municipality on how to use sales tax proceeds; and  
16  
17 4. Can the County use an intergovernmental agreement to control how a municipality  
18 uses sales tax proceeds;



19  
20 and

21  
22 WHEREAS, the Corporation Counsel has rendered an opinion on each of these questions,  
23 a copy of which has previously been presented to the County Board; and

24  
25 WHEREAS, the Ad Hoc County Sales Tax Exploratory Committee now desires to seek an  
26 opinion from the Wisconsin Attorney General on these same questions; and

27  
28 WHEREAS, pursuant to Wis. Stat. § 59.42(1)(c), only the Corporation Counsel may seek  
29 an opinion from the Attorney General;

30  
31 NOW THEREFORE BE IT RESOLVED, that the Manitowoc County Board of  
32 Supervisors hereby requests the Corporation Counsel to seek an opinion from the Attorney General  
33 on the four questions outlined above regarding the use of countywide sales tax revenue on behalf  
34 of Manitowoc County.

Dated this 18th day of June 2019.

Respectfully submitted by the Ad Hoc County Sales Tax Exploratory Committee.

FISCAL IMPACT: None.

**VETOED:** Bob Ziegelbauer, County Executive.

\*\*\*See County Executive's veto letter at the end of the June 18, 2019 County Board meeting minutes and July 16, 2019 County Board meeting minutes Unfinished Business-Override the County Executive's veto of Resolution 2019/2020-12 Requesting Corporation Counsel to Seek Attorney General Opinion.

Aging and Disability Resource Center Board: Supervisor Wagner called upon ADRC Director Cathy Ley who provided the brief report.

Board of Health: Supervisor Metzger gave a brief report.

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

Finance Committee: Supervisor Hansen and Brunner gave brief reports.  
Supervisor Brunner moved, seconded by Supervisor Baumann to adopt Resolution 2019/2020-13 Denying Claim (Heather Kunesh). Upon discussion and vote, motion carried unanimously.

No. 2019/2020 – 13

## **RESOLUTION DENYING CLAIM**

(Heather Kunesh)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Heather Kunesh filed a claim with Manitowoc County on April 29, 2019  
2 seeking \$519.39 for injuries to her allegedly caused as a result of falling on ice when entering the  
3 Manitowoc County Administrative Building; and  
4

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

8 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
9 facts, and determined that Manitowoc County should deny the claim; and  
10

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

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

Dated this 18th day of June 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report.

Land Conservation Committee/UW-Extension Education and Agriculture Committee: Supervisor Wagner gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Baumann to adopt Resolution 2019/2020-14 Establishing Compensation for County Board Supervisors for Term Beginning April 2020. Upon discussion and vote, motion carried 22 ayes and 1 abstain. Supervisor Vogel abstained; all other supervisors voted yes.

No. 2019/2020 - 14

**RESOLUTION ESTABLISHING COMPENSATION FOR COUNTY  
BOARD SUPERVISORS FOR TERM BEGINNING APRIL 2020**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, pursuant to Wis. Stat. § 59.10, Manitowoc County elected to become a “self-  
2 organized” county; and  
3

4 WHEREAS, the County Board determines the method of compensation for the members  
5 of the Board in self-organized counties, subject to the County Executive’s authority to approve or  
6 veto resolutions or ordinances under Wis. Stat. § 59.17(6); and  
7

8 WHEREAS, on September 19, 2017, the salary for County Board Supervisors was  
9 established at the current level of \$166.67 per month plus \$100.00 per diem for each of thirteen  
10 (13) regularly scheduled County Board meetings; and  
11

12 WHEREAS, on September 19, 2017, the salary of the County Board Chair was established  
13 at \$291.67 per month plus \$100.00 per diem for each of the regularly scheduled County Board  
14 meetings; and  
15

16 WHEREAS, after using the partial per diem method of compensation for the County Board  
17 term that began in April of 2018, the Personnel Committee recommends that the method of  
18 compensation of County Board Supervisors be modified such that County Board Supervisors be  
19 paid \$275.00 monthly with no additional per diem compensation; and  
20

21 WHEREAS, the Personnel Committee further recommends that the compensation of the  
22 County Board Chair be modified such that the County Board Chair be paid \$400.00 monthly with  
23 no additional per diem compensation;  
24

25 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors  
26 that the salary for County Board Supervisors and the County Board Chair is set as follows:  
27

28 County Board Supervisors: \$275.00 per month;  
29

30 County Board Chair: \$400.00 per month;  
31

32 and  
33

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

Dated this 18th day of June 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Committee: Supervisor Dyzak gave a brief report.

Supervisor Dyzak moved, seconded by Supervisor Hoffman to enact Ordinance 2019/2020-15 Amending Zoning Map (Anthony Giebel). Upon vote, the motion carried unanimously.

No. 2019/2020 - 15

**ORDINANCE AMENDING ZONING MAP**  
(Anthony Giebel)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on May 20, 2019; 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  
6 in the attached report;  
7

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

11 A parcel of land located in all of the Northeast Quarter (NE1/4) of the Northwest Quarter  
12 (NW1/4) of the Northwest Quarter (NW1/4) of Section Twenty-One (21), Township Eighteen (18)  
13 North, Range Twenty-One (21) East, Town of Eaton, Manitowoc County, Wisconsin, described  
14 as follows:  
15

16 Beginning at the Northwest Corner of said Section 21; thence S89°-30'-19"E along the  
17 North line of the NW1/4 of said Section 21, a distance of 668.38 feet to the West line of  
18 the NE1/4 of the NW1/4 of the NW1/4 of said Section 21; thence continue S89°-30'-19"E  
19 along said North line, a distance of 668.38 feet to the East line of the NW1/4 of the NW1/4  
20 of said Section 21; thence S00°-43'-45"E along said East line, a distance of 664.63 feet to  
21 the South line of the NE1/4 of the NW1/4 of the NW1/4 of said Section 21; thence N89°-  
22 31'-10"W along said South line, a distance of 666.50 feet to said West line; thence N00°-  
23 53'-28"W along said West line, a distance of 664.84 feet to the point of beginning, said  
24 parcel containing 443,556 square feet (10.183 acres) of land more or less and is hereby  
25 rezoned from Exclusive Agriculture (EA) District to General Agriculture (GA) District.

Dated this 18th day of June 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Vogel gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Dyzak to adopt Resolution 2019/2020-16 Authorizing Water Main Utility Easement on the Expo Grounds Property. Upon vote, the motion carried unanimously.

No. 2019/2020 - 16

**RESOLUTION AUTHORIZING WATER MAIN UTILITY EASEMENT  
ON EXPO GROUNDS PROPERTY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in December of 2016 Manitowoc County sold approximately 23 acres of the  
2 Expo grounds property to Meijer Stores to assist in the economic development of the City of  
3 Manitowoc; and  
4

5 WHEREAS, Meijer Stores began development of the site in the spring of 2019 and is  
6 currently installing water mains and sanitary sewer laterals to serve its store as well as other  
7 developments in the area; and  
8

9 WHEREAS, the installation of a new 12-inch diameter water main on Expo property along  
10 South Rapids Road requires a permanent utility easement for potential future service work; and  
11

12 WHEREAS, Manitowoc County Department of Public Works staff, the City of  
13 Manitowoc, Manitowoc Public Utilities, and Meijer Stores agree an easement is needed; and  
14

15 WHEREAS, granting an easement will have no effect on Expo operations, events, or future  
16 development plans; and  
17

18 WHEREAS, all costs associated with the utility installations and the easement will be  
19 borne by Meijer Stores; and  
20

21 WHEREAS, after careful consideration and review, the Public Works Committee  
22 recommends granting the City of Manitowoc a utility easement for the construction,  
23 reconstruction, maintenance, and operation of an underground water main;  
24

25 NOW, THEREFORE, BE IT RESOLVED that the County Board authorizes and grants to  
26 the City of Manitowoc a utility easement for the construction, reconstruction, maintenance, and  
27 operation of an underground water main in substantially the same form in the attached easement  
28 agreement; and  
29

30 BE IT FURTHER RESOLVED, that the County Board authorizes the County Executive,  
31 County Board Chair, County Clerk, Corporation Counsel, and such other county officials as may  
32 be necessary to finalize and execute the easement.

Dated this 18th day of June 2019.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Gerroll moved, seconded by Supervisor Gauger to adopt Resolution 2019/2020-17 Authorizing Sanitary Sewer Utility Easement on the Expo Grounds Property. Upon vote, the motion carried unanimously.

No. 2019/2020 - 17

**RESOLUTION AUTHORIZING SANITARY SEWER UTILITY  
EASEMENT ON EXPO GROUNDS PROPERTY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in December of 2016 Manitowoc County sold approximately 23 acres of the  
2 Expo grounds property to Meijer Stores to assist in the economic development of the City of  
3 Manitowoc; and  
4

5 WHEREAS, Meijer Stores began development of the site in the spring of 2019 and is  
6 currently installing water mains and sanitary sewer laterals to serve its store as well as other  
7 developments in the area; and  
8

9 WHEREAS, the installation of a new 8-inch diameter sanitary sewer lateral under the cul-  
10 de-sac located on Expo property at the end of Meijer Lane requires a permanent utility easement  
11 for potential future service work;  
12

13 WHEREAS, Manitowoc County Department of Public Works staff, the City of  
14 Manitowoc, Manitowoc Public Utilities, and Meijer Stores agree an easement is needed; and  
15

16 WHEREAS, granting an easement will have no effect on Expo operations, events, or future  
17 development plans; and  
18

19 WHEREAS, all costs associated with the utility installations and the easement will be  
20 borne by Meijer Stores; and  
21

22 WHEREAS, after careful consideration and review, the Public Works Committee  
23 recommends granting the City of Manitowoc a utility easement for the construction,  
24 reconstruction, maintenance, and operation of an underground sanitary sewer lateral;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the County Board authorizes and grants to  
27 the City of Manitowoc a utility easement for the construction, reconstruction, maintenance, and  
28 operation of an underground sanitary sewer lateral in substantially the same form in the attached  
29 easement agreement; and  
30

31 BE IT FURTHER RESOLVED, that the County Board authorizes the County Executive,  
32 County Board Chair, County Clerk, Corporation Counsel, and such other county officials as may  
33 be necessary to finalize and execute the easement.

Dated this 18th day of June 2019.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Bauman gave a brief report.

Supervisor Hoffman moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 8:37 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*The County Board meeting can be viewed at:  
<https://www.youtube.com/embed/PcMAOu9lZKE?rel=0>



## Office of the County Executive

Bob Ziegelbauer, County Executive

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*Accountability • Respect • Customer Service*

June 24, 2019

County Board Supervisors,

I am vetoing this resolution numbered 2019-2020 -12 that was passed on June 18, 2019 asking for the Wisconsin Attorney General's opinion on the county sales tax.

The County Board already has two valid opinions on the law implementing the county sales tax. One was requested from the Manitowoc County Corporation Counsel by me; the other from the Wisconsin Legislative Council by leaders on the County Board. They are consistent. There is no need for a third opinion.

The people of Manitowoc County don't support increasing sales tax. There is no need, no justification, and no viable plan for the sales tax.

Now is the time for the County Board to say "NO" to increasing the sales tax.

Sincerely,

A handwritten signature in black ink that reads "Bob Ziegelbauer". The signature is written in a cursive, flowing style.

Bob Ziegelbauer  
Manitowoc County Executive



MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, July 16, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 16<sup>th</sup> day of July 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

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

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

On a motion by Supervisor Holschbach, seconded by Supervisor Gauger the June 18, 2019 meeting minutes were approved on a unanimous vote.

County Clerk Backus announced the following additions to the agenda: VII. Reports, Item 3. Highway Commissioner Marc Holsen-Highway Status Report. Supervisor Hoffman moved, seconded by Supervisor Vogel to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commemorating Kathleen “Kathie” Bundy. The Bundy family thanked the Board for the recognition.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commending Clean Sweep Program Volunteers and Staff. Longtime volunteers Paul and Joan Schmid thanked the Board for their support of the program.

Highway Commissioner Marc Holsen reported on the aggressive transportation program Manitowoc County has in place. Key items were the 17 year cycle for the county trunk system, bridge work, and funding for the transportation plan.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

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

Maura Yost, Town of Centerville, continued to advocate for the county-wide half cent sales tax. She considers the sales tax as a public investment in our common good and it is time to stop exporting our tax dollars to bondholders. The county should pay down the current debt and keep

our tax dollars circulating in our local economy.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:12 p.m.

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

Chairperson Brey moved, seconded by Supervisor Brunner to override the County Executive's veto of Resolution No. 2019/2020-12 Requesting Corporation Counsel to Seek Attorney General Opinion. Upon discussion and vote, the motion failed to receive the required 2/3 aye vote of the entire Board with 15 ayes and 9 noes. Supervisors Dyzak, Falkowski, Gauger, Gerroll, Muench, Vogel, Wagner, Williams, and Zimmer voted no; all other supervisors voted aye.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Ron Ziolkowski to the Manitowoc-Calumet Library System Board of Trustees for a term expiring January 2022. Supervisor Behnke moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Deanna Genske to the Transportation Coordinating Committee for a term expiring April 2022. Supervisor Brunner moved, seconded by Supervisor Dyzak to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Kara Ottum to the Transportation Coordinating Committee for a term expiring April 2021. Supervisor Baumann moved, seconded by Supervisor Hoffman to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Executive Committee: Chairperson Brey gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-18) Denying Claim (Eric Pribek). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 18

**RESOLUTION DENYING CLAIM**  
(Eric Pribek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Eric Pribek filed a claim with Manitowoc County on June 7, 2019 seeking  
2 \$1,972.24 for damage to his truck and camper allegedly caused as a result of Mr. Pribek driving  
3 over wet painted lines on County Road O; and  
4

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

8 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
9 facts, and determined that Manitowoc County should deny the claim; and  
10

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

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

Dated this 16th day of July 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Cavanaugh gave a brief report.

Planning & Park Commission: Supervisor Dyzak gave a brief report.

Supervisor Dyzak moved, seconded by Supervisor Muench to enact Ordinance (2019/2020-19)  
Amending Zoning Map (Dale and Michael McCulley). Upon discussion and vote, the motion  
carried unanimously.

No. 2019/2020 - 19

**ORDINANCE AMENDING ZONING MAP**  
(Dale and Michael McCulley)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on June 24, 2019; 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  
6 in the attached report;

7  
8 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
9 ordain as follows:

10  
11 A parcel of land located in Part of the Northeast 1/4 of the Northwest 1/4, Section 20,  
12 T19N, R22E, Town of Cato, Manitowoc County, Wisconsin described as follows:

13  
14 Commencing at the Northwest Corner of Section 20; thence along the northerly line of the  
15 NW 1/4 North 89°45'49" East 1,296.98 feet to the point of beginning; thence continuing  
16 North 89°45'49" East 73.96 feet; thence 123.13 feet along the arc of a 223.98 foot radius  
17 curve to the left whose long chord bears South 74°29'16" East 121.58 feet; thence along  
18 the southerly line of Old Irish Road North 89°45'49" East 325.07 feet; thence South  
19 47°36'24" West 321.47 feet; thence South 67°17'04" West 299.45 feet to the westerly line  
20 of the NE 1/4 of the NW 1/4; thence North 0°24'05" West 363.25 feet to the point of  
21 beginning, said parcel containing approximately 2.41 acres of land more or less and is  
22 hereby rezoned from Exclusive Agriculture (EA) District to Small Estate Residential (SE)  
23 District.

Dated this 16th day of July 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Vogel gave a brief report.

Supervisor Vogel moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-20)  
Accepting Donations for the Manitowoc County Sheriff's K9 Unit. Upon discussion and vote, the  
motion carried unanimously.

No. 2019/2020 - 20

**RESOLUTION ACCEPTING DONATIONS FOR THE MANITOWOC  
COUNTY SHERIFF'S K9 UNIT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Office has a K9 Unit that permits officers to  
2 respond to high-risk situations with their K9 partners; and  
3

4 WHEREAS, K9s require nutrition, veterinary care, and equipment; and

5  
6 WHEREAS, Dr. and Rosemary Nelson, Reedsville, WI have donated \$1,000, C & S  
7 Machining LLC, Newton, WI has donated \$350, and Roslyn Faken of Manitowoc has donated  
8 \$1,000 to defer expenses and purchase equipment for the K9 Unit;

9  
10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
11 Supervisors accept the donations from Dr. and Mrs. Nelson, C & S Machining LLC, and Roslyn  
12 Faken in the total amount of \$2,350; and

13  
14 BE IT FURTHER RESOLVED that upon receipt of those funds they be deposited in  
15 account 756-23401 designated for the Manitowoc County Sheriff's Office K9 Unit.

Dated this 16th day of July 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases funds available for Sheriff's Office K9 Unit.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

#### ANNOUNCEMENTS

Supervisor Holschbach invited everyone to the 6<sup>th</sup> Annual Lake Michigan Day on Friday, August 9 from 8:30 a.m. to 4:30 p.m. at the Wisconsin Maritime Museum in Manitowoc.

#### ADJOURNMENT

Supervisor Gauger moved to adjourn, seconded by Supervisor Vogel, and the motion was adopted by acclamation. The meeting adjourned at 8:13 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/ZNqZMIlfjSE?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, August 20, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 20<sup>th</sup> day of August 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:33 p.m.

Supervisor Gerroll gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 22 members present: Baumann, Behnke, Brey, Brunner, Cavanaugh, Falkowski, Gauger, Geimer, Gerroll, Hansen, Henrickson, Hoffman, Maresh, Metzger, Muench, Neils, Nickels, Swade, Vogel, Vogt, Wagner, and Williams. Supervisors Dyzak, Holschbach, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the July 16, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commemorating Edward C. "Ed" Rappe. The Rappe family thanked the Board for the recognition.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Declaring September as Juror Appreciation Month.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Marlee Meulemans, 2019 Manitowoc County Fairest of the Fair, introduced herself and invited everyone to attend the Manitowoc County Fair. The fair runs from Wednesday, August 21 through Sunday, August 25.

Chairperson Brey declared public comment open at 6:46 p.m.

Maura Yost, Town of Centerville, advocated for the county-wide half cent sales tax. She believes the county should pay down the current debt and keep our tax dollars circulating in our local economy.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:50 p.m.

### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Todd Bergmann, Amy John, and Alternate) Debbie Holschbach to the Local Emergency Planning Committee for a term expiring September 2021. Supervisor Gauger moved, seconded by Supervisor Vogel to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Aging and Disability Resource Center: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Vogel gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Swade to adopt Resolution (2019/2020-21) Denying Claim (Jeffrey Schnur). Upon discussion and vote, the motion carried with 21 ayes and 1 no. Supervisor Williams voted no; all other supervisors voted aye.

No. 2019/2020 - 21

### **RESOLUTION DENYING CLAIM**

(Jeffrey Schnur)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, Jeffrey Schnur filed a claim with Manitowoc County on July 23, 2019 seeking  
2 up to \$36,000 for alleged damage to trees purportedly caused as a result of surface water discharges  
3 affecting his property; and  
4

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

8           WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
9 facts, and determined that Manitowoc County should deny the claim; and  
10

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

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

Dated this 20th day of August 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-22) Authorizing the Transfer of \$31,180 from the Highway Enterprise Fund to the Planning and Zoning Activity Budget for County Surveyor Position. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 22

**RESOLUTION AUTHORIZING THE TRANSFER OF \$31,180 FROM  
THE HIGHWAY ENTERPRISE FUND TO THE PLANNING AND  
ZONING ACTIVITY BUDGET FOR COUNTY SURVEYOR POSITION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Executive and County Board approved the addition of a County  
2 Surveyor position in the Manitowoc County annual 2019 budget; and  
3

4 WHEREAS, the 2019 budget as adopted allocated 60% of the cost of the surveyor position  
5 in the Planning and Zoning activity budget and 40% in the Highway Department budget; and  
6

7 WHEREAS, the county has now filled the surveyor position such that 100% of the cost of  
8 that position will be charged to the Planning and Zoning activity expense; and  
9

10 WHEREAS, to properly account for this change, the County must amend its 2019 budget  
11 by transferring the funds budgeted for the County Surveyor position from the Highway Enterprise  
12 Fund to the Planning and Zoning activity budget;  
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
15 Supervisors hereby transfers \$31,180 from the Highway Department Enterprise Fund to Planning  
16 and Zoning activity within the General Fund; and  
17

18 BE IT FURTHER RESOLVED that the County Board directs the Comptroller to make the  
19 necessary budget and actual entries in Manitowoc County's official books for the year ending  
20 December 31, 2019 as may be required.

Dated this 20th day of August 2019.

Respectfully submitted by the Finance Committee.



FISCAL IMPACT: No tax levy impact. Increases Planning and Zoning activity expenses by amount shown and decreases Highway Department Enterprise Fund by a like amount for the county surveyor position approved in 2019 adopted budget.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Williams moved, seconded by Supervisor Brunner to adopt Resolution (2019/2020-23) Authorizing the Issuance and Sale of \$6,065,000 General Obligation Refunding Bonds. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 23

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$6,065,000 GENERAL OBLIGATION REFUNDING BONDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors hereby finds and determines that  
2 it is necessary, desirable and in the best interest of Manitowoc County, Wisconsin (the "County")  
3 to raise funds for the public purpose of refunding obligations of the County, including interest on  
4 them, specifically, the Note Anticipation Note, dated April 4, 2019 (the "Refunded Obligation")  
5 (hereinafter the refinancing of the Refunded Obligation shall be referred to as the "Refunding");  
6 and

7  
8 WHEREAS, the Manitowoc County Board of Supervisors deems it to be necessary,  
9 desirable and in the best interest of the County to refund the Refunded Obligation for the purpose  
10 of providing permanent financing for the projects financed by the Refunded Obligation; and

11  
12 WHEREAS, the County is authorized by the provisions of Wis. Stat. § 67.04 to borrow  
13 money and issue general obligation refunding bonds to refinance its outstanding obligations; and  
14

15 WHEREAS, it is the finding of the Manitowoc County Board of Supervisors that it is  
16 necessary, desirable and in the best interest of the County to sell its general obligation refunding  
17 bonds (the "Bonds") to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the  
18 terms and conditions of its bond purchase proposal attached hereto as **Exhibit A** and incorporated  
19 herein by this reference (the "Proposal");  
20

21 NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the  
22 County of Manitowoc that:  
23

24 Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the  
25 Refunding, there shall be borrowed pursuant to Wis. Stat. § 67.04 the principal sum of SIX  
26 MILLION SIXTY-FIVE THOUSAND DOLLARS (\$6,065,000) from the Purchaser in  
27 accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and  
28 the Chairperson and County Clerk or other appropriate officers of the County are authorized and

29 directed to execute an acceptance of the Proposal on behalf of the County. To evidence the  
30 obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered  
31 and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of  
32 the County, Bonds aggregating the principal amount of SIX MILLION SIXTY-FIVE  
33 THOUSAND DOLLARS (\$6,065,000) for the sum set forth on the Proposal, plus accrued interest  
34 to the date of delivery.

35  
36 Section 2. Terms of the Bonds. The Bonds shall be designated “General Obligation  
37 Refunding Bonds”; shall be issued in the aggregate principal amount of \$6,065,000; shall be dated  
38 September 23, 2019; shall be in the denomination of \$5,000 or any integral multiple thereof; shall  
39 be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on  
40 November 1 of each year, in the years and principal amounts as set forth on the Pricing Summary  
41 attached hereto as **Exhibit B-1** and incorporated herein by reference. Interest shall be payable  
42 semi-annually on May 1 and November 1 of each year commencing on May 1, 2020. Interest shall  
43 be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded  
44 pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal  
45 and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto  
46 as **Exhibit B-2** and incorporated herein by reference (the “Schedule”).

47  
48 Section 3. Redemption Provisions. The Bonds maturing on November 1, 2030 and  
49 thereafter are subject to redemption prior to maturity, at the option of the County, on November 1,  
50 2029 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part,  
51 from maturities selected by the County, and within each maturity by lot, at the principal amount  
52 thereof, plus accrued interest to the date of redemption.

53  
54 Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be  
55 executed and delivered in substantially the form attached hereto as **Exhibit C** and incorporated  
56 herein by reference.

57  
58 Section 5. Tax Provisions.

59  
60 (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal  
61 of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the  
62 County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property  
63 of the County a direct annual irrepealable tax in the years 2019 through 2035 for the payments due  
64 in the years 2020 through 2036 in the amounts set forth on the Schedule.

65  
66 (B) Tax Collection. So long as any part of the principal of or interest on the Bonds  
67 remains unpaid, the County shall be and continue without power to repeal such levy or obstruct  
68 the collection of said tax until all such payments have been made or provided for. After the  
69 issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County  
70 and collected in addition to all other taxes and in the same manner and at the same time as other  
71 taxes of the County for said years are collected, except that the amount of tax carried onto the tax  
72 roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund  
73 Account created below.

75           (C) Additional Funds. If at any time there shall be on hand insufficient funds from  
76 the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the  
77 requisite amounts shall be paid from other funds of the County then available, which sums shall  
78 be replaced upon the collection of the taxes herein levied.

79  
80           Section 6. Segregated Debt Service Fund Account.

81  
82           (A) Creation and Deposits. There be and there hereby is established in the treasury  
83 of the County, if one has not already been created, a debt service fund, separate and distinct from  
84 every other fund, which shall be maintained in accordance with generally accepted accounting  
85 principles. Debt service or sinking funds established for obligations previously issued by the  
86 County may be considered as separate and distinct accounts within the debt service fund.

87  
88           Within the debt service fund, there hereby is established a separate and distinct account  
89 designated as the “Debt Service Fund Account for General Obligation Refunding Bonds, dated  
90 September 23, 2019” (the “Debt Service Fund Account”) and such account shall be maintained  
91 until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall  
92 be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at  
93 the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding  
94 which may be received by the County above the par value of the Bonds and accrued interest  
95 thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the  
96 specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums  
97 as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus  
98 monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be  
99 required by Wis. Stat. § Section 67.11.

100  
101           (B) Use and Investment. No money shall be withdrawn from the Debt Service  
102 Fund Account and appropriated for any purpose other than the payment of principal of and interest  
103 on the Bonds until all such principal and interest has been paid in full and the Bonds canceled;  
104 provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior  
105 to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct  
106 obligations of the United States of America maturing in time to make such payments when they  
107 are due or in other investments permitted by law; and (ii) any funds over and above the amount of  
108 such principal and interest payments on the Bonds may be used to reduce the next succeeding tax  
109 levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and  
110 subject to Wis. Stat. § 67.11(2)(a), or in permitted municipal investments under the pertinent  
111 provisions of the Wisconsin Statutes (“Permitted Investments”), which investments shall continue  
112 to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account  
113 shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended  
114 (the “Code”) and any applicable Treasury Regulations (the “Regulations”).

115  
116           (C) Remaining Monies. When all of the Bonds have been paid in full and canceled,  
117 and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account  
118 shall be transferred and deposited in the general fund of the County, unless the County Board of  
119 Supervisors directs otherwise.

121       Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of  
122 the Bonds (the “Bond Proceeds”) (other than any premium not used for the Refunding and accrued  
123 interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund  
124 Account created above) shall be deposited into a special fund (the “Borrowed Money Fund”)  
125 separate and distinct from all other funds of the County and disbursed solely for the purpose or  
126 purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to  
127 fund operating expenses of the general fund of the County or of any special revenue fund of the  
128 County that is supported by property taxes. Monies in the Borrowed Money Fund may be  
129 temporarily invested in Permitted Investments. Any monies, including any income from Permitted  
130 Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the  
131 Bonds have been issued have been accomplished, and, at any time, any monies as are not needed  
132 and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt  
133 Service Fund Account.

134  
135       Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be  
136 Permitted Investments, but no such investment shall be made in such a manner as would cause the  
137 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or the Regulations  
138 and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as  
139 to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery  
140 of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not “arbitrage  
141 bonds,” within the meaning of the Code or Regulations.

142  
143       Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants  
144 that the projects financed by the Bonds and by the Refunded Obligation and the ownership,  
145 management and use of the projects will not cause the Bonds or the Refunded Obligation to be  
146 “private activity bonds” within the meaning of Section 141 of the Code. The County further  
147 covenants that it shall comply with the provisions of the Code to the extent necessary to maintain  
148 the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements  
149 of Section 148(f) of the Code. The County further covenants that it will not take any action, omit  
150 to take any action, or permit the taking or omission of any action within its control (including,  
151 without limitation, making or permitting any use of the proceeds of the Bonds) if taking,  
152 permitting, or omitting to take such action would cause any of the Bonds to be an arbitrage bond  
153 or a private activity bond within the meaning of the Code or would otherwise cause interest on the  
154 Bonds to be included in the gross income of the recipients thereof for federal income tax purposes.  
155 The County Clerk or other officer of the County charged with the responsibility of issuing the  
156 Bonds shall provide an appropriate certificate of the County certifying that the County can and  
157 covenanting that it will comply with the provisions of the Code and Regulations.

158  
159       (b) The County also covenants to use its best efforts to meet the requirements and  
160 restrictions of any different or additional federal legislation which may be made applicable to the  
161 Bonds provided that in meeting such requirements the County will do so only to the extent  
162 consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and  
163 to the extent that there is a reasonable period of time in which to comply.

164  
165       Section 10. Qualified Tax-Exempt Obligations. The Bonds are deemed designated as  
166 “qualified tax-exempt obligations” to the extent permitted pursuant to the provisions of Section

265(b)(3)(D)(ii) of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations. The balance of the Bonds is designated as “qualified tax-exempt obligations” pursuant to the provisions of Section 265(b)(3) of the Code.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the “Closing”). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Wis. Stat. § 67.10(2) (the “Fiscal Agent”). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stat. §§ 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and

the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the “Record Date”). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York (“DTC”), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk’s office.

Section 16. Official Statement. The Manitowoc County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as “final” as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the “Rule”). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the “Undertaking”) if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County’s Undertaking.

258       Section 18. Redemption of the Refunded Obligations. The Refunded Obligation is hereby  
259 called for prior payment and redemption on September 23, 2019 at a price of par plus accrued  
260 interest to the date of redemption.

261  
262       The County hereby directs the County Clerk to take all actions necessary for the  
263 redemption of the Refunded Obligation on its redemption date. Any and all actions heretofore  
264 taken by the officers and agents of the County to effectuate such redemption are hereby ratified  
265 and approved.

266  
267       Section 19. Record Book. The County Clerk shall provide and keep the transcript of  
268 proceedings as a separate record book (the "Record Book") and shall record a full and correct  
269 statement of every step or proceeding had or taken in the course of authorizing and issuing the  
270 Bonds in the Record Book.

271  
272       Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond  
273 insurance with respect to the Bonds, the officers of the County are authorized to take all actions  
274 necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are  
275 authorized to agree to such additional provisions as the bond insurer may reasonably request and  
276 which are acceptable to the Chairperson and County Clerk including provisions regarding  
277 restrictions on investment of Bond proceeds, the payment procedure under the municipal bond  
278 insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds  
279 by the bond insurer and notices to be given to the bond insurer. In addition, any reference required  
280 by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond  
281 provided herein.

282  
283       Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,  
284 rules or other actions of the Manitowoc County Board of Supervisors or any parts thereof in  
285 conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same  
286 may so conflict. In the event that any one or more provisions hereof shall for any reason be held  
287 to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof.  
288 The foregoing shall take effect immediately upon adoption and approval in the manner provided  
289 by law.

      Dated this 20th day of August 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:     The fiscal impact for this resolution is as provided in the Bond Amortization  
Schedule provided to County Board Supervisors.

APPROVED:           Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Land Conservation Committee/UW-Extension Education and Agriculture Committee: Supervisor  
Wagner gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Public Safety Committee: Supervisor Vogel gave a brief report.

Supervisor Vogel moved, seconded by Supervisor Hoffman to adopt Resolution (2019/2020-24) Accepting Donations for the Manitowoc County Sheriff's K9 Unit. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 24

**RESOLUTION ACCEPTING DONATION FOR MANITOWOC COUNTY  
SHERIFF'S OFFICE K9 UNIT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Office has a K9 Unit that permits officers to  
2 respond to high-risk situations with their K9 partners; and

3  
4 WHEREAS, K9s require nutrition, veterinary care, and specialized equipment; and

5  
6 WHEREAS, August Richter has donated \$1,000 to Manitowoc County to defer expenses  
7 and purchase equipment for the K9 Unit; and

8  
9 WHEREAS, after careful consideration and review, the Public Safety Committee  
10 recommends that the donation of Mr. Richter be accepted to assist with the expense and cost  
11 associated with County K9 units;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
14 Supervisors accept the donation from August Richter in the amount of \$1,000; and

15  
16 BE IT FURTHER RESOLVED that upon receipt of those funds they be deposited in  
17 account 756-23401 designated for the Manitowoc County Sheriff's Office K9 Unit.

Dated this 20th day of August 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases funds available for Sheriff's Office K9 Unit.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogel moved, seconded by Supervisor Henrickson to enact Ordinance (2019/2020-25) Amending Manitowoc County Code §20.14(2) (Emergency Communications Corridors). Upon discussion and vote, the motion carried unanimously.



**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 20.14(2)  
(EMERGENCY COMMUNICATIONS CORRIDORS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 20.14 protects line-of-sight radio communications  
2 paths between public safety radio towers used by emergency response personnel; and  
3

4 WHEREAS, Emergency Services Department staff have identified a technical error in  
5 § 20.14 of the Manitowoc County Code regarding the location of the Kiel tower site; and  
6

7 WHEREAS, currently the ordinance lists the location of the Kiel Tower as 43°44'47.4850"N  
8 latitude and 88°02'18.2792"W longitude, however the correct location of that tower site is  
9 43°54'47.4850"N and 88°02'18.2792"W longitude; and  
10

11 WHEREAS, Emergency Services Department staff recommend the adoption of a technical  
12 amendment to correct the location of the Kiel tower in the ordinance; and  
13

14 WHEREAS, the Public Safety Committee recommends that the proposed technical  
15 amendment be adopted;  
16

17 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
18 ordain as follows:  
19

20 Manitowoc County Code § 20.14(2) is amended as follows:  
21

- 22 (2) Manitowoc County provides emergency communications services that are essential  
23 to protect public safety using facilities at the following locations:  
24

<b>MANITOWOC COUNTY COMMUNICATIONS FACILITIES</b>			
<b>SITE</b>	<b>ELEVATION (FEET AT BASE)</b>	<b>NAD 83 LATITU DE DEG/MIN/SEC</b>	<b>NAD 83 LONGIT UDE DEG/MIN/SEC</b>
Cato	933.63	44°06'59.7200"N	87°51'33.6926"W
Cleveland	709.50	43°54'43.6021"N	87°45'35.7555"W
Franklin	891.84	44°10'52.0009"N	87°50'25.9638"W
Kiel	920.46	43° <del>44</del> 54'47.4850" N	88°02'18.2792"W
Liberty	964.98	44°00'35.6622"N	87°53'28.5993"W
Maribel	865.00	44°16'36.3979"N	87°48'21.9014"W
Manitowoc	607.00	44°05'15.7699"N	87°39'34.6892"W

MANITOWOC COUNTY COMMUNICATIONS FACILITIES			
SITE	ELEVATION (FEET AT BASE)	NAD 83 LATITU DE DEG/MIN/SEC	NAD 83 LONGIT UDE DEG/MIN/SEC
Two Creeks	654.66	44°16'12.6567"N	87°33'08.4903"W
Two Rivers	633.32	44°11'16.1745"N	87°35'32.8609"W
Rocky Knoll	1020.01	43°48'00.0000"N	87°58'41.3000"W

and

BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 20th day of August 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Hoffman to adopt Resolution (2019/2020-26) Approving Request for Bids for Sale of County Real Property (Hecker & Viebahn Property). Discussion followed.

Supervisor Baumann moved, seconded by Supervisor Brunner to postpone Resolution (2019/2020-26) Approving Request for Bids for Sale of County Real Property (Hecker & Viebahn Property) until the September 17, 2019 County Board meeting. Upon discussion and vote, the motion to postpone carried with 17 ayes and 5 noes. Supervisors Falkowski, Gauger, Hoffman, Muench, and Wagner voted no; all other supervisors voted aye.

**No. 2019/2020 - 26**  
**POSTPONED UNTIL NEXT COUNTY BOARD MEETING**  
**Tuesday, Sept. 17, 2019**

No. 2019/2020 - 26

**RESOLUTION APPROVING REQUEST FOR BIDS FOR SALE OF  
COUNTY REAL PROPERTY**  
(Hecker & Viebahn Property)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns three parcels of land that comprise approximately  
2 93.48 acres in the Town of Newton, identified by parcel number 014-002-002-000, 014-002-003-  
3 001, 014-002-005-000, which is commonly referred to as the "Hecker & Viebahn property" (the  
4 "Property"); and  
5

6 WHEREAS, the Property contains approximately 72 acres of tillable land and 21.48 acres  
7 of mixed woods, swamp, pond areas and road right-of-way; and  
8

9 WHEREAS, Manitowoc County purchased the Property in 1941 for the sum of \$10,500.00;  
10 and  
11

12 WHEREAS, the Property was purchased to expand the Manitowoc County Hospital Farm  
13 which ceased farming operations in the 1960's, and  
14

15 WHEREAS, the Property has been leased as farmland since the Manitowoc County  
16 Hospital Farm stopped farming operations; and  
17

18 WHEREAS, there is no longer a public purpose served by Manitowoc County continuing  
19 its ownership of the Property; and  
20

21 WHEREAS, the Public Works Committee of the County Board has been actively  
22 marketing this property for several years; and  
23

24 WHEREAS, parties have shown an interest in purchasing the Property; and  
25

26 WHEREAS, the Public Works Committee of the County Board acquired a property  
27 appraisal for the Property in January 2019 that listed the market value at \$859,000.00; and  
28

29 WHEREAS, after careful consideration and review, the Public Works Committee  
30 recommends that Manitowoc County issue a Request for Bids for the sale of the Property in a form  
31 substantially similar to the attached Request for Bids;  
32

33 NOW, THEREFORE, BE IT RESOLVED that Board of Supervisors of the County of  
34 Manitowoc authorizes the Public Works Department to issue a Request for Bids for the Becker &  
35 Viebahn property in a form substantially similar to the Request for Bids attached to this Resolution  
36 with the intent of selling the Property to the most responsible bidder that offer the highest price  
37 and value to the County.

Dated this 20th day of August 2019.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED:

Miscellaneous-Public Works Committee and Finance Committee: Supervisor Gerroll moved, seconded by Supervisor Hansen to adopt Resolution (2019/2020-27) Authorizing Subordination, Non-Disturbance, and Attornment Agreement (Manitowoc Place and Cellco Partnership d/b/a Verizon Wireless). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 27

**RESOLUTION AUTHORIZING SUBORDINATION, NON-  
DISTURBANCE, AND ATTORNMENT AGREEMENT**  
(Manitowoc Place and Cellco Partnership d/b/a Verizon Wireless)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc Place, LLC purchased the tax delinquent property formerly  
2 known as the Evergreen Inn and has completed a \$5.2 million historic rehabilitation of the property  
3 into affordable residential and commercial space; and  
4

5 WHEREAS, Manitowoc County assisted in this economic development project by making  
6 a loan that was secured by a \$99,000 mortgage, together with a Real Estate Mortgage  
7 Subordination Agreement; and  
8

9 WHEREAS, Manitowoc Place, LLC wishes to lease space on its building to Cellco  
10 Partnership d/b/a Verizon Wireless and has asked that Manitowoc County enter into a  
11 Subordination, Non-Disturbance, and Attornment (SNDA) Agreement; and  
12

13 WHEREAS, the SNDA Agreement provides that Verizon's lease is subordinate to the  
14 county's mortgage, but also provides that the County will not disturb the lease in the event of a  
15 foreclosure and would replace Manitowoc Place as the lessor and receive rent due from Verizon  
16 under the lease; and  
17

18 WHEREAS, the Public Works and Finance Committees recommend that the county enter  
19 into the SNDA Agreement, which has been reviewed by the Corporation Counsel;  
20

21 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board authorizes  
22 the Comptroller and such other County officials as may be appropriate to execute the  
23 Subordination, Non-Disturbance, and Attornment (SNDA) Agreement with Manitowoc Place,  
24 LLC and Cellco Partnership.

Dated this 20th day of August 2019.

Respectfully submitted by the Public Works Committee and Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

#### ANNOUNCEMENTS

Supervisor Henrickson informed everyone that the Traveling Vietnam War Wall would be at the Manitowoc County Expo from September 12<sup>th</sup> to the 15<sup>th</sup>.

Supervisor Hoffman informed everyone of the On the Farm Twilight Meeting at 6:00 p.m. on August 26 at the Soaring Eagle Dairy.

#### ADJOURNMENT

Supervisor Neils moved to adjourn, seconded by Supervisor Swade, and the motion was adopted by acclamation. The meeting adjourned at 7:29 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/yeTlxOrBrW4?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, September 17, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 17<sup>th</sup> day of September 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

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

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

On a motion by Supervisor Gauger, seconded by Supervisor Behnke the August 20, 2019 meeting minutes were approved on a unanimous vote.

County Clerk Backus announced the following deletions and additions to the agenda: Under X. Unfinished Business, Chairperson Brey-Discussion and Possible Action on postponed Resolution 2019/2020-26 Approving Request for Bids for Sale of County Real Property (Hecker and Viebahn Property) was removed. Under XII. Reports, K. Planning and Park Commission, Item 2. Manitowoc County-Ordinance Text Amendment was added. Supervisor Hoffman moved, seconded by Supervisor Swade to approve the agenda. Upon vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring 4-H Week to the 4-H Rockets for Schools team. Two student representatives, Zach and Clara, described the rocket program and competitions, STEM activities and many more fantastic experiences 4-H had provided them.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Declaring October 2019 Crime Prevention Month. Sheriff Dan Hartwig thanked the board for recognizing crime prevention. The Sheriff believes the best prevention is a community that is able to trust the law enforcement that is there to serve and protect them.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring the Roncalli Jets Division 3 State Boys' Golf Champions. Coach Haug, Luke Pautz, Bryce Pautz, Ethan Wheelis, and Will Falcnor thanked the board for the honor. It was an amazing experience to participate and win the state meet.

Chairperson Brey gave a brief presentation of the proposed 2020 County Board Budget.

**PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS**

Chairperson Brey declared public comment open at 6:57 p.m.

John Dworak, Town of Kossuth, thanked the Manitowoc County Highway department on an excellent job of cutting the ditches along Highways R and K.

Maura Yost, Town of Centerville, advocated for the county-wide half cent sales tax. She believes the sales tax is necessary for our county's financial well-being and for our community's economic stability and growth.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:04 p.m.

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

Board of Health: Supervisor Metzger gave a brief report.

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

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

Finance Committee: Supervisor Williams gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Henrickson to adopt Resolution (2019/2020-28) Authorizing Addition of 1.0 Full-Time Equivalent Human Services Employee. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 28

**RESOLUTION AUTHORIZING ADDITION OF 1.0 FULL-TIME  
EQUIVALENT HUMAN SERVICES EMPLOYEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department has received a grant of \$68,850 to provide  
2 AODA and mental health services to individuals incarcerated in the Manitowoc County Jail; and  
3

4 WHEREAS, \$18,600 of the grant will be used to purchase medical supplies, medical  
5 services, and the necessary office equipment for the position; and  
6

7 WHEREAS, \$50,250 of the grant can be used to assist in funding a full-time Jail  
8 Counselor/Case Manager position; and

9  
10 WHEREAS, the total annual cost of the full-time Jail Counselor/Case Manager position is  
11 estimated to be \$78,000; and  
12

13 WHEREAS, once established this position may also provide mental health services that  
14 are currently being purchased through a contract with Advanced Correctional Healthcare; and  
15

16 WHEREAS, having these services provided by the Human Services Department will assist  
17 individuals in accessing AODA and mental health services upon release from the Jail;  
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
20 Supervisors authorizes the creation of a 1.0 Full-Time Equivalent Jail Counselor/Case Manager  
21 position in Human Services Department; and  
22

23 BE IT FURTHER RESOLVED that the 2019 Full-Time Equivalent Report (FTE) by  
24 Department included in the 2019 Adopted Annual Budget Book is amended accordingly and that  
25 the Comptroller/Auditor is directed to record such information in the official books of the County  
26 for the year ending December 31, 2019 as may be required.

Dated this 17th day of September 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Total annual cost of the position is estimated to be \$78,000. Grant funding  
will cover cost of the position in 2019 and required funding will be included  
in the County Executive's 2020 budget for this position.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Maresh moved, seconded by Supervisor Behnke to adopt Resolution (2019/2020-29)  
Authorizing Implementation of 12 Hour Shifts for Corrections Officers and Jail Supervisors. Upon  
discussion and vote, the motion carried unanimously.

No. 2019/2020 - 29

**RESOLUTION AUTHORIZING IMPLEMENTATION OF 12 HOUR  
SHIFTS FOR CORRECTIONS OFFICERS AND JAIL SUPERVISORS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the increasingly complex needs of the Manitowoc County jail population  
2 require the Sheriff's Office to explore ways to modernize daily operations; and  
3



4 WHEREAS, in the interest of exploring efficiencies in the jail, the Sheriff's Office is  
5 proposing to increase the regular shift of Corrections Officers and Jail Supervisors from 8.0 hours  
6 to 12.0 hours; and  
7

8 WHEREAS, changing to a 12 hour shift for Corrections Officers and Jail Supervisors will  
9 increase the number of jail staff on duty per shift; and  
10

11 WHEREAS, changing to a 12 hour shift will result in Corrections Officers and Jail  
12 Supervisors working 60 fewer shifts per year and increasing the number of weekends off from one  
13 per month to two per month; and  
14

15 WHEREAS, changing to a 12 hour shift will mean that the number of paid time off hours  
16 for Corrections Officers and Jail Supervisors will remain the same, but the number of days of paid  
17 time off will be reduced due to Corrections Officers and Jail Supervisors having to use 12 hours  
18 to cover one day off; and  
19

20 WHEREAS, the proposal change to a 12 hour shift has been discussed with Corrections  
21 Officers and Jail Supervisors and employees have been given the opportunity to provide feedback;  
22 and  
23

24 WHEREAS, increasing the regular shift for Corrections Officers and Jail Supervisors from  
25 8 hours to 12 hours will result in 90 additional scheduled hours for each Corrections Officer and  
26 Jail Supervisor at a cost to the County of approximately \$99,500; and  
27

28 WHEREAS, approximately \$118,248 was spent in overtime in the Jail Division from  
29 August 1, 2018 to July 31, 2018 and is largely attributed to paying overtime for over 10 hours per  
30 shift; and  
31

32 WHEREAS, reducing overtime paid to Corrections Officers and Jail Supervisors will help  
33 to offset the cost of the additional 90 hours worked per Corrections Officer and Jail Supervisor;  
34 and  
35

36 WHEREAS, changing to a 12 hour shift will allow the conversion of one Jail Supervisor  
37 position to a float position that can supplement services provided to the Court and Support Division  
38 and also cover open Jail Supervisor shifts; and  
39

40 WHEREAS, the current policy contained in § 18.02(2)(a) of the Manitowoc County  
41 Employee Policy Manual requires that all hours worked in excess of 10 per shift be paid at an  
42 overtime rate; and  
43

44 WHEREAS, changing to a 12 hour shift requires that § 18.02(2)(a) of the Employee Policy  
45 Manual be modified for Corrections Officers and Jail Supervisors to pay overtime for all hours  
46 worked in excess of 12 hours per shift; and  
47

48 WHEREAS, this proposal does not affect the regular shift of the Court Officer and Huber  
49 Officer; and

50  
51 WHEREAS, the Sheriff's Office intends to evaluate the effectiveness of the 12 hour shift  
52 for the year 2020; and  
53

54 WHEREAS, after careful consideration and review, the Personnel Committee recommends  
55 amending the Manitowoc County Employee Policy Manual such that Corrections Officers and Jail  
56 Supervisors shall be paid overtime for all hours worked in excess of 12 hours per shift;  
57

58 NOW, THEREFORE, BE IT RESOLVED that the regular shift for Corrections Officers  
59 and Jail Supervisors will be increased from 8 hours to 12 hours effective January 12, 2020; and  
60

61 BE IT FURTHER RESOLVED that the annual hours worked by Corrections Officers and  
62 Jail Supervisors is increased from 1950 hours to 2040 hours effective January 12, 2020; and  
63

64 BE IT FURTHER RESOLVED that one Jail Supervisor position will be converted to a  
65 float position that will provide additional court and support related services in addition to filling  
66 in for vacant Jail Supervisor positions; and  
67

68 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors amends  
69 § 18.02(2)(a) of the Manitowoc County Employee Policy Manual to read as follows:  
70

71 18.02 Overtime  
72

73 (2) Non-exempt employees who are not subject to overtime provisions contained in a  
74 collective bargaining agreement will be paid overtime in accordance with the  
75 Federal Fair Labor Standards Act, with the following additions;  
76

77 (a) Except as otherwise provided by Resolution of the Manitowoc County  
78 Board of Supervisors, f~~F~~or hours worked in excess of 10 hours per shift;  
79

80 and  
81

82 BE IT FURTHER RESOLVED that pursuant to § 18.02(2)(a) of the Manitowoc County  
83 Employee Policy Manual as amended herein, effective from January 12, 2020 to December 31,  
84 2020 the Manitowoc County Board of Supervisors modifies the overtime rules contained in  
85 § 18.02(2)(a) of the Employee Policy Manual to provide that Corrections Officers and Jail  
86 Supervisors shall be paid overtime for hours worked in excess of 12 hours per shift; and  
87

88 BE IT FURTHER RESOLVED that the authorization to implement a 12 hour shift for  
89 Corrections Officers and Jail Supervisors shall expire at the end of 2020 unless included in the  
90 2021 County Adopted Budget.

Dated this 17th day of September 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Going to the 12 hour schedule adds 90 hours per full-time equivalent. These additional hours will be paid at a straight time rate. Overtime is expected to be reduced. If approved, this will be incorporated into the County Executive's 2020 Budget Proposal.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Vogel gave a brief report. Supervisor Vogel moved, seconded by Supervisor Henrickson to enact Ordinance (2019/2020-30) Accepting Donations for Manitowoc County Sheriff's Office K9 Unit. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 30

**RESOLUTION ACCEPTING DONATIONS FOR MANITOWOC  
COUNTY SHERIFF'S OFFICE K9 UNIT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Office has a K9 Unit that permits officers to  
2 respond to high-risk situations with their K9 partners; and

3  
4 WHEREAS, K9s require nutrition, veterinary care, and specialized equipment; and

5  
6 WHEREAS, Shipbuilders Credit Union has donated \$1,000 and A&W Restaurant has  
7 donated \$600 to defer expenses and purchase equipment for the K9 Unit; and

8  
9 WHEREAS, after careful consideration and review, the Public Safety Committee  
10 recommends that the donations of Shipbuilders Credit Union and A&W Restaurant be accepted to  
11 assist with the expense and cost associated with County K9 units;

12  
13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
14 Supervisors accept the donation from Shipbuilders Credit Union in the amount of \$1,000; and

15  
16 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors accept  
17 the donation from A&W Restaurant in the amount of \$600; and

18  
19 BE IT FURTHER RESOLVED that upon receipt of the abovementioned funds, such funds  
20 shall be deposited in account 756-23422 designated for the Manitowoc County Sheriff's Office  
21 K9 Unit.

Dated this 17th day of September 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases funds available for Sheriff's Office K9 Unit.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Hoffman to adopt Resolution (2019/2020-31) Approving the Purchase of the Two Rivers Compost Site Property from June Paasch for \$65,000. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 31

**RESOLUTION APPROVING THE PURCHASE OF THE TWO RIVERS  
COMPOST SITE PROPERTY FROM JUNE PAASCH FOR \$65,000**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has leased a parcel of land comprised of 11.086 acres in  
2 the Town of Two Rivers, identified as Lot #2 of Certified Survey Map No. 1183768 from Karl  
3 and/or June Paasch since 1989 (the "Property"); and  
4

5 WHEREAS, the Property includes a heated two-stall maintenance building with office; and  
6

7 WHEREAS, the Property is licensed by the Wisconsin Department of Natural Resources  
8 as a yard waste compost facility; and  
9

10 WHEREAS, Manitowoc County currently operates the Property as a yard waste compost  
11 facility to serve the residents of the City of Two Rivers and all of northeast Manitowoc County;  
12 and  
13

14 WHEREAS, Manitowoc County has a Right of First Refusal to purchase the Property  
15 should the current owner, June Paasch, offer the Property for sale; and  
16

17 WHEREAS, Ms. Paasch has offered the property to Manitowoc County at a sale price of  
18 \$65,000.00; and  
19

20 WHEREAS, Manitowoc County Dept. of Public Works staff recommends purchase of the  
21 property for \$65,000.00 with an additional \$15,000.00 being expended to upgrade site access, the  
22 compost tipping pad, and site security for an overall expense of \$80,000.00; and  
23

24 WHEREAS, the current lease cost to Manitowoc County is \$7,920.00 annually, and  
25

26 WHEREAS, the Return on Investment for this \$80,000.00 is 10.1 years, and ensures a  
27 viable compost site for the residents of Manitowoc County for the foreseeable future; and  
28

29 WHEREAS, Manitowoc County recently sold 146.36 acres of farmland for \$760,730.00,  
30 which proceeds were deposited into the County's Economic Development Capital Projects Fund;  
31 and

32  
33 WHEREAS, after careful consideration and review, the Public Works Committee  
34 recommends the purchase of the 11.086 acre Property with building for \$65,000.00 from Ms.  
35 Paasch; and  
36

37 WHEREAS, the Public Works Committee further recommends an additional investment  
38 of \$15,000.00 into the Property for long-term site improvements; and

39 WHEREAS, the Public Works Committee recommends funding this land purchase and site  
40 improvements from the County's Economic Development Capital Projects Fund; and  
41

42 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
43 County of Manitowoc approves the purchase of 11.086 acres in the Town of Two Rivers, identified  
44 as Lot #2 of Certified Survey Map No. 1183768 from June Paasch for the sum of \$65,000.00 on  
45 substantially the same terms as provided in the attached Vacant Land Offer to Purchase; and  
46

47 BE IT FURTHER RESOLVED that the purchase of the Property shall be paid for from  
48 existing funds in the Economic Development Capital Projects Fund; and  
49

50 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors  
51 authorizes the expenditure of \$15,000.00 from the Economic Development Capital Projects Fund  
52 for long-term site improvements to the Property; and  
53

54 BE IT FURTHER RESOLVED, that the County Board authorizes the County Executive,  
55 County Board Chair, County Clerk, Corporation Counsel, Director of Public Works and such other  
56 county officials as may be necessary to finalize and execute any and all documents required to  
57 complete the purchase of the Property;

Dated this 17th day of September 2019.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Decreases the amount available in the County's Economic Development  
Capital Projects Fund by \$80,000.00.

APPROVED: Bob Ziegelbauer, County Executive.

#### ANNOUNCEMENTS

Chairperson Brey announced that October 8 will be the first County Board meeting of the month  
and October 28 will be the Annual County Board meeting.

#### ADJOURNMENT

Supervisor Neils moved to adjourn, seconded by Supervisor Dyzak, and the motion was adopted  
by acclamation. The meeting adjourned at 7:37 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:  
<https://www.youtube.com/embed/e8SLZDqYac?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, October 8, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 8<sup>th</sup> day of October 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:33 p.m.

Supervisor Swade gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Baumann, seconded by Supervisor Hoffman the September 17, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Chairperson Brey, Supervisors Behnke, Metzger and Vogt each gave a brief report regarding the 2019 Wisconsin Counties Association Conference where they attended various informational business meetings and workshops.

Jason Latva, TAD Program/AODA Supervisor provided a two-year update on the progress of the Manitowoc County Drug Court Program.

County Executive Bob Ziegelbauer presented the proposed 2020 budget. Executive Ziegelbauer commented that he will hold the line on taxes again. The typical taxpayer will see a slight decrease in the county property tax. He explained the county's long term goals are to deliver high quality services while holding the line on taxes, keeping the debt low, continue with a robust capital improvement program, and maintain our facilities, county roads and equipment. Key items in the 2020 budget are: constructing a pavilion at Maribel Caves' park, the reconstruction of 14 miles of County Truck Highways, and a bridge project on CTH "S"; expanding the Human Services budget in mental health and foster care in response to the "opioid crisis"; and continuing to pay down our debt. Manitowoc County Government is not only more effective, but also more sustainable, nimble, and better able to adjust to change in the future.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:20 p.m.

Ted Herrmann, City of Two Rivers, thanked the Planning and Zoning Department for all the work they put into creating the Devil's River State Trail Master Plan.

Jolene Staskal, Town of Mishicot, supported the adoption of the Devil's River State Trail Master Plan.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:21 p.m.

#### APPOINTMENT BY COUNTY BOARD

Chairperson Brey presented the appointment of the Land Conservation Committee to conduct a hearing pursuant to Wis. Stat. 33.26(1) regarding the formation of the Bullhead Lake District. Supervisor Behnke moved, seconded by Supervisor Henrickson to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Planning and Park Commission: Supervisor Dyzak gave a brief report.

Supervisor Dyzak moved, seconded by Supervisor Falkowski to adopt Resolution (2019/2020-33) Adopting Report Denying Petition for Ordinance Amendment to Chapter 4 (Finance) of the Manitowoc County Code (Appendix – Fee Schedule). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 33

### **RESOLUTION ADOPTING REPORT DENYING PETITION FOR ORDINANCE AMENDMENT TO CHAPTER 4 (FINANCE) OF THE MANITOWOC COUNTY CODE (Appendix - Fee Schedule)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Planning and Park Commission submitted a petition  
2 on September 23, 2019 seeking to amend the text of Chapter 4 of the Manitowoc County Code  
3 (Finance); and  
4

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

8 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
9 a public hearing on the petition on September 23, 2019; and  
10

11 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
12 and an examination of the facts, recommends that the petition be denied for the reasons stated in  
13 the attached report;



14  
15 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
16 county of Manitowoc adopts the report of the Planning and Park Commission and denies the  
17 proposed text amendments to Chapter 4 of the Manitowoc County Code (Finance).

Dated this 8th day of October 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-32) Adopting Devil's River State Trail Master Plan. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 32

**RESOLUTION ADOPTING DEVIL'S RIVER STATE TRAIL MASTER  
PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Natural Resources, the Wisconsin Department  
2 of Transportation, and the Manitowoc County Planning and Park Commission have determined  
3 that development of the Devil's River State Trail has a high priority; and  
4

5 WHEREAS, Manitowoc County has agreed to oversee the development, operation, and  
6 maintenance of the Devil's River State Trail through an easement with the Department of Natural  
7 Resources; and  
8

9 WHEREAS, the Devil's River State Trail consists of approximately 14 miles of shared use  
10 rail-trail located in Brown and Manitowoc Counties and an undeveloped segment located in  
11 Southeast Manitowoc County; and  
12

13 WHEREAS, Manitowoc County contracted with Bay Lake Regional Planning  
14 Commission for assistance in the development and facilitation of the master plan for the Devil's  
15 River State Trail; and  
16

17 WHEREAS, the Devil's River State Trail Master Plan is intended to serve as a guide for  
18 Manitowoc County for the development, use, operation, and maintenance of the Devil's River  
19 State Trail; and  
20

21 WHEREAS, Bay Lake Regional Planning Commission held an open house on May 20,  
22 2019 to solicit feedback on trail use and rank future funding priorities; and  
23

24 WHEREAS, the Planning and Park Commission held a public hearing on September 23,  
25 2019 to review the draft plan and seek public comment; and  
26

27 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony  
28 and an examination of the Devil's River State Trail Master Plan, recommends that the Manitowoc  
29 County Board approve the Devil's River State Trail Master Plan;  
30

31 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
32 Supervisors hereby adopts the Devil's River State Trail Master Plan in its entirety as presented to  
33 the Manitowoc County Board on this date.

Dated this 8th day of October 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

#### ANNOUNCEMENTS

Chairperson Brey announced the Annual County Board meeting will be October 28.

#### ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Vogel, and the motion was adopted by acclamation. The meeting adjourned at 7:36 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:  
<https://www.youtube.com/embed/9FuBYvZwrho?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Monday, October 28, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 28<sup>th</sup> day of October 2019, for the purpose of conducting the Annual Meeting and Public Hearing on the Budget as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

Supervisor Falkowski gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Gauger, seconded by Supervisor Baumann the October 8, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment regarding the County Executive's Proposed 2020 Annual Budget open at 6:33 p.m.

Maura Yost, Town of Centerville, opposed the County Executive's 2020 Proposed Annual Budget because it only provides a small tax reduction to current property owners at the expense of future property tax payers. She does not agree with the proposed bonding of \$1,275,000 since that money is exported out of our community year after year to bondholders. She believes implementing a half-penny sales tax would provide the county with the additional revenue that is needed and it is the most conservative way to finance our current county government.

No one else present wished to speak at the public hearing of the County Executive's Proposed 2020 Annual Budget, subsequently Chairperson Brey closed public comment at 6:37 p.m. and opened public comment on any non-budget items.

No one present wished to speak on non-budget issues, subsequently Chairperson Brey closed public comment at 6:37 p.m.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution (2019/2020-34) Canceling County Checks Not Presented within Two Years of Issuance. Upon vote, the motion carried unanimously.

No. 2019/2020 - 34

**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  
2 presented for payment within two years of their date of issuance; and  
3

4 WHEREAS, the County Treasurer is required to account for these uncashed checks in the  
5 reserve to the County's checking account, and  
6

7 WHEREAS, Wis. Stat. § 59.64(4)(e) provides that the County Board may, at its annual  
8 meeting, cancel checks which have not been presented for payment within two years of their  
9 issuance; and  
10

11 WHEREAS, those checks shown on the attached list were issued by Manitowoc County  
12 prior to October 31, 2017, and were not presented for payment within two years of their issuance;  
13

14 NOW, THEREFORE, BE IT RESOLVED that those checks which are shown on the  
15 attached list are hereby canceled and without value; and  
16

17 BE IT FURTHER RESOLVED that the payee of a canceled check may make application  
18 to the County Board Chair and County Clerk to have a new check issued for the original amount,  
19 without interest, and that the County Treasurer shall issue such a check within sixty days of written  
20 notice of approval of such application by the County Board Chair and County Clerk.

Dated this 28th day of October 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:	Increased available cash balance in Account 100-001	\$9,266.95
	Increased available cash balance in Account 160-485	\$111.26
	<u>Increased available cash balance in Account 126-77</u>	<u>\$910.51</u>
	Total increase in available cash balance	\$10,288.72

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-35) Approving Assignment of County's Right to Take Judgment against Property Located at 2023 Washington Street, Two Rivers, Wisconsin to the City of Two Rivers. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 35

**RESOLUTION APPROVING ASSIGNMENT OF COUNTY'S RIGHT TO  
TAKE JUDGMENT AGAINST PROPERTY LOCATED AT 2023  
WASHINGTON STREET, TWO RIVERS, WISCONSIN TO THE CITY  
OF TWO RIVERS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County (the "County") annually reviews tax delinquent properties  
2 to determine which properties will be included on the County Treasurer's List of Tax Liens of  
3 Manitowoc County Being Foreclosed by Proceeding in Rem (the "In Rem Foreclosure List"); and  
4

5 WHEREAS, an abandoned gas station located at 2023 Washington Street, Two Rivers,  
6 Wisconsin (the "Property") was included in the most recent In Rem Foreclosure List at the request  
7 of the City of Two Rivers, Wisconsin (the "City"); and  
8

9 WHEREAS, the City desires to see the Property redeveloped, however, the County  
10 generally avoids foreclosing on a property that may be contaminated by a hazardous substance;  
11 and  
12

13 WHEREAS, Pursuant to Wis. Stat. § 75.106, the County may assign its right to take  
14 judgment with respect to any parcel subject to an In Rem foreclosure that is a "Brownfield" as that  
15 term is defined by statute; and  
16

17 WHEREAS, the Wisconsin Department of Natural Resources has determined that the  
18 Property is a Brownfield; and  
19

20 WHEREAS, the City has requested that the County assign its right to take judgment against  
21 the Property to the City; and  
22

23 WHEREAS, the County believes that assigning its right to take judgment against the  
24 Property to the City is in both the County and City's best economic interest and will promote the  
25 health, safety, and welfare of the citizens of the County and City; and  
26

27 WHEREAS, after careful consideration and review, the Finance Committee recommends  
28 that the County's right to take judgment against the Property be assigned to the City;  
29

30 NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors of the  
31 County of Manitowoc hereby assigns the County's right to take judgment against the property

32 located at 2023 Washington Street, Two Rivers, Wisconsin in In Rem proceeding 2019 GF 90 to  
33 the City of Two Rivers, Wisconsin pursuant to, and in accordance with, Wis. Stat. § 75.106; and  
34

35 BE IT FURTHER RESOLVED, that the County Board of Supervisors of the County of  
36 Manitowoc authorizes the County Executive, County Board Chair, County Clerk, Corporation  
37 Counsel, County Treasurer and such other county officials as may be necessary to finalize and  
38 execute any and all documents required to complete the assignment of the Property to the City.

Dated this 28th day of October 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: By assigning its right to take judgment against this property, the County is writing off \$67,858.38 in delinquent taxes and related interest.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety: Chairperson Brey reported Resolution (2019/2020-36) Canceling Checks Not Presented within Two Years of Issuance (Sheriff's Office) has been postponed until the November 5, 2019 County Board meeting because the committee did not meet yet to bring this resolution to the County Board.

#### ANNOUNCEMENTS

Chairperson Brey announced the Finance Committee will meet Monday, November 4, 2019 to review the 2020 Proposed Annual Budget. The November County Board meeting will be next Tuesday, November 5, 2019.

#### ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Neils, and the motion was adopted by acclamation. The meeting adjourned at 6:44 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/-uyb7d2FxYk?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, November 5, 2019

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 5<sup>th</sup> day of November 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

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

Chairperson Brey acknowledged supervisors who had served or are currently serving in the military.

Roll call: 22 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Gauger, Geimer, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Neils, Nickels, Swade, Vogel, Vogt, and Wagner. Supervisors Brunner, Williams, and Zimmer were excused.

On a motion by Supervisor Hoffman, seconded by Supervisor Behnke the October 28, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Declaring Manitowoc Recycles Day 2019. Dale Cayemberg from Ascend Services thanked the Board for such a great partnership with Manitowoc County for the last 29 years. He recognized Jon Reisenbuechler and Mark Jacobs for their dedication to the program. They are the individuals that run the day to day operations and are vital to the program.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:38 p.m.

Maura Yost, Town of Centerville, spoke in opposition to the proposed borrowing of \$1.275 million dollars in the County Executive's Proposed 2020 Budget. She continued to advocate for a half-cent county-wide sales tax because it would be the most conservative and fiscally responsible way to fund our county's recurring revenue shortfalls.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:43 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Connie Gulash and Linda Langman to the Commission on Aging for a three year term expiring December 2022. Supervisor Swade moved, seconded by Supervisor Gauger to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Jessica Backus, Jerry Wendt, Jamie Aulik, Alternate) Robert Hennings Jr., Mary Halada, Alternate) Jessica Wanserski, Supervisor Rick Henrickson and Alternate) Supervisor Randy Vogel to the Local Emergency Planning Committee for a two-year term expiring December 2021. Supervisor Falkowski moved, seconded by Supervisor Holschbach to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Kurt Carlson to the Veterans Service Commission for a three year term expiring December 2022. Supervisor Neils moved, seconded by Supervisor Henrickson to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Planning and Park Committee: Supervisor Dyzak gave a brief report.

Supervisor Dyzak moved, seconded by Supervisor Gauger to enact Ordinance (2019/2020-37) Amending Manitowoc County Code §20.22 (Permit Fees and Other Charges). Upon vote, the motion carried unanimously.

No. 2019/2020 - 37

#### **ORDINANCE AMENDING MANITOWOC COUNTY CODE § 20.22 (PERMIT FEES AND OTHER CHARGES)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a new mobile service facility or structure in Manitowoc County, is regulated  
2 by the Manitowoc County Mobile and Radio Broadcast Services Ordinance; and  
3

4 WHEREAS, the permit fees and other charges listed in Chapter 20, § 20.22(2) are regulated  
5 by Chapter 4, titled "Fees"; and  
6

7 WHEREAS, the Planning and Park Commission petitioned County Board of Supervisors for  
8 an Ordinance text amendment to allow for a change to permit fees and other charges; and  
9

10 WHEREAS, the Planning and Park Commission, after providing the required notice, held a  
11 hearing on October 28, 2019 to consider the amendment to the Mobile and Radio Broadcast  
12 Services Ordinance; and  
13



14 WHEREAS, the Planning and Park Commission, after careful consideration of testimony at  
15 the hearing and an examination of the facts recommends that the following amendments to the  
16 Mobile and Radio Broadcast Services Ordinance be approved;

17  
18 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
19 ordain as follows:

20  
21 Section 20.22 is amended to read as follows:

22  
23 20.22 Permit Fees and Other Charges.

24  
25 ~~(1) — Fees shall be determined and adjusted from time to time by the Planning and Park~~  
26 ~~Commission pursuant to Wis. Stat. § 66.0628(2) and as specified in Chapter 4~~  
27 ~~(Finance) of the Manitowoc County Code The permit fee for siting and~~  
28 ~~construction of each new mobile service facility or structure is \$3,000.~~

29  
30 ~~(2) — The permit fee for each class 1 collocation is \$3,000.~~

31  
32 ~~(3) — The permit fee for each class 2 collocation is \$75.~~

33  
34 ~~(4) — The permit fee for each radio broadcast services facility or structure is \$3,000.~~

35  
36 ~~(5) — An applicant is responsible for paying all fees and expenses charged by a third-~~  
37 ~~party consultant retained by the department to review a mobile or radio broadcast~~  
38 ~~services application or permit, except that the department is responsible for the~~  
39 ~~third party consultant's travel expenses. An applicant's failure to pay a third party~~  
40 ~~consultant's fee and expenses, other than travel expenses, is grounds to deny an~~  
41 ~~application or revoke a permit.~~

42  
43 and

44  
45 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Wagner to enact Ordinance (2019/2020-38)  
Amending Manitowoc County Code Ch. 31 (Floodplain Zoning Appendix). Upon vote, the motion  
carried unanimously.

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 31  
(FLOODPLAIN ZONING APPENDIX)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted a floodplain zoning ordinance that contains a  
2 Floodplain Study Appendix listing each revision to the county's official floodplain zoning maps;  
3 and  
4

5 WHEREAS, the Planning and Park Commission recommends amending the official maps  
6 for Wilke Lake; and  
7

8 WHEREAS, the proposed amendment is intended to protect life, health, and property in  
9 floodplain areas and will govern the uses permitted in the mapped floodplain area; and  
10

11 WHEREAS, the proposed amendment is intended to meet the requirements of the Federal  
12 Emergency Management Agency, the Wisconsin Department of Natural Resources, and Wis.  
13 Admin. Code ch. NR 116, and, as required by state and federal law, will govern development in  
14 the mapped floodplain area;  
15

16 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
17 ordain as follows:  
18

19 Manitowoc County Code ch. 31, Appendix A, Manitowoc County Floodplain Study  
20 Appendix, is amended by adding the following:  
21

Flood Study Name	Town	FEMA Case #	Location
Wilke's Lake Addition Lot 31	Schleswig	19-05-4840A	Gov't Lot 4 S.2 T17N-R21E

24  
25 and  
26

27 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Henrickson to enact Ordinance (2019/2020-39)  
Amending Zoning Map (Christianson Farm RE LLC). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING ZONING MAP**  
(Christianson Farm RE LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;  
7

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

11           A parcel of land located in the NE¼ of the SW¼ and the NW¼ of the SW¼ of Section 31,  
12 T19N, R22E, Town of Cato, Manitowoc County, Wisconsin, described as follows.  
13

14           Commencing at the Center of said Section 31; thence N. 89°42'45" W. a distance of  
15 1428.53 feet, along the ¼ section line; thence S. 02°33'37" W. a distance of 31.06 feet, to  
16 the point of real beginning; thence S. 47°05'20" E. a distance of 86.60 feet, along the  
17 southerly right of way of Riverview Lane; thence S. 02°33'37" W. a distance of 497.79  
18 feet, along the west line of Tract 1.1 of Certified Survey Map recorded in Volume 25 Page  
19 125; thence S. 88°27'22" E. a distance of 364.60 feet, along a southerly line of said Tract  
20 1.1; thence S. 56°42'45" E. a distance of 118.46 feet, along a southerly line of said Tract  
21 1.1; thence S. 02°33'37" W. a distance of 274.88 feet; thence N. 89°42'45" W. a distance  
22 of 532.79 feet; thence N. 02°33'37" E. a distance of 903.94 feet, along the west line of the  
23 East 6.5 rods of the NW¼ of the SW¼ of Section 31, to the point of real beginning, said  
24 parcel containing approximately 4.92 acres or 214,205 square feet of land more or less and  
25 is hereby rezoned from Natural Area (NA) District to Small Estate (SE) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT:   None.

APPROVED:           Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Vogel to enact Ordinance (2019/2020-40)  
Amending Zoning Map (David and Karen Christel). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING ZONING MAP**  
(David and Karen Christel)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;  
7

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

11 A parcel of land located in a part of the Northwest Quarter (NW1/4) of the Northeast  
12 Quarter (NE1/4) of Section 30, Township 18 North, Range 22 East, Town of Liberty, Manitowoc  
13 County, Wisconsin described as follows:  
14

15 Commencing at the North Quarter Corner of said Section 30; thence S89°-57'-26"E along  
16 the North line of the NE1/4 of said Section 30 a distance of 1000.88 feet to the point of  
17 beginning; thence continuing S89°-57'-26"E along said North line 320.00 feet to the East  
18 line of NW1/4 of the NE1/4 of said Section 30; thence S00°-23'-15"W along said East line  
19 720.79 feet; thence N89°-57'-26"W 320.00 feet; thence N00°-23'-15"E 720.79 feet to the  
20 point of beginning, said parcel containing approximately 5.29 acres of land more or less  
21 and is hereby rezoned from General Agriculture (GA) District to Large Estate (LE) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Maresh to enact Ordinance (2019/2020-41)  
Amending Zoning Map (Brian and Lori Peterson). Upon vote, the motion carried unanimously.

**ORDINANCE AMENDING ZONING MAP**  
(Brian and Lori Peterson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;  
7

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

11 A parcel of land located in the NE¼ of the NW¼ of Section 6, T20N, R23E, Town of  
12 Kossuth, Manitowoc County, Wisconsin, described as follows:  
13

14 Commencing at the NW Corner of said NE¼ of the NW¼ of Section 6; thence south a  
15 distance of 33 feet, along the 1/16th section line, to the point of real beginning; thence  
16 continue south a distance of 620 feet, along the 1/16th section line; thence east a distance  
17 of 400 feet; thence north a distance of 620 feet, parallel with said west 1/16th section line;  
18 thence west a distance of 400 feet, along the south R/W line of Fisherville Road, to the  
19 point of real beginning, said parcel containing approximately 6.0 acres of land more or less  
20 and is hereby rezoned from Exclusive Agriculture (EA) District to Large Estate (LE)  
21 District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Cavanaugh to enact Ordinance (2019/2020-42)  
Amending Zoning Map (Russell Boldt). Upon vote, the motion carried unanimously.

No. 2019/2020 - 42

**ORDINANCE AMENDING ZONING MAP**  
(Russell Boldt)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;

7  
8 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
9 ordain as follows:

10  
11 A parcel of land located in Part of the Southwest 1/4 of the Northwest 1/4, Section 4, T20N  
12 - R21E, Town of Maple Grove, Manitowoc County, Wisconsin described as follows:

13  
14 Commencing at the West 1/4 Corner of Section 4; thence along the westerly line of the  
15 NW 1/4 North 0°37'35" East 342.78 feet to the point of beginning; thence continuing North  
16 0°37'35" East 265.00 feet; thence South 88°50'30" East 370.48 feet; thence South 0°37'35"  
17 West 607.78 feet; thence North 88°50'27" West 85.00 feet to the easterly line of Lot 1 of  
18 Certified Survey Map Volume 12 Page 47; thence along said line North 0°37'34" East  
19 285.87 feet; thence North 89°22'14" West 156.20 feet; thence North 2°34'21" East 59.60  
20 feet; thence North 89°22'25" West 131.29 feet to the point of beginning, said parcel  
21 containing approximately 3.126 acres of land more or less and is hereby rezoned from  
22 Exclusive Agriculture (EA) District to Small Estate (SE) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Falkowski to enact Ordinance (2019/2020-43)  
Amending Zoning Map (Samuel and Christina Schrock). Upon vote, the motion carried  
unanimously.

No. 2019/2020 - 43

**ORDINANCE AMENDING ZONING MAP**  
(Samuel and Christina Schrock)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;

7  
8 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
9 ordain as follows:

10  
11 A parcel of land located in the NE¼ of the SW¼ of Section 22, T20N, R21E, Town of  
12 Maple Grove, Manitowoc County, Wisconsin, described as follows:

13  
14 Commencing at the Center of said Section 22, the point of real beginning; thence  
15 S01°38'51"W a distance of 535.48 feet, along the 1/4 section line, also the centerline of  
16 Aspen Road; thence S88°53'09"W a distance of 805.94 feet; thence N01°38'51"E a  
17 distance of 535.48 feet; thence N88°53'09"E a distance of 805.94 feet, along the 1/4 section  
18 line, also the centerline of Taus Road, to the Center of said Section 22, the point of real  
19 beginning, said parcel containing approximately 9.90 acres of land more or less and is  
20 hereby rezoned from Large Estate (LE) District to General Agriculture (GA) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Hoffman to enact Ordinance (2019/2020-44)  
Amending Zoning Map (Cary Luedtke). Upon vote, the motion carried unanimously.

No. 2019/2020 - 44

**ORDINANCE AMENDING ZONING MAP**  
(Cary Luedtke)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2019; 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  
6 in the attached report;  
7

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

10  
11 A parcel of land located in the SW¼ of the NE¼ of Section 8, T21N, R24E, Town of  
12 Mishicot, Manitowoc County, Wisconsin described as follows:

13  
14 Commencing at the E¼ Corner of said Section 8; thence S89-48'-27"W along the ¼ section  
15 line a distance of 1322.16 feet; thence N00-00'44"W along the 1/16th line to the point of  
16 real beginning a distance of 16.50 feet; thence S89-48'46"W a distance of 660.00 feet;  
17 thence N40-31'41"E a distance of 200.00 feet; thence N21-54'41"E a distance of 140.00  
18 feet; thence N76-17'58"E a distance of 80.00 feet; thence N89-48'46"E a distance of  
19 400.00 feet; thence S00-00'44"E along the said 1/16th section line to the point of real  
20 beginning a distance of 300.00 feet, said parcel containing approximately 3.76 acres more  
21 or less and is hereby rezoned from Exclusive Agriculture (EA) District to Rural Residential  
22 (RR) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Baumann to enact Ordinance (2019/2020-45)  
Amending Zoning Map (James Hansen). Upon vote, the motion carried unanimously.

No. 2019/2020 - 45

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on September 23, 2019 and  
3 October 28, 2019; 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  
7 in the 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 part of the SE1/4 of the NW1/4 of Section 23, Township 17  
13 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, described as follows:  
14

15 Commencing at the West Quarter Corner of said Section 23; thence N89°-48'-04"E along  
16 the South line of the NW1/4 a distance of 1310.20 feet to the West line of the SE1/4 of the



NW1/4 of said Section 23; thence N00°-14'-34"E along said West line 303.47 feet to the point of beginning; thence continuing N00°-14'-34"E along said West line 605.37 feet; thence N89°-48'-04"E 466.70 feet; thence S00°-14'-34"W 456.69 feet; thence N89°-48'-04"E 339.39 feet; thence N78°-48'-08"E 120.59 feet; thence N88°-11'-14"E 387.12 feet to the East line of the NW1/4 of said Section 23; thence S00°-21'-26"W along said East line 66.05 feet; thence S88°-11'-14"W 379.39 feet; thence S50°-13'-09"W 149.60 feet; thence S54°-35'-29"W 99.83 feet; thence S74°-27'-51"W 54.63 feet; thence S86°-49'-45"W 209.32 feet; thence S89°-48'-04"W 268.57 feet; thence N00°-14'-34"E 72.37 feet; thence S89°-48'-04"W 206.05 feet to the point of beginning, said parcel containing approximately 7.40 acres of land more or less and is hereby rezoned from General Agriculture (GA) District to Large Estate (LE) District.

and

BE IT FURTHER ordained by the County Board of Supervisors of the County of Manitowoc as follows:

A parcel of land located in part of the SE1/4 of the NW1/4 of Section 23, Township 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin described as follows:

Commencing at the West Quarter Corner of said Section 23; thence N89°-48'-04"E along the South line of the NW1/4 a distance of 1310.20 feet to the West line of the SE1/4 of the NW1/4 of said Section 23 and being the point of beginning; thence N00°-14'-34"E along said West line 303.47 feet; thence N89°-48'-04"E 206.05 feet; thence S00°-14'-34"W 72.37 feet; thence N89°-48'-04"E 268.57 feet; thence N86°-49'-45"E 209.32 feet; thence S00°-11'-56"E 241.95 feet to the South line of the NW1/4 of said Section 23; thence S89°-48'-04"W along said South line 685.44 feet to the point of beginning, said parcel containing approximately 4.0 acres of land more or less and is hereby rezoned from General Agriculture (GA) District to Small Estate (SE) District.

Dated this 5th day of November 2019.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Aging and Disability Resource Center Board: Supervisor Wagner gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Gerroll to enact Ordinance 2019/2020-46 Amending Manitowoc County Code Chapter 4 by Creating Section 4.16 (Donations). Discussion followed.

Amendment: Supervisor Nickels moved, seconded by Supervisor Vogel to amend Ordinance 2019/2020-46 donation policy from \$5000 to \$1000. Discussion followed. Upon vote, motion failed 10 ayes and 12 noes. Supervisors Baumann, Behnke, Brey, Dyzak, Gauger, Gerroll, Hoffman, Holschbach, Maresh, Muench, Neils, and Vogt voted no; all other supervisors voted yes.

Discussion took place on the main motion to enact Ordinance (2019/2020-46) Amending Manitowoc County Code Chapter 4 by Creating Section 4.16 (Donations). Upon vote, motion carried 17 ayes and 5 noes. Supervisors Falkowski, Henrickson, Metzger, Nickels, and Vogel voted no; all others voted aye.

No. 2019/2020 - 46

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 4 BY  
CREATING SECTION 4.16 (DONATIONS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, from time-to-time individuals and businesses wish to make a donation of cash,  
2 property, or other things of value to Manitowoc County; and  
3

4 WHEREAS, Wis. Stat. § 59.52(19) permits the county board to accept donations, gifts or  
5 grants for any public governmental purpose; and  
6

7 WHEREAS, currently, the only policy Manitowoc County has regarding donations is  
8 contained in § 7.15 of the Manitowoc County Code, which permits the health officer to accept a  
9 donation of less than \$1,000.00 and requires county board approval for any amount over  
10 \$1,000.00; and  
11

12 WHEREAS, Manitowoc County desires to have a uniform policy for accepting donations;  
13 and  
14

15 WHEREAS, after careful consideration and review, the Executive Committee recommends  
16 amending the Manitowoc County Code of Ordinances to permit the acceptance of donations,  
17 subject to certain conditions and requirements, by a department director if the donation is  
18 \$5,000.00 or less; and  
19

20 WHEREAS, the Executive Committee further recommends that the county board approve  
21 all donations valued at more than \$5,000.00;  
22

23 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does  
24 ordain as follows:  
25

26 Section 4.16 is created to read as follows:  
27

28 4.16 Donations and Gifts.

- 29
- 30 (1) A department director may accept a cash or non-cash donation to the county if the
- 31 donation has a value of \$5,000.00 or less and the donation is for a public purpose
- 32 related to the duties of the director as provided in §§ 2.01 and 2.02 of the Manitowoc
- 33 County Code of Ordinances. Upon receipt of a donation, the department director shall
- 34 report the donor (if known), amount, and purpose of the donation to the Comptroller
- 35 and his or her home committee.
- 36
- 37 (2) Any cash or non-cash donation with a value of more than \$5,000.00 may only be
- 38 accepted by resolution of the county board.
- 39

40 and

41

42 BE IT FURTHER ORDAINED that the table of contents for Chapter 4 of the Manitowoc

43 County Code of Ordinances shall be updated to be consistent with any amendments adopted under

44 this ordinance; and

45

46 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 5th day of November 2019.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Gerroll to adopt Resolution (2019/2020-47) Authorizing Manitowoc County to Join the Negotiating Class in Case No. 17-MD-2804, In Re: National Prescription Opiate Litigation. Upon discussion and vote, motion carried 21 ayes and 1 no. Supervisor Dyzak voted no; all others voted aye.

No. 2019/2020 - 47

**RESOLUTION AUTHORIZING MANITOWOC COUNTY TO JOIN THE  
NEGOTIATING CLASS IN CASE NO. 17-MD-2804, IN RE: NATIONAL  
PRESCRIPTION OPIATE LITIGATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County sued manufacturers, distributors, and retailers of

2 prescription opiate drugs seeking, among other things, reimbursement for monies spent addressing

3 the opioid; and

4

5 WHEREAS, Manitowoc County's case has been centralized with all of the cases filed by

6 cities and counties across the country that have similarly sued the manufacturers, distributors, and

7 retailers of prescription opiate drugs into one court in Ohio and are entitled, *In re: National*  
8 *Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio); and  
9

10 WHEREAS, the Court has certified a “Negotiating Class” of cities and counties to provide  
11 a vehicle for cities and counties to approve or reject settlement proposals as those proposals are  
12 made; and  
13

14 WHEREAS, the Negotiating Class is an “opt out” class, meaning Manitowoc County will  
15 be a member of the Negotiating Class unless it opts out of participating in the class by November  
16 22, 2019; and  
17

18 WHEREAS, the attorneys representing Manitowoc County recommend that the county  
19 stays in the Negotiating Class; and  
20

21 WHEREAS, after careful consideration and review, the Executive Committee recommends  
22 that the County does not opt out and remains in the Negotiating Class;  
23

24 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
25 County of Manitowoc authorizes Manitowoc County to participate in the Negotiating Class in case  
26 no. 17-md-2804 by not exercising its option to opt out of the class.

Dated this 5th day of November 2019.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-48)  
Adopting 2020 Budget and Property Levy. Upon discussion and vote, the motion carried 21 ayes  
and 1 no. Supervisor Vogel voted no; all others voted aye.

No. 2019/2020 - 48

## **RESOLUTION ADOPTING 2020 BUDGET AND PROPERTY LEVY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive’s proposed 2020 annual budget has  
2 been made available to each county supervisor and to the general public; and  
3

4 WHEREAS, the proposed 2020 annual budget was presented to the Manitowoc County  
5 Board of Supervisors at its meeting on October 8, 2019; and  
6

7 WHEREAS, formal publication of a budget summary and announcement of a public hearing  
8 was made in accordance with Wis. Stat. § 65.90 and Wis. Stat. ch. 985 in the Manitowoc Herald  
9 Times Reporter on October 6, 2019; and  
10

11 WHEREAS, a public hearing on the proposed 2020 annual budget was held for the purpose  
12 of obtaining public input and the proposed 2020 annual budget was reviewed by the Manitowoc  
13 County Board of Supervisors at its annual meeting on October 28, 2019; and  
14

15 WHEREAS, the proposed 2020 annual budget includes performance based increases for the  
16 Manitowoc County pay plan pursuant to Manitowoc County Code §§ 5.02(3)(c), (d) and (e); and  
17

18 WHEREAS, Manitowoc County Code § 5.02(4) allows the wage schedule to be adjusted  
19 each year by action of the county board so that it remains competitive with the market; and  
20

21 WHEREAS, the Wisconsin Department of Revenue has calculated the applicable increase  
22 in the consumer price index as of January 1, 2020 to be 2.07%; and  
23

24 WHEREAS, a 1.0% increase in the wage schedule will assist in maintaining a competitive  
25 wage schedule; and  
26

27 WHEREAS, employees below midpoint who meet or exceed job requirements (i.e. receive  
28 a cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step increase;  
29 and  
30

31 WHEREAS, employees at or above midpoint who exceed job requirements (i.e. receive a  
32 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%  
33 increase; and  
34

35 WHEREAS, employees at or above midpoint whose performance exceeds the proficient  
36 performance level (i.e. receive a cumulative score of 2.75 or greater on their employee evaluation)  
37 will receive a 2.0% increase; and  
38

39 WHEREAS, employees at or above maximum who exceed job requirements (i.e. receive a  
40 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%  
41 increase, paid to them per pay period for the following year; and  
42

43 WHEREAS, employees at or above maximum whose performance exceeds the proficient  
44 performance level (i.e. receive a cumulative score of 2.75 or greater on their employee evaluation)  
45 will receive a 2.0% increase, paid to them per pay period for the following year; and  
46

47 WHEREAS, due to continual monitoring and progressive plan design Manitowoc County's  
48 self-insured group health plan has been able to maintain current rates since 2015; and  
49

WHEREAS, a separate resolution will be presented to the County Board to authorize the borrowing of approximately \$1,275,000 for road construction, maintenance, and bridge repair, and may also contain additional funds to for the purpose of recalling previously issued debt in order to save interest costs;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year beginning January 1, 2020 as indicated in the attached 2020 annual budget for Manitowoc County and any attachments or addenda thereto; and

BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby authorizes that the following sums of money be raised for the ensuing year:

State Special Charges - Charitable & Penal	\$	171.00
County Aid Bridges (Wis. Stat. § 82.08)	\$	250,587.00
Illegal Real Estate Taxes Charged Back (Prior Year)	\$	9,533.42
<u>All Other County Taxes</u>	<u>\$</u>	<u>30,633,604.00</u>
Gross County Tax Levy	\$	30,893,895.42

and

BE IT FURTHER RESOLVED that Manitowoc County shall apportion the tax for Bridges under Wis. Stat. § 82.08 on the taxable property of the participating districts; and

BE IT FURTHER RESOLVED that Manitowoc County shall enter in the Tax Apportionment, State Special Charges for Charitable and Penal purposes, as follows:

<u>Court Related Proceedings –</u>	<u>\$171.00</u>
Total	\$171.00

and

BE IT FURTHER RESOLVED that Manitowoc County Officials are hereby directed to reapportion the illegal real estate taxes charged back in the amount of \$9,533.42; and

BE IT FURTHER RESOLVED that the 2020 annual budget in detail hereto attached shall be made a part of the Tax Levy; and

BE IT FURTHER RESOLVED that the wage schedule is increased by 1.0% as of December 29, 2019 and all employees at or below maximum receive a 1.0% increase as of December 29, 2019; and

BE IT FURTHER RESOLVED that the performance based increases included in the 2019 annual budget will be granted pursuant to Manitowoc County Code §§ 5.02(3)(c), (d) and (e) as follows:

- 96 (1) Employees below midpoint who meet or exceed job requirements (i.e. receive a  
97 cumulative score of 1.75 or greater on their employee evaluation) are eligible for a  
98 step increase; and  
99
- 100 (2) Employees at or above midpoint who exceed job requirements (i.e. receive a  
101 cumulative score of between 2.01 and 2.74 on their employee evaluation) will  
102 receive a 1.0% increase; and  
103
- 104 (3) Employees at or above midpoint whose performance exceeds the proficient  
105 performance level (i.e. receive a cumulative score of 2.75 or greater on their  
106 employee evaluation) will receive a 2.0% increase; and  
107
- 108 (4) Employees at or above maximum who exceed job requirements (i.e. receive a  
109 cumulative score of between 2.01 and 2.74 on their employee evaluation) will  
110 receive a 1.0% increase, paid to them per pay period for the following year; and  
111
- 112 (5) Employees at or above maximum whose performance exceeds the proficient  
113 performance level (i.e. receive a cumulative score of 2.75 or greater on their  
114 employee evaluation) will receive a 2.0% increase, paid to them per pay period for  
115 the following year; and  
116

117 BE IT FURTHER RESOLVED that the monthly premiums for the self-insured group  
118 health plan continue to be maintained at the rate established in 2015;  
119

120 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make any  
121 technical corrections to the budget that are necessary.

Dated this 5th day of November 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Requires a composite tax levy and rate, based upon the budget book as printed, as follows:

Tax Levy of \$30,893,895.42

Composite Tax Rate of \$5.768862 per \$1,000 of equalized value.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution (2019/2020-49) Denying Claim (Kelly Demers). Upon vote, the motion carried unanimously.

No. 2019/2020 - 49

**RESOLUTION DENYING CLAIM**  
(Kelly Demers)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Kelly Demers filed a claim with Manitowoc County on August 29, 2019  
2 seeking reimbursement for alleged damage to her vehicle windshield purportedly caused as a result  
3 of a rock discharged from a county tractor that was cutting grass on the side of Interstate Highway  
4 43; and

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

8  
9 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
10 facts, and determined that Manitowoc County should deny the claim; and

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

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

Dated this 5th day of November 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Cavanaugh to adopt Resolution (2019/2020-50) Denying Claim (Eleazar Kadile). Upon vote, the motion carried unanimously.

No. 2019/2020 - 50

**RESOLUTION DENYING CLAIM**  
(Eleazar Kadile)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Eleazar Kadile filed a claim with Manitowoc County on October 8, 2019  
2 seeking reimbursement in the amount of \$1,842.10 for alleged damage to his vehicle purportedly  
3 caused as a result striking a bump in a construction zone on County Highway T; and

4  
5 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to  
6 its insurance carrier; and



7  
8 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
9 facts, and determined that Manitowoc County should deny the claim; and

10  
11 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the  
12 insurance carrier's recommendation that the claim be denied and that the county issue a formal  
13 disallowance;

14  
15 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors  
16 that the claim is denied and that the Corporation Counsel and County Clerk are directed to provide  
17 such notice of the denial of the claim as may be required.

Dated this 5th day of November 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Public Safety Committee: Supervisor Vogel gave a brief report.

Supervisor Vogel moved, seconded by Supervisor Hoffman to adopt Resolution (2019/2020-36) Canceling Checks Not Presented Within Two Years of Issuance (Sheriff's Office). Upon vote, the motion carried unanimously.

No. 2019/2020 - 36

**RESOLUTION CANCELING CHECKS NOT PRESENTED WITHIN  
TWO YEARS OF ISSUANCE  
(Sheriff's Office)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, some of the thousands of checks issued by the Manitowoc County Sheriff's  
2 Office from the Inmate Trust Account are not presented for payment within two years of their date  
3 of issuance; and  
4

5 WHEREAS, the Sheriff is required to account for these uncashed checks in the Sheriff's  
6 Office checking account; and

7  
8 WHEREAS, Wis. Stat. § 59.64(4)(e) provides that the County Board may, at its annual  
9 meeting, cancel checks which have not been presented for payment within two years of their  
10 issuance; and

11  
12 WHEREAS, those checks shown on the attached list were issued by the Manitowoc County  
13 Sheriff's Office prior to October 31, 2019 and were not presented for payment within two years of  
14 their issuance;

15  
16 NOW, THEREFORE, BE IT RESOLVED the checks shown on the attached list are hereby  
17 canceled and without value; and

18  
19 BE IT FURTHER RESOLVED that the payees of these canceled checks may make  
20 application to the County Board Chair and County Clerk to have a new check issued for the original  
21 amount, without interest, and that the County Treasurer shall issue such a check within sixty days  
22 of written notice of approval of such application by the County Board Chair and County Clerk.

Dated this 5th day of November 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Increases available cash balance in Account 100.23409 by \$862.18.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogel moved, seconded by Supervisor Henrickson to adopt Resolution (2019/2020-51) Accepting Donation for the Manitowoc County Sheriff's Office K9 Unit (St. Nazianz's Lions Club). Upon vote, the motion carried unanimously.

No. 2019/2020 - 51

**RESOLUTION ACCEPTING DONATION FOR THE MANITOWOC  
COUNTY SHERIFF'S OFFICE K9 UNIT  
(St. Nazianz's Lions Club)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Office K9 Unit requires officers to respond  
2 to high-risk situations with their K9 partners; and

3  
4 WHEREAS, K9s require nutrition, veterinary care, and equipment; and  
5

6 WHEREAS, St. Nazianz's Lions Club has donated \$2,200 to defer expenses and purchase  
7 equipment for the K9 Unit; and  
8

9 WHEREAS, after careful consideration and review, the Public Safety Committee  
10 recommends that the donation of St. Nazianz's Lions Club be accepted to assist with the expense  
11 and cost associated with County K9 units;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
14 County of Manitowoc accepts the donation from the St. Nazianz's Lions Club in the amount of  
15 \$2,200; and  
16

17 BE IT FURTHER RESOLVED that upon receipt of the abovementioned funds, such funds  
18 be deposited in account 756-23422 designated for the Manitowoc County Sheriff's Office K9 Unit.

Dated this 7th day of November 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases funds available for Sheriff's Office K9 Unit.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogel moved, seconded by Supervisor Falkowski to adopt Resolution (2019/2020-52)  
Increasing 2019 Appropriation from Emergency Management Performance Grant. Upon vote, the  
motion carried unanimously.

No. 2019/2020 - 52

**RESOLUTION INCREASING 2019 APPROPRIATION FROM  
EMERGENCY MANAGEMENT PERFORMANCE GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Emergency Services receives a grant from the State of  
2 Wisconsin from funds it receives from FEMA; and  
3

4 WHEREAS, the County has been notified by the State that the amount directed to  
5 Manitowoc County for 2019 has been increased by \$3,534.93; and  
6

7 WHEREAS, sound financial management practices, state statute, and County Board Rules  
8 require the County Board of Supervisors act on any amendments to the adopted budget;  
9

10 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
11 County of Manitowoc authorizes the Manitowoc County Emergency Services Department to  
12 accept the increased allocation for the 2019 budget; and

13  
14 BE IT FURTHER RESOLVED that the Comptroller is directed to record said change in  
15 the official books of the County for the year ending December 31, 2019.

Dated this 5th day of November 2019.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases the 2019 Emergency Management budgeted revenue account 25000.43520.08 and expenditure account 25000.53005 by \$3,534.93.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Baumann gave a brief report.

Miscellaneous-Supervisor Kevin Behnke: Supervisor Behnke moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-53) Approving Town of Centerville Zoning Ordinance (Ricky Sohn). Upon vote, the motion carried unanimously.

No. 2019/2020 - 53

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING  
ORDINANCE  
(Ricky Sohn)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3  
4 WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69;  
5 and

6  
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments  
8 thereto, are subject to county board approval in counties that have adopted a zoning ordinance  
9 under Wis. Stat. § 59.69; and

10  
11 WHEREAS, the Town of Centerville amended its zoning ordinance on October 10, 2019  
12 by rezoning property owned by Ricky Sohn from A-3 (Exclusive Agricultural) District to A-4  
13 (Agricultural Residential) District in accordance with Wis. Stat. § 60.62; and

14  
15 WHEREAS, the Town of Centerville has submitted its amended zoning ordinance to the  
16 County Board of Supervisors of the County of Manitowoc for approval, and a copy of the amended  
17 zoning ordinance has been provided to each member of the county board for review;  
18

19 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
20 County of Manitowoc approves the Town of Centerville's amended zoning ordinance that rezones  
21 that certain property owned by Ricky Sohn from A-3 (Exclusive Agricultural) District to A-4  
22 (Agricultural Residential) District and was adopted by the Town Board of the Town of Centerville  
23 on October 10, 2019.

Dated this 5th day of November 2019.

Respectfully submitted by Kevin Behnke, Supervisor, District 12.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

#### ANNOUNCEMENTS

Chairperson Brey announced there will be a Security Training for Supervisors on Tuesday, December 17 at 5:45 p.m. before the December County Board Meeting.

#### ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 7:35 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/QkbFC8jNzcA?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, December 17, 2019

6:40 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 17<sup>th</sup> day of December 2019, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:40 p.m.

Supervisor Henrickson gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 25 members present: Baumann, Behnke, Brey, Brunner, Cavanaugh, Dyzak, Falkowski, Gauger, Geimer, Gerroll, Hansen, Henrickson, Hoffman, Holschbach, Maresh, Metzger, Muench, Neils, Nickels, Swade, Vogel, Vogt, Wagner, Williams, and Zimmer.

On a motion by Supervisor Baumann, seconded by Supervisor Gauger the November 5, 2019 meeting minutes were approved on a unanimous vote.

County Clerk Backus announced the following additions to the agenda: Under XII. Reports, F. Finance Committee, Item 6. Resolution 2019/2020-63 Supporting Nsight's Broadband Expansion Grant Application and Item 7. Discussion on InRem proceedings of the Paragon Property in Two Rivers, WI were added. Finance Committee report was moved to the beginning of the Committee Reports. Supervisor Hoffman moved, seconded by Supervisor Holschbach to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation of January as Mentoring Month for Big Brothers Big Sisters. Hung Nyugen, Executive Director of Big Brothers Big Sisters thanked the board for their support of the program. He believes when a person becomes involved in their community and shares a little bit of who they are with a younger person this creates a connection between the two. That bond/connection seems to draw that younger individual back to that community after they have grown.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:45 p.m.

Ron Gerrits, Town of Rockland, spoke in support of the Resolution Creating Bullhead Lake District. The district would be established to help collect taxes to fund treatments and rehabilitation to the lake. There is a grant available through the DNR, but the landowners need to contribute to the clean up as well.

Nancy Slattery, Town of Cooperstown, recommended the committee pass the resolution to add the advisory referendum to the spring election ballot. This would allow the citizens the right to have their voice heard in regards to nonpartisan redistricting.

Maura Yost, Town of Centerville, spoke in support of the advisory referendum which would allow the voters to express their opinion on the nonpartisan redistricting. She continued to advocate for a half-cent county-wide sales tax because it would be the most conservative and fiscally responsible way to fund our county instead of borrowing.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:57 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Kenneth Schuler to the Board of Adjustment to fulfill a vacancy expiring July 2022. Supervisor Holschbach moved, seconded by Supervisor Cavanaugh to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Dick Pollen, Tonya Dvorak, and Marilyn Lentz to the Expo-Ice Center Board for a three year term expiring December 31, 2022. Supervisor Gauger moved, seconded by Supervisor Behnke to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Paul Granger to the Joint Dispatch Board for a two year term expiring January 2022. Supervisor Hoffman moved, seconded by Supervisor Vogel to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Cheryl Kjelstrup, Chuck Krueger, and Sarah Greuel to the Manitowoc-Calumet Library System Board of Trustees for a three-year term expiring January 2023. Supervisor Holschbach moved, seconded by Supervisor Henrickson to approve the appointments. Upon voice vote, the motion carried unanimously.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 2019/2020-58 Authorizing the Issuance and Sale of \$9,785,000 General Obligation Promissory Notes. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 58

### **RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$9,785,000 GENERAL OBLIGATION PROMISSORY NOTES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the County Board of Supervisors of the County of Manitowoc hereby finds and determines that it is necessary, desirable and in the best interest of Manitowoc County, Wisconsin (the “County”) to raise funds for public purposes, including financing the County’s 2020 capital projects (the “Project”); and

WHEREAS, the County Board of Supervisors hereby further finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of refunding obligations of the County, including interest on them, specifically, the Taxable General Obligation Refunding Bonds (Build America Bonds - Direct Payment), dated September 7, 2010, maturing in the years 2021 through 2030 (the “Refunded Obligations”) (hereinafter the refinancing of the Refunded Obligations shall be referred to as the “Refunding”); and

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County’s power to undertake and therefore serves a “public purpose” as that term is defined in Wis. Stat. § 67.04(1)(b); and

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the Refunded Obligations for the purpose of achieving debt service savings; and

WHEREAS, the County is authorized by the provisions of Wis. Stat. § 67.12(12) to borrow money and issue general obligation promissory notes for such public purposes and to refinance its outstanding obligations; and

WHEREAS, it is the finding of the County Board of Supervisors of the County of Manitowoc that it is necessary, desirable and in the best interest of the County to sell its general obligation promissory notes (the “Notes”) to Robert W. Baird & Co. Incorporated (the “Purchaser”), pursuant to the terms and conditions of its note purchase proposal attached hereto as ***Exhibit A*** and incorporated herein by this reference (the “Proposal”);

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

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project and the Refunding, there shall be borrowed pursuant to Wis. Stat. § 67.12(12), the principal sum of NINE MILLION SEVEN HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$9,785,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Chairperson of the County Board of Supervisors (the “Chairperson”) and County Clerk (the “County Clerk”) of Manitowoc County or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the Notes aggregating the principal amount of



44 NINE MILLION SEVEN HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$9,785,000) for  
45 the sum set forth on the Proposal, plus accrued interest to the date of delivery.  
46

47 Section 2. Terms of the Notes. The Notes shall be designated “General Obligation  
48 Promissory Notes”; shall be issued in the aggregate principal amount of \$9,785,000; shall be dated  
49 January 7, 2020; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be  
50 numbered R-1 and upward; and shall bear interest at the rates per annum and mature on the dates  
51 and in the principal amounts as set forth on the Pricing Summary attached hereto as **Exhibit B-1**  
52 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and  
53 October 1 of each year commencing on October 1, 2020. Interest shall be computed upon the basis  
54 of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the  
55 Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on  
56 the Notes is set forth on the Debt Service Schedule attached hereto as **Exhibit B-2** and incorporated  
57 herein by this reference (the “Schedule”).  
58

59 Section 3. Redemption Provisions. The Notes maturing on April 1, 2029 and thereafter  
60 are subject to redemption prior to maturity, at the option of the County, on April 1, 2028 or on any  
61 date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities  
62 selected by the County, and within each maturity by lot, at the principal amount thereof, plus  
63 accrued interest to the date of redemption.  
64

65 Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be  
66 executed and delivered in substantially the form attached hereto as **Exhibit C** and incorporated  
67 herein by reference.  
68

69 Section 5. Tax Provisions.  
70

71 (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and  
72 interest on the Notes as the same becomes due, the full faith, credit and resources of the County  
73 are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the  
74 County a direct annual irrepealable tax in the years 2020 through 2029 for the payments due in the  
75 years 2020 through 2030 in the amounts set forth on the Schedule. The amount of tax levied in  
76 the year 2020 shall be the total amount of debt service due on the Notes in the years 2020 and  
77 2021; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts  
78 appropriated pursuant to subsection (D) below which are applied to payment of interest on the  
79 Notes in the year 2020.  
80

81 (B) Tax Collection. So long as any part of the principal of or interest on the Notes remains  
82 unpaid, the County shall be and continue without power to repeal such levy or obstruct the  
83 collection of said tax until all such payments have been made or provided for. After the issuance  
84 of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and  
85 collected in addition to all other taxes and in the same manner and at the same time as other taxes  
86 of the County for said years are collected, except that the amount of tax carried onto the tax roll  
87 may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account  
88 created below.  
89

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from taxes levied in anticipation of the issuance of the Notes, amounts levied to pay debt service on the Refunded Obligations, proceeds of the Notes or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay debt service on the Notes coming due in 2020 as set forth on the Schedule.

#### Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, dated January 7, 2020" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Wis. Stat. § 67.11.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Wis. Stat. § 67.11(2)(a), or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

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

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds" within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Notes or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the

Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Wis. Stat. § 67.10(2) (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stat. §§ 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and

the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

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

272 Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are  
273 hereby called for prior payment and redemption on April 1, 2020 at a price of par plus accrued  
274 interest to the date of redemption.

275  
276 The County hereby directs the County Clerk to work with the Purchaser to cause timely  
277 notice of redemption, in substantially the form attached hereto as **Exhibit D** and incorporated  
278 herein by reference (the "Notice"), to be provided at the times, to the parties and in the manner set  
279 forth on the Notice. Any and all actions heretofore taken by the officers and agents of the County  
280 to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

281  
282 Section 18. Record Book. The County Clerk shall provide and keep the transcript of  
283 proceedings as a separate record book (the "Record Book") and shall record a full and correct  
284 statement of every step or proceeding had or taken in the course of authorizing and issuing the  
285 Notes in the Record Book.

286  
287 Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond  
288 insurance with respect to the Notes, the officers of the County are authorized to take all actions  
289 necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are  
290 authorized to agree to such additional provisions as the bond insurer may reasonably request and  
291 which are acceptable to the Chairperson and County Clerk including provisions regarding  
292 restrictions on investment of Note proceeds, the payment procedure under the municipal bond  
293 insurance policy, the rights of the bond insurer in the event of default and payment of the Notes  
294 by the bond insurer and notices to be given to the bond insurer. In addition, any reference required  
295 by the bond insurer to the municipal bond insurance policy shall be made in the form of Note  
296 provided herein.

297  
298 Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,  
299 rules or other actions of the County Board of Supervisors of the County of Manitowoc or any parts  
300 thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar  
301 as the same may so conflict. In the event that any one or more provisions hereof shall for any  
302 reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other  
303 provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the  
304 manner provided by law.

Dated this 17th day of December 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: See amortization schedule for principal, interest, and tax levy amounts.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Brunner to adopt Resolution 2019/2020-63  
Supporting Nsight's Broadband Expansion Grant Application. Upon discussion and vote, the  
motion carried 24 ayes and 1 no. Supervisor Henrickson voted no; all others voted aye.

**RESOLUTION SUPPORTING NSIGHT'S BROADBAND EXPANSION  
GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Nsight Telservices desires to provide improved broadband internet service to  
2 two project areas in Manitowoc County, one of which includes 32 underserved households in the  
3 Town of Manitowoc Rapids and one of which includes 27 underserved households in the Town of  
4 Liberty; and

5  
6 WHEREAS, Manitowoc County understands the benefit of expanded broadband internet  
7 to better serve the needs of residents in the project areas, including providing high speed online  
8 access to services such as education, ecommerce, and home health; and

9  
10 WHEREAS, after careful consideration and review, the Finance Committee recommends  
11 supporting Nsight Telservices' broadband expansion project, including supporting Nsight's grant  
12 application for the Broadband Expansion Grant Program FY2020 by the Public Service  
13 Commission of Wisconsin;

14  
15 NOW, THEREFORE, BE IT RESOLVED, that County Board of Supervisors of the  
16 County of Manitowoc hereby affirms its support of Nsight Telservices' application to the Public  
17 Service Commission of Wisconsin Broadband Expansion Grant Program FY2020 and the  
18 subsequent project to improve broadband internet service to 59 households in the two project areas  
19 in Manitowoc County.

Dated this 17th day of December 2019.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen and Corporation Counsel reported on the InRem proceedings of the Paragon Property in Two Rivers, WI. Discussion followed.

Aging and Disability Resource Center Board: Supervisor Wagner gave a brief report. Supervisor Wagner moved, seconded by Supervisor Swade to adopt Resolution 2019/2020-54 Amending 2019 Budget (Aging & Disability Resource Center of the Lakeshore). Upon vote, the motion carried unanimously.

**RESOLUTION AMENDING 2019 BUDGET**

(Aging and Disability Resource Center of the Lakeshore)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Greater Wisconsin Agency on Aging Resources, Inc. and the Department of Health Services have changed their formulas to allocate Older Americans Act grant funds and state funds to the Aging and Disability Resource Center (ADRC); and

WHEREAS, the ADRC Board recommends that Manitowoc County amend the 2019 budget to reflect the following changes in revenue and expenditures for the Title III programs, the Nutrition Services Incentive Program (NSIP), the Alzheimer's Family Caregiver Support Program (AFCSP), and the ADRC programs to reflect the following changes:

Revenue or Expense	Account Number	Description	Amount
Revenue	46475.43566.05	IIIB Information & Assistance	(\$15,236)
Expenses	46475.51100	Contracted Services	\$15,236
Revenue	46100.43566.01	IIIC1 Congregate Meals	(\$18,256)
Expenses	46100.52940	Contracted Food	\$18,256
Revenue	46250.43566.03	IIIC2 Home Delivered Meals	(\$9,255)
Expenses	46250.52940	Contracted Food	\$9,255
Revenue	46250.43566.04	NSIP IIIC2	\$6,756
Expenses	46250.52940	Contracted Food	(\$6,756)
Revenue	46430.43566.14	IIIE Family Caregiver	(\$3,000)
Expenses	46430.52999	Contracted Services	\$3,000
Revenue	46425.43566.08	Alzheimers Family Support	(\$1,940)
Expenses	46425.52999	Contracted Services	\$1,940

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the County of Manitowoc amends the 2019 Budget by the amounts stated above; and

BE IT FURTHER RESOLVED, that any funds remaining at the end of 2019 be carried over to 2020 and applied accordingly; and

BE IT FURTHER RESOLVED, that the Comptroller/Auditor is directed to record such information in the official books of the County for the year ending December 31, 2019, as may be required.

Dated this 17th day of December 2019.



Respectfully submitted by the Aging and Disability Resources Center Board.

FISCAL IMPACT: No tax levy impact. Increases budgeted revenue and expenses by \$40,931.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Metzger gave a brief report.

Supervisor Metzger moved, seconded by Supervisor Holschbach to adopt Resolution 2019/2020-55 Approving 2019 Health Department Budget Adjustment. Upon vote, the motion carried unanimously.

No. 2019/2020 - 55

**RESOLUTION APPROVING 2019 HEALTH DEPARTMENT BUDGET  
ADJUSTMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department provides numerous public health  
2 services to the residents of Manitowoc County that are funded by the return of our federal and state  
3 tax dollars through grants, and  
4

5 WHEREAS, when preparing its annual budget, the Health Department can only include  
6 grant funds that it has been scheduled or contracted to receive during the calendar year covered by  
7 the budget; and  
8

9 WHEREAS, the Health Department learns of changes in grant funding after the budget has  
10 been approved because various federal and state grants are administered on a state or federal fiscal,  
11 rather than calendar, year basis; and  
12

13 WHEREAS, the following changes in grant funding have taken place since the 2019  
14 Annual Budget was approved:  
15

16	Immunization	(\$353)
17	MCH Block Grant	(\$3,511)
18	Prevention Block Grant	\$987
19	WIC	\$18,209

20

21 and  
22

23 WHEREAS, the Board of Health recommends that the Manitowoc County Board of  
24 Supervisors amend the 2019 Annual Budget to incorporate these changes;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
27 County of Manitowoc hereby approves the following amendments to the revenue and expense line  
28 items in the 2019 Annual Budget to incorporate the changes as shown herein:

Immunization	(\$353)
MCH Block Grant	(\$3,511)
Prevention Block Grant	\$987
WIC	\$18,209

and

BE IT FURTHER RESOLVED that the Comptroller/Auditor is hereby directed to record such information in the official books of the County for the year ended December 31, 2019, as may be required.

Dated this 17<sup>th</sup> day of December 2019.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Fiscal Impact: No Tax Levy Impact. Increases or decreases revenue and expenses by equal amounts for the program areas listed.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Metzger moved, seconded by Supervisor Vogel to adopt Resolution 2019/2020-56 Adopting Health Department Fee Schedule (Effective 07/01/2020). Upon vote, the motion carried unanimously.

No. 2019/2020 - 56

**RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE**  
(Effective 07/01/2020)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Manitowoc County Health Department issues certain licenses and permits as an agent of various departments of the State of Wisconsin; and

WHEREAS, the Manitowoc County Board of Supervisors has authorized the Health Department to charge fees to defray the costs of providing these various licenses and permits; and

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 current Health Department Fee Schedule does not need to be revised beginning July 1, 2020 and has provided a copy of the proposed Health

13 Department Fee Schedule to the County Board for the time period July 1, 2020 to June 30, 2021  
14 reflecting the same;

15  
16 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
17 County of Manitowoc approves the proposed Health Department Fee Schedule for the time period  
18 July 1, 2020 to June 30, 2021, a copy of which is to be included as an appendix to Manitowoc  
19 County Code Chapter 7, Public Health.

Dated this 17th day of December 2019.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Executive Committee: Chairperson Brey gave a brief report.

Supervisor Baumann moved, seconded by Supervisor Brunner to adopt Resolution 2019/2020-57 Authorizing Advisory Referendum Question on the Creation of a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps. Upon discussion and vote, motion carried 14 ayes and 11 noes. Supervisors Behnke, Cavanaugh, Dyzak, Falkowski, Gauger, Gerroll, Muench, Swade, Vogt, Williams, and Zimmer voted no; all others voted aye.

No. 2019/2020 - 57

**RESOLUTION AUTHORIZING ADVISORY REFERENDUM QUESTION  
ON THE CREATION OF A NONPARTISAN PROCEDURE FOR THE  
PREPARATION OF LEGISLATIVE AND CONGRESSIONAL  
REDISTRICTING PLANS AND MAPS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, pursuant to Article IV, Section 3 of the Wisconsin Constitution, the  
2 Wisconsin Legislature is directed to redistrict state legislative districts "according to the number  
3 of inhabitants" at its next session following the decennial federal census; and  
4

5 WHEREAS, the legislature also reapportions congressional districts at the same interval  
6 pursuant to federal law; and  
7

8 WHEREAS, legislative and congressional redistricting plans enacted pursuant to this  
9 procedure are used to elect members of the legislature and Congress; and  
10

11 WHEREAS, because state and federal legislative redistricting is controlled by the majority  
12 party at the time of redistricting, legislative and congressional plans in Wisconsin may be subject

13 to partisan influence that puts the desires of politicians ahead of the electoral prerogative of the  
14 people; and

15  
16 WHEREAS, redistricting to achieve partisan gains is improper; and

17  
18 WHEREAS, Wisconsin's historical practice of redistricting by the majority party in each  
19 legislative chamber is an outdated practice that stifles political competition, discourages  
20 compromise, ensures continued control by the party in power, and lacks the transparency necessary  
21 to reinforce citizens' faith in the democratic process; and

22  
23 WHEREAS, a non-partisan process promotes more accountability and transparency and  
24 prohibits the consideration of voting patterns, party information, and incumbents' residence  
25 information or demographic information in drawing the maps, except as necessary to ensure  
26 minority participation as required by the U.S. Constitution; and

27  
28 WHEREAS, the County Board of Supervisors of the County of Manitowoc desires to have  
29 a county-wide advisory referendum to provide guidance to the state legislature as to the will of the  
30 Manitowoc County electorate on the issue of the creation of a nonpartisan procedure for the  
31 preparation of legislative and congressional redistricting plans and maps;

32  
33 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Manitowoc  
34 County, Wisconsin hereby directs the County Clerk to place the following advisory referendum  
35 question on the April 7, 2020 ballot:

36  
37 Should the Wisconsin Legislature create a nonpartisan procedure for the preparation of  
38 legislative and congressional district plans and maps?

- 39  
40 a. Yes  
41 b. No

Dated this 17th day of December 2019.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Estimated cost to print and publish is \$2,000.

**VETOED:** Bob Ziegelbauer, County Executive.

\*\*\*See County Executive's veto letter at the end of the December 17, 2019 County Board meeting minutes.

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

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Cavanaugh gave a brief report.

Land Conservation Committee/UW-Extension Education and Agriculture Committee:  
Supervisor Wagner moved, seconded by Supervisor Neils to adopt Resolution 2019/2020-59 Creating Bullhead Lake District and Appointing Initial District Board of Commissioners. Upon vote, the motion carried unanimously.

No. 2019/2020 - 59

**RESOLUTION CREATING BULLHEAD LAKE DISTRICT AND  
APPOINTING INITIAL DISTRICT BOARD OF COMMISSIONERS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a verified petition was filed with the Manitowoc County Clerk on October 2,  
2 2019, requesting the establishment of a public inland lake protection and rehabilitation district to  
3 be known as Bullhead Lake District; and  
4

5 WHEREAS, the petition was accompanied by a description and sketch indicating the  
6 approximate area and boundaries of the proposed district; and  
7

8 WHEREAS, a public hearing was held on the proposed district by the Manitowoc County  
9 Land Conservation Committee on October 16, 2019 , pursuant to Wis. Stat. § 33.26; and  
10

11 WHEREAS, notice of the hearing was published as a class 1 notice and mailed to the last-  
12 known address of each landowner within the proposed district; and  
13

14 WHEREAS, the Land Conservation Committee has issued a report on the proposed district;  
15

16 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
17 County of Manitowoc, after consideration of the Land Conservation Committee's report and other  
18 evidence submitted to the board, finds that:  
19

20 1. The petition was signed by at least 51% of the landowners in the proposed district;  
21

22 2. The proposed district is necessary to define present and anticipated problems of  
23 Bullhead Lake and to identify their causes and implement various remedial measures to solve the  
24 problems, and to undertake activities such as protection of the water quality, protection of the  
25 fishery, control of aquatic weeds, reduction of harmful sedimentation, and promotion of  
26 harmonious use of the lake's surface;  
27

28 3. The public health, welfare, comfort, convenience, necessity or public welfare will  
29 be promoted by establishment of the district; and  
30

31 4. The property included within the district will be benefited by the establishment of  
32 the district;  
33

34 and

35  
36 BE IT FURTHER RESOLVED that the County Board of Supervisors of the County of  
37 Manitowoc does hereby order as follows:

38 1. There is hereby created and organized a public inland lake protection and  
39 rehabilitation district to include the area within the following boundaries:

40  
41 Part of the NW $\frac{1}{4}$  and part of the NW $\frac{1}{4}$ , SW $\frac{1}{4}$  and part of the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 19,  
42 Town 19 North, Range 21 East, Town of Rockland, Manitowoc County, Wisconsin, described as  
43 follows:

44  
45 Commencing at the W  $\frac{1}{4}$  corner of said Section 19; thence S89°30'28"E (recorded  
46 as S89°54'15"E) along the South line of the SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , a distance of 37.50  
47 feet to the SW corner of Tract 2 of a Certified Survey Map recorded in volume 9,  
48 page 427; thence N00°04'58"E (recorded as N00°15'W) along the West line of  
49 Certified Survey Maps recorded in volume 9, page 427, volume 22, page 269, and  
50 volume 9, page 429, a distance of 865.06 feet to the Northwest corner of Tract 9 of  
51 a Certified Survey Map recorded in volume 9, page 429; thence S89°40'02"E  
52 (recorded as East) along the North line of said Tract 9, a distance of 390.00 feet to  
53 the Southwest corner of Tract 10 of a Certified Survey Map recorded in volume 9,  
54 page 431; thence N00°19'58"E (recorded as North) along the West line of said  
55 Tract 10, a distance of 240.00 feet to the Southwest corner of Tract 11 of a Certified  
56 Survey Map recorded in volume 9, page 431; thence Northeasterly along the West  
57 line of said Tract 11 on a 630.25 foot radius curve to the right, a distance of 220.00  
58 feet, chord bearing N10°19'58"E (recorded as N10°00'E) with a chord distance of  
59 218.88 feet to the Southwest corner of Tract 12 of a Certified Survey Map recorded  
60 in volume 9, page 431; thence N20°19'58"E (recorded as N20°00'E) along the East  
61 line of Neumeyer Road, a distance of 515.00 feet; thence N45°39'58"E (recorded  
62 as N45°20'E) along the East line of Neumeyer Road, a distance of 160.00 feet;  
63 thence N00°19'58"E (recorded as North) along the East line of Neumeyer Road, a  
64 distance of 70.00 feet; thence N89°40'02"W (recorded as West) along the North  
65 line of Neumeyer Road, a distance of 117.61 feet; thence N00°19'57"E (recorded  
66 as North), a distance of 639.16 feet (recorded as 637.97 feet) to the North line of  
67 the NW  $\frac{1}{4}$  of Section 19; thence S89°43'33"E (recorded as N89°57'23"E) along  
68 said North Line, a distance of 1,438.24 feet to a point 568.75 feet N89°43'33"W  
69 (recorded as West) of the North  $\frac{1}{4}$  corner of Section 19; thence S11°32'40"W  
70 (recorded as S11°27'W), a distance of 790.22 feet to the Northwest corner of Tract  
71 E of a Certified Survey Map recorded in volume 4, page 481; thence S52°58'53"E  
72 (recorded as S53°15'15"E) along the North line of Tracts E and F of a Certified  
73 Survey Map recorded in volume 4, page 481, a distance of 419.84 feet (recorded as  
74 419.85 feet) to the Northeast corner of said Tract F; thence S24°43'34"E (recorded  
75 as S25°00'E) along the Northeasterly line of Tract G of a Certified Survey Map  
76 recorded in volume 4, page 481, a distance of 226.39 feet (recorded as 226.40 feet)  
77 to the Northeast corner of Tract H of a Certified Survey Map recorded in volume  
78 4, page 481; thence S00°35'13"E (recorded as S00°51'45"E) along the east line of  
79 said Tract H and along the east line of Tracts J, K, L, and M of a Certified Survey

80 Map recorded in volume 5, page 431, a distance of 621.94 feet (recorded as 621.95  
81 feet) to the Southeast corner of said Tract M; thence N89°26'38"E, a distance of  
82 66.24 feet to the East line of Bullhead Lake Road; thence S89°30'28"E (recorded  
83 as East), a distance of 242.08 feet to the North-South line of Section 19; thence  
84 S00°32'51"E along said line, a distance of 2110.39 feet to the Southeast corner of  
85 the NE 1/4 SW 1/4; thence N89°35'34"W along the South line of the NE 1/4 SW  
86 1/4, a distance of 705.15 feet to the Northerly line of the Wisconsin Central Ltd.  
87 Railroad; thence Northwesterly with a slight curve to the right, along said Northerly  
88 line with a chord bearing of N68°27'29"W and a chord distance of 669.18' to the  
89 Southeast corner of Tract 2.1 of a Certified Survey Map recorded in volume 24,  
90 page 141; thence N64°35'11"W (recorded as N64°57'05"W) along the south line  
91 of said Tract 2.1, a distance of 663.92 feet to the South corner of Tract 1.1 of a  
92 Certified Survey Map Recorded in volume 24, page 141; thence N17°11'51"W  
93 (recorded as N17°33'45"W) along the West line of said Tract 1.1, a distance of  
94 334.36 feet to the south line of Bullhead Lane; thence N79°23'06"W (recorded as  
95 N79°45'00"W) along said lane, a distance of 412.98 feet; thence N86°53'06"W  
96 (recorded as N87°15'00"W) along said lane, a distance of 263.70 feet to the West  
97 line of the SW 1/4; thence N00°10'09"E (recorded as N00°11'45"W) along said  
98 West line, a distance of 405.34 feet to point of beginning.  
99

100 2. The district shall be known as the Bullhead Lake District and shall have all such  
101 powers as are authorized by Wis. Stat. ch. 33.  
102

103 3. The following three persons, all of whom are land owners and at least one is a  
104 resident of the district, are appointed to the initial district board of commissioners pursuant to Wis.  
105 Stat. § 33.27(1) to serve until the first annual meeting of the district: Kevin Wiest, Beth Kohlman,  
106 and Ron Gerrits.  
107

108 4. Manitowoc County Board Supervisor Catherine Wagner is appointed to the district  
109 board of commissioners pursuant to Wis. Stat. §§ 33.27(1) and 33.28(2)(a) and shall serve at the  
110 pleasure of the county board.

Dated this 17th day of December 2019.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: The District when created would have the ability to levy a tax or special assessment on the property parcels within the district. County's involvement and cost would be minimal as it relates to the production of property tax bills for this group of properties.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Behnke to adopt Resolution 2019/2020-60 Amending Employee Policy Manual § 11.03 (Uniform Allowance). Upon vote, the motion carried unanimously.

No. 2019/2020 - 60

**RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 11.03**  
(Uniform Allowance)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3  
4 WHEREAS, Section 11.03 (Uniform Allowances) of the Employee Policy Manual  
5 establishes the annual uniform allowances provided to employees; and

6  
7 WHEREAS, amendments must be made to the Employee Policy Manual from time-to-time  
8 to keep policies current, reflect current practice, and address new issues and circumstances; and

9  
10 WHEREAS, the annual uniform allowance for employees with arrest powers was set at  
11 \$525 in 2009; and

12  
13 WHEREAS, the annual uniform allowance for represented employees with arrest powers  
14 was increased from \$525 to \$650 effective January 1, 2019; and

15  
16 WHEREAS, it has been the County's practice to provide non-represented employees with  
17 arrest powers with the same uniform allowance as provided to represented employees with arrest  
18 powers; and

19  
20 WHEREAS, sufficient funding is included in the 2020 budget to pay for the increased  
21 uniform allowance to non-represented employees with arrest powers;

22  
23 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of  
24 Manitowoc amends the Manitowoc County Employee Policy Manual Section §11.03 (Uniform  
25 Allowance) as follows:

26  
27 11.03 Uniform Allowances

28  
29 Uniform allowances accrue monthly and are paid annually to the following classifications  
30 of employees:

31  
32 (1) Sheriff's Department employees:

33  
34 (a) Employees with arrest powers - ~~\$525.00~~\$650



- (b) Corrections officers - \$360
- (c) Administrative staff - \$150
- (d) Food Services staff - \$150
- (e) Nursing staff - \$150
- (2) Joint Dispatch Center employees - \$150
- (3) Non-exempt Highway Department and Public Works employees holding maintenance positions - \$50

and

BE IT FURTHER RESOLVED that the increase in uniform allowance for non-represented employees with arrest powers will be effective January 1, 2020; and

Dated this 17th day of December 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Maresh moved, seconded by Supervisor Baumann to adopt Resolution 2019/2020-61 Amending Employee Policy Manual § 18.02 (Overtime). Upon vote, the motion carried unanimously.

No. 2019/2020 - 61

**RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 18.02**  
(Overtime)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

WHEREAS, Section 18.02 (Overtime) provides guidelines on the payment of overtime; and

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

9  
10 WHEREAS, it has been the County's practice to not pay overtime when an employee asks  
11 to work more than 10 hours per day as part of a mutually agreed upon flex time arrangement  
12 pursuant to § 18.08 of the Employee Policy Manual; and  
13

14 WHEREAS, the current language in the Employee Policy Manual does not make it entirely  
15 clear that employees using flex time to work more than 10 hours per day are not entitled to  
16 overtime; and  
17

18 WHEREAS, amending Section § 18.02(2) (Overtime) clarifies that time worked in excess  
19 of 10 hours per day due to authorized flex time is not subject to the daily overtime rule and reflects  
20 long standing practice;  
21

22 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of  
23 Manitowoc amends the Manitowoc County Employee Policy Manual § 18.02 (Overtime) as  
24 follows:  
25

26 18.02 Overtime  
27

- 28 (1) Employees who are covered by a collective bargaining agreement shall earn  
29 overtime as provided by the applicable agreement.  
30
- 31 (2) Except hours worked pursuant to Section 18.08 (Flex Time) or as otherwise  
32 provided by resolution of the Manitowoc County Board of Supervisors, n~~Non~~  
33 exempt employees who are not subject to overtime provisions contained in a  
34 collective bargaining agreement will be paid overtime in accordance with the  
35 Federal Fair Labor Standards Act, with the following additions:  
36
- 37 (a) For hours worked in excess of 10 hours per shift;
  - 38
  - 39 (b) For hours worked on actual holidays;
  - 40
  - 41 (c) A minimum of four hours of work are guaranteed to an employee who is
  - 42 called in to work on a non-scheduled work day.
  - 43
  - 44 (d) For time actually worked during a call-out of the Special Operations Squad,
  - 45 Scuba Team, and Canine Unit.

Dated this 17th day of December 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Maresh moved, seconded by Supervisor Vogel to adopt Resolution 2019/2020-62 Establishing Elected Official's Compensation (County Clerk, Register of Deeds, and Treasurer). Upon vote, the motion carried unanimously.

No. 2019/2020 - 62

**RESOLUTION ESTABLISHING ELECTED OFFICIAL'S COMPENSATION**  
(County Clerk, Register of Deeds, and Treasurer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Wisconsin Stat. § 59.22 provides that total annual compensation of certain elected officials, exclusive of reimbursements, must be established before the earliest time for filing nomination papers for office and that this compensation shall not be increased or decreased during the official's term; and

WHEREAS, Manitowoc County Code § 5.06 defines the process to be used in establishing the total annual compensation for the elected positions of Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer; and

WHEREAS, Resolution No. 2017/2018-55 includes the following guidelines for implementation of this policy:

- (1) Elected offices that are below 85% of the maximum of the wage band will be increased by a maximum of 5.0% each year until the 85% mark is met; and
- (2) Elected offices that are above 85% of the maximum of the wage band will be frozen at the current rate until future increases in the wage schedule cause the compensation for the elected office to meet the 85% level; and

WHEREAS, the Personnel Committee recommends that these elected officials be offered the same fringe benefit package that is offered to appointed, full-time Department Directors;

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the County of Manitowoc set the following salaries as the total annual compensation for the elected offices of County Clerk, Register of Deeds and Treasurer:

	2021	2022	2023	2024
County Clerk	\$67,330	\$67,330	\$68,092	\$69,239
Register of Deeds	\$67,330	\$67,330	\$67,330	\$68,239
Treasurer	\$67,330	\$67,330	\$67,330	\$68,239

and

BE IT FURTHER RESOLVED that the total annual compensation will continue for ensuing terms unless changed by the County Board in accordance with State law; and

BE IT FURTHER RESOLVED that the County Clerk, Register of Deeds, and Treasurer shall participate in the Wisconsin Retirement System (WRS) on a pre-tax basis in accordance with State law, that each elected official is required to pay his or her share of the total WRS contribution as required by law, that the County will pay its share of the total WRS contribution as required by law, and that it is expressly recognized that the respective shares may change if State law is changed or if the WRS rate is adjusted as authorized by law; and

BE IT FURTHER RESOLVED that the County Clerk, Register of Deeds, and Treasurer are eligible for and may elect to receive health insurance through the County's Group Health Insurance Plan on the same terms and condition, such as co-pays, deductibles, and premium contributions, any of which may be modified from time to time, as are offered to full-time appointed Department Directors; and

BE IT FURTHER RESOLVED that the County Clerk, Register of Deeds, and Treasurer are eligible for and may elect to receive any other fringe benefits, such as dental, vision, or life insurance, on the same terms and conditions, any of which may be modified from time to time, as are offered to full-time, appointed Department Directors, and

BE IT FURTHER RESOLVED that the County Clerk, Register of Deeds, and Treasurer are eligible for and may participate in such other programs, such as deferred compensation and wellness, on the same terms and conditions, any of which may be modified from time to time, as are offered to full-time, appointed Department Directors; and

BE IT FURTHER RESOLVED that, the foregoing notwithstanding, the County Clerk, Register of Deeds, and Treasurer: a) are not eligible for; b) do not accrue; or c) are not paid for any leave, such as holiday leave, short term disability, long-term disability, sick leave, or vacation leave; and

BE IT FURTHER RESOLVED that the County shall make all disbursements, payments, and withholdings, such as for F.I.C.A., liability insurance, income taxes, and worker's compensation as may be required by Federal and State law.

Dated this 17th day of December 2019.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Wages	\$ 0	\$ 0	\$ 762	\$ 2,965
FICA	\$ 0	\$ 0	\$ 58	\$ 227
WRS	\$ 0	\$ 0	\$ 50	\$ 194
Total	\$ 0	\$ 0	\$ 870	\$ 3,386

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Committee: Supervisor Dyzak gave a brief report.

Public Safety Committee: Supervisor Vogel gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

#### ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 8:27 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting did not record as a whole. It recorded in three segments. Each segment specifies what is recorded according to the County Board Agenda:

Part 1 (20:17 minutes)-Call to Order through Public Input:

<https://www.youtube.com/watch?v=tF3fDduqZwg>

Part 2 (37:18 minutes)-Appointments by County Executive through the start of the Committee Reports-Executive Committee: <https://www.youtube.com/watch?v=R9LTRICJVFE>

Part 3 (45:23 minutes)-Committee Reports-Executive Committee through Adjournment:

<https://www.youtube.com/watch?v=GrcnINpMJgA>



## Office of the County Executive

Bob Ziegelbauer, County Executive

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*Accountability • Respect • Customer Service*

December 20, 2019

County Board Supervisors,

I am vetoing the resolution numbered 2019/2020-57 that you passed on December 17, 2019 calling for an advisory referendum on redistricting for the following reasons.

This is a partisan proposal. We don't want to contribute to more divisiveness.

In the debate on this proposal Supervisors Ken Swade and Dave Dyzak stated that it was clearly, "a feel good resolution." I agree with them. The resolution doesn't describe a real choice. It more describes the ideal. Supervisor Kevin Behnke remarked that a truly non-partisan commission is not realistic in current political environment. I agree with him too.

This is a waste of taxpayer dollars. Maybe \$2000 isn't so much in comparison to our budget and other expenses, but it is a significant amount to our individual taxpayers. If we ignore this waste of money where does it stop?

There are exacting Federal laws on redistricting regulating minority populations and competitiveness. The partisan conflict does not stop at the Legislature. Most redistricting plans are tested in the state and federal courts for adherence to the Federal laws and the Constitution. Partisan disputes on the resulting plans are routinely tested in the courts for fairness. In the past when there is split government (both parties control a house in the Legislature or the Governor is of a different party than the one who controls the Legislature) and the parties could not agree on a redistricting plan they took it to Federal court and three of the Federal judges drew the map. That was one way to keep both sides honest.

When I was in the State Assembly redistricting was one of my responsibilities as a legislator. My colleagues and I took this responsibility very seriously. I would recommend that if you feel strongly on this issue correspond with your State legislators. They are responsive, available and accountable.

Call on me anytime.

Sincerely,

A handwritten signature in black ink that reads "Bob Ziegelbauer".

Bob Ziegelbauer  
Manitowoc County Executive

[www.manitowoccounty.org](http://www.manitowoccounty.org)

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MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, January 21, 2020

6:40 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 21<sup>st</sup> day of January 2020, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:40 p.m.

Supervisor Gauger gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the December 17, 2019 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Jim Brey presented a Proclamation Commending Marlee Meulemans Manitowoc County Outgoing “Fairest of the Fair”. Marlee Muelemans thanked the County Board for the honor and stated that she has learned quite a bit during her year as Fairest of the Fair and had an experience she will never forget.

County Executive Bob Ziegelbauer and County Board Chair Jim Brey presented a Proclamation Honoring the Valders Boys’ Cross Country Team Division 2 Three-Peat State Champions. Coach Bill Dietrich, Coach Becca Oswald and the Valders Boys’ Cross Country team thanked the County Board for the proclamation. The boys were not only the State Champs, but they were the highest ranked team academically at the State meet as well.

County Executive Bob Ziegelbauer and Chairperson Jim Brey read the Proclamation Commemorating the Life and Service of Mary Ann Tegen.

County Executive Bob Ziegelbauer and Chairperson Jim Brey read the Proclamation Commemorating the Life and Service of Allen “Al” Thielen.

County Board Chairperson Jim Brey presented his statement on Resolution 2019/2020-57 Authorizing Advisory Referendum Question on the Creation of a Non-Partisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps and subsequent veto of the resolution by County Executive Ziegelbauer. Chairperson Brey strongly believes that the State of Wisconsin needs to create a redistricting commission that truly takes in the correct ideals of the people of this state, not the political parties. He hopes sometime during the next County Board term they could revisit this issue for a potential referendum question for the November election.

#### PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:59 p.m.

Jim Theyerl, Town of Manitowoc, thanked the County Board for being pleasant to him upon his arrival. He expressed his concern on the safety protocols of the highway department. He noticed two incidents where he felt the roads were not properly marked notifying drivers of work taking place on a county and state road.

Nancy Slattery, Town of Cooperstown, was adamant that the redistricting should be non-partisan and that it is improper for the State to perform the redistricting under the same partisan circumstances as 10 years ago.

Maura Yost, Town of Centerville, promoted the 2020 Census by informing the public they could complete the census online, by mail, or by phone. The census is very important because it determines political seats and federal funding. The census is completely confidential. She supported the advisory referendum and disagreed with County Executive Ziegelbauer's veto.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:10 p.m.

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

Board of Health: Supervisor Metzger gave a brief report.

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

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

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Behnke gave a brief report.

Public Safety Committee: Supervisor Henrickson gave a brief report.

Supervisor Henrickson moved, seconded by Supervisor Falkowski to adopt Resolution (2019/2020-64) Adopting 2020 to 2025 Hazard Mitigation Plan. Upon discussion and vote, the motion carried unanimously.



**RESOLUTION ADOPTING 2020 TO 2025 HAZARD MITIGATION PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes the threat that natural hazards pose to people  
2 and property; and  
3

4 WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the  
5 potential for harm to people and property and save taxpayer dollars; and  
6

7 WHEREAS, an adopted natural hazard mitigation plan is required as a condition of future  
8 grant funding for mitigation projects; and  
9

10 WHEREAS, in recognition of the need to prepare for the mitigation of natural hazards,  
11 Manitowoc County has prepared its *Manitowoc County Wisconsin Multi Hazards Mitigation Plan*  
12 *2020-2025* (the “Plan”); and  
13

14 WHEREAS, Wisconsin Emergency Management (“WEM”) has reviewed and approved  
15 the Plan; and  
16

17 WHEREAS, after careful consideration and review, the Public Safety Committee  
18 recommends the County Board of Supervisors of the County of Manitowoc adopt the Plan;  
19

20 NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors of the  
21 County of Manitowoc hereby adopts the *Manitowoc County Wisconsin Multi Hazards Mitigation*  
22 *Plan 2020-2025* as approved by WEM as the County’s official Hazard Mitigation Plan; and  
23

24 BE IT FURTHER RESOLVED, that upon approval of the Manitowoc County, Wisconsin  
25 Hazard Mitigation Plan (2020-2025), the Bay-Lake Regional Planning Commission will submit  
26 the Plan to Wisconsin Emergency Management and Federal Emergency Management Agency  
27 officials for final approval, as required under the Hazard Mitigation Grant Program.

Dated this 21st day of January 2020.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-65) Authorizing the Sale of the “Hecker & Viebahn Property” to the City of Manitowoc for \$859,000.00. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING THE SALE OF THE "HECKER &  
VIEBAHN PROPERTY" TO THE CITY OF MANITOWOC FOR  
\$859,000.00**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1        WHEREAS, Manitowoc County owns three parcels of land that comprise approximately  
2        93.48 acres in the Town of Newton, identified by parcel numbers 014-002-002-000, 014-002-003-  
3        001, and 014-002-005-000, which is commonly referred to as the “Hecker & Viebahn property”  
4        (the “Property”); and

5  
6        WHEREAS, the Property contains approximately 72 acres of tillable land and 21.48 acres  
7        of mixed woods, swamp, pond areas and road right-of-way; and

8  
9        WHEREAS, Manitowoc County purchased the Property in 1941 for the sum of \$10,500.00;  
10       and

11  
12       WHEREAS, the Property was purchased to expand the Manitowoc County Hospital Farm,  
13       which ceased farming operations in the 1960’s; and

14  
15       WHEREAS, the Property has been leased as farmland since the Manitowoc County  
16       Hospital Farm stopped farming operations; and

17  
18       WHEREAS, there is no longer a public purpose served by Manitowoc County continuing  
19       its ownership of the Property; and

20  
21       WHEREAS, the Public Works Committee of the County Board has actively marketed the  
22       Property for several years; and

23  
24       WHEREAS, the Public Works Committee of the County Board acquired a property  
25       appraisal for the Property in January 2019 that listed the market value at \$859,000.00; and

26  
27       WHEREAS, the Public Works Committee has received a fair market value offer of  
28       \$859,000.00 from the City of Manitowoc to purchase the Property, subject to the terms and  
29       conditions contained in the Vacant Land Offer to Purchase attached hereto and incorporated herein  
30       as **Exhibit A** (the “Offer”); and

31  
32       WHEREAS, the Public Works Committee has reviewed and carefully considered the Offer  
33       and is recommending the sale of the Property to the City of Manitowoc for the sum of \$859,000.00;

34  
35       NOW, THEREFORE, BE IT RESOLVED that the County Board authorizes the sale of the  
36       property consisting of three parcels that comprise approximately 93.48 acres in the Town of  
37       Newton, identified by parcel numbers 014-002-002-000, 014-002-003-001, and 014-002-005-000,

38 which is commonly referred to as the “Hecker & Viebahn property” to the City of Manitowoc for  
39 the amount of \$859,000.00 and on such terms as are substantially similar to those contained in the  
40 attached Offer; and

41  
42 BE IT FURTHER RESOLVED, that the County Board of Supervisors of the County of  
43 Manitowoc authorizes the County Executive, County Board Chair, County Clerk, Corporation  
44 Counsel, Director of Public Works and such other county officials as may be necessary to finalize  
45 and execute any and all documents required to complete the sale of the Property; and

46  
47 BE IT FURTHER RESOLVED that the Comptroller is to deposit the proceeds of the sale  
48 into the Economic Development Capital Projects Fund for the year ending in which the sale takes  
49 place.

Dated this 21st day of January 2020.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

#### ANNOUNCEMENTS

Chairperson Brey reminded everyone that the February County Board meeting will be February 11, 2020. It is a week early due to the February 18, 2020 Primary Election.

#### ADJOURNMENT

Supervisor Neils moved to adjourn, seconded by Supervisor Dyzak, and the motion was adopted by acclamation. The meeting adjourned at 7:42 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/qZJTvc79hcE>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, February 11, 2020

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 11<sup>th</sup> day of February 2020, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

Supervisor Williams gave the invocation, followed by the Pledge of Allegiance to the Flag by the entire assemblage.

Roll call: 18 members present: Baumann, Behnke, Brey, Dyzak, Falkowski, Geimer, Gerroll, Henrickson, Hoffman, Metzger, Muench, Neils, Nickels, Swade, Vogt, Wagner, Williams, and Zimmer. Supervisors Brunner, Cavanaugh, Gauger, Hansen, Holschbach, Maresh, and Vogel were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Baumann the January 21, 2020 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:38 p.m.

Maura Yost, Town of Centerville, believed the advisory referendum would be a valid way for the people to choose their legislators rather than legislators choosing their voters and disagreed with County Executive Ziegelbauer's veto. She continued to advocate for the county wide sales tax because it would be a more fiscally conservative way to fund county government.

Richard Hornak, Town of Gibson, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

Roger Vanderlogt, Village of Mishicot, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

Terry Busse, City of Manitowoc, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

Dave Stecker, Town of Newton, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

Brian Schulz, City of Manitowoc, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

Bruce Grossheim, City of Two Rivers, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

James Downey, Town of Rockland, supported a resolution for the 2<sup>nd</sup> amendment sanctuary county.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:52 p.m.

#### APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Attorney Katherine Reynolds to the Ethics Committee for a three year term expiring February 28, 2023. Supervisor Falkowski moved, seconded by Supervisor Swade to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Ted Hoffman to the Land Conservation Committee. Supervisor Neils moved, seconded by Supervisor Baumann to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Personnel Committee: Supervisor Baumann gave a brief report.

Supervisor Baumann moved, seconded by Supervisor Williams to adopt Resolution (2019/2020-66) Authorizing Addition of 1.0 Full-time Equivalent Sheriff's Department Position (School Resource Officer). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 66

### **RESOLUTION AUTHORIZING ADDITION OF 1.0 FULL-TIME EQUIVALENT SHERIFF'S DEPARTMENT POSITION (School Resource Officer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Valders School Board has requested to purchase the services of 1.0 Full-  
2 Time Equivalent School Resource Officer from Manitowoc County; and

3  
4 WHEREAS, providing this contracted service will assist the Valders School District in  
5 improving school safety; and

6  
7 WHEREAS, the Valders School District has agreed to pay the actual cost of salary and  
8 benefits for the School Resource Officer; and

9  
10 WHEREAS, Manitowoc County will be responsible for the cost of any work related injury  
11 sustained by the School Resource Officer; and

12  
13 WHEREAS, Manitowoc County will be covering the School Resource Officer under  
14 Manitowoc County's general liability insurance; and

15  
16 WHEREAS, an Agreement has been reached with the Wisconsin Professional Police  
17 Association regarding the terms and conditions of employment of the School Resource Officer;  
18 and

19  
20 WHEREAS, before Manitowoc County will provide a School Resource Officer, the  
21 Valders School District must enter into a memorandum of understanding and a contract on such  
22 terms and conditions as required by Manitowoc County for providing a School Resource Officer;  
23

24 NOW, THEREFORE, BE IT RESOLVED that, contingent upon the Valders School  
25 District agreeing to Manitowoc County's terms and conditions as memorialized in a Memorandum  
26 of Understanding and Purchase of Service Agreement, the number of authorized full-time Sheriff's  
27 Department positions is increased by 1.0 full-time equivalent positions; and  
28

29 BE IT FURTHER RESOLVED that the 2020 Full-Time Equivalent Report (FTE) by  
30 Department included in the 2020 Adopted Annual Budget Book is amended accordingly and that  
31 the Comptroller/Auditor is directed to record such information in the official books of the County  
32 for the year ending December 31, 2020 as may be required.

Dated this 11th day of February 2020.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Total annual cost of the position is estimated to be \$113,789. The Valders School District will be invoiced for actual costs. Manitowoc County will be responsible for any costs incurred due to work related injury as well as the costs which may be incurred defending the actions of the School Resource Officer.

APPROVED: Bob Ziegelbauer, County Executive.

Aging and Disability Resource Center Board: Supervisor Wagner gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Highway Committee: Supervisor Behnke gave a brief report.

Human Service Board: Supervisor Henrickson gave a brief report.

Planning and Park Commission: Supervisor Dyzak gave a brief report.  
Supervisor Dyzak moved, seconded by Supervisor Falkowski to enact Ordinance (2019/2020-67) Amending Zoning Map (Marion Hartman). Upon discussion and vote, the motion carried unanimously.

**ORDINANCE AMENDING ZONING MAP**  
(Marion Hartman)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on January 27, 2020; 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  
6 in the attached report;  
7

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

11           A parcel of land located in part of the Southwest Quarter (SW1/4) of the Southwest Quarter  
12 (SW1/4) of Section 1, Township 17 North, Range 22 East, Town of Meeme, Manitowoc County,  
13 Wisconsin, described as follows:  
14

15           Commencing at the Southwest Corner of said Section 1; thence East along the  
16 South line of the SW1/4 of said Section 1, a distance of 740.00 feet to the point of  
17 beginning; thence North 402.00 feet; thence West 160.00 feet; thence North 358.00  
18 feet; thence East 300.00 feet; thence South 706.55 feet; thence S36°-17'-03"W  
19 along the West line of Tract 1 of Certified Survey Map recorded in Volume 9, Page  
20 443 a distance of 66.31 feet to the South line of the SW1/4 of said Section 1; thence  
21 West along said South line 100.76 feet to the point of beginning, said parcel  
22 containing approximately 3.87 acres of land more or less and is hereby rezoned  
23 from Large Estate (LE) District to Exclusive Agriculture (EA) District.  
24

25 and  
26

27 BE IT FURTHER RESOLVED that the County Board of Supervisors of the County of Manitowoc  
28 does ordain as follows:  
29

30           A parcel of land located in a part of the Southwest Quarter (SW1/4) of the Southwest  
31 Quarter (SW1/4) of Section 1, Township 17 North, Range 22 East, Town of Meeme, Manitowoc  
32 County, described as follows:  
33

34           Commencing at the Southwest Corner of said Section 1; thence East along the  
35 South line of the SW1/4 of said Section 1, a distance of 580.00 feet to the point of  
36 beginning; thence continuing East along said South line 160.00 feet; thence North  
37 402.00 feet; thence West 160.00 feet; thence South 402.00 feet to the point of  
38 beginning, said parcel containing approximately 1.13 acres of land more or less and  
39 is hereby rezoned from Large Estate (LE) District to Rural Residential.

Dated this 11th day of February 2020.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Hoffman to enact Ordinance (2019/2020-68) Amending Zoning Map (Brad and Amy Sibley). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 68

**ORDINANCE AMENDING ZONING MAP**  
(Brad and Amy Sibley)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on January 27, 2020; 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  
6 in the attached report;  
7

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

11 A parcel of land being part of Tract 2 of a Certified Survey Map recorded in Volume 25  
12 Page 273, being in the NE¼ of the SE¼ of Section 17, T20N, R24E, Town of Mishicot, Manitowoc  
13 County, Wisconsin, and more particularly described as follows:  
14

15 Commencing at the E 1/4 Corner of said Section 17; thence S00° 29' 57"E a  
16 distance of 1590.83 feet, along the section line; thence N51° 08' 55"W a distance  
17 of 1147.24 feet, along the centerline of East Hillcrest Road, to the southeast corner  
18 of Tract A of Certified Survey Map recorded in Volume 1 Page 215, thence  
19 N50°46'16"W a distance of 230.50 feet, along the centerline of East Hillcrest Road,  
20 to the southwest corner of Tract B of Certified Survey Map recorded in Volume 4  
21 Page 639, thence N34°57'21"E a distance of 33.09 feet, along the westerly line of  
22 said Tract B, to the point of real beginning; thence N50°46'16"W a distance of  
23 174.42 feet, along the northerly right of way of East Hillcrest Road; thence  
24 N37°09'09"E a distance of 105.20 feet; thence S87°22'56"E a distance of 123.38  
25 feet; thence N40°58'41"E a distance of 48.97 feet; thence S76°01'41"E a distance  
26 of 169.15 feet; thence S28°22'44"W a distance of 132.95 feet; thence



27 N62°38'58"W (recorded as N63°38'58"W) a distance of 6.00 feet, along the  
28 northerly line of Tract A of Certified Survey Map recorded in Volume 1 Page 215;  
29 thence N63°22'03"W a distance of 107.83 feet, along the northerly line of Tract B  
30 of Certified Survey Map recorded in Volume 4 Page 639; thence S34°57'21"W a  
31 distance of 144.91 feet, along the westerly line of said Tract B of Certified Survey  
32 Map recorded in Volume 4 Page 639, to the point of real beginning, said parcel  
33 containing approximately 1.00 acre or 43,721 square feet of land more or less and  
34 is hereby rezoned from General Agriculture (GA) District to Rural Residential (RR)  
35 District.

Dated this 11th day of February 2020.

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.

#### ANNOUNCEMENTS

Chairperson Brey presented to the public the event 'Throwing with All Your Heart' on 2/22/2020 at Tapped on the Lakeshore. It is a fundraiser for Ascend Services.

#### ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Hoffman, and the motion was adopted by acclamation. The meeting adjourned at 7:13 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

<https://www.youtube.com/embed/BFyqTK-BY-Q?rel=0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS  
MANITOWOC COUNTY, WISCONSIN

Tuesday, March 24, 2020

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at The Heritage Center, in the City of Manitowoc, being the 24<sup>th</sup> day of March 2020, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 6:30 p.m.

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

Roll call: 20 members present: Baumann, Behnke, Brey, Brunner, Cavanaugh, Dyzak, Falkowski, Gauger, Geimer, Gerroll, Hansen, Henrickson, Hoffman, Maresh, Metzger, Muench, Nickels, Swade, Vogt, and Wagner. Supervisors Holschbach, Neils, Vogel, Williams, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Gauger the February 11, 2020 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Christopher Dallas and Daniel Hartwig to the Joint Dispatch Board for a two-year term expiring April 2022. Supervisor Henrickson moved, seconded by Supervisor Muench to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Jim Hamann and Cindy Huhn to the Loan Review Board for a three-year term expiring April 2023. Supervisor Muench moved, seconded by Supervisor Gauger to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Dave Murack, Alternate) Eric Isselmann and Paul Tittl to the Local Emergency Planning Committee for a two-year term expiring April 2022. Supervisor Swade moved, seconded by Supervisor Dyzak to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Dave Schmalting to the Transportation Coordinating Committee for a three-year term expiring April 2023. Supervisor Baumann moved, seconded by Supervisor Cavanaugh to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Planning & Park Commission: Supervisor Dyzak gave a brief report.

Supervisor Dyzak moved, seconded by Supervisor Baumann to enact Ordinance (2019/2020-69) Amending Zoning Map (JW Congregation Support Inc.). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 69

**ORDINANCE AMENDING ZONING MAP**  
(JW Congregation Support Inc.)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on February 24, 2020; 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  
6 in the attached report;  
7

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

11 A parcel of land located partly in the SW 1/4 and partly in the SE 1/4 of the NW 1/4 of  
12 Section 34, T17N, R21E, Town of Schleswig, Manitowoc County, Wisconsin, also being a  
13 resurvey of Lot 6 of a Certified Survey Map recorded in Volume 11 on Page 537 and a resurvey  
14 of Tract 5 of a Certified Survey Map recorded in Volume 11 on Page 171 plus additional lands,  
15 described as follows:  
16

17 Commencing at the Northwest Corner of said Section 34; thence S 00°08'07" W  
18 (recorded as South) along the section line a distance of 1488.14 feet; thence S  
19 59°05'57" E (recorded as S 59°14'04" E) along the north right of way of STH 57 a  
20 distance of 978.48 feet to the point of real beginning; thence N 30°35'09" E  
21 (recorded as N 30°27'02" E) a distance of 368.00 feet; thence S 61°56'53" E  
22 (recorded as S 62°05'00" E) a distance of 592.13 feet; thence southwesterly 20.81  
23 feet (recorded as 20.80 feet) along the arc of a 61.57 foot radius right of way curve  
24 to the right having a chord bearing of S 74°54'30" W (recorded as S 74°46'11" W)  
25 a distance of 20.71 feet (recorded as 20.70 feet); thence S 84°35'08" W (recorded  
26 as S 84°27'02" W) along the westerly right of way of Keller Lane a distance of  
27 180.00 feet; thence southwesterly 117.68 feet (recorded as 117.70 feet) along the  
28 arc of a 124.88 foot radius right of way curve to the left having a chord bearing of  
29 S 57°35'09" W (recorded as S 57°27'02" W) a distance of 113.37 feet; thence S  
30 30°35'09" W (recorded as S 30°27'02" W) along the said right of way of Keller  
31 Lane a distance of 174.64 feet; thence N 59°05'57" W (recorded as N 59°14'04" W)

32 along the said north right of way of STH 57 a distance of 380.00 feet to the point  
33 of real beginning, said parcel containing approximately 160,187 square feet of land  
34 more or less and is hereby rezoned from Rural Residential (RR) District to  
35 Commercial Business (CB) District.

Dated this 17th day of March 2020.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Cavanaugh to enact Ordinance (2019/2020-70) Amending Zoning Map (James Lax). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 70

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on February 24, 2020; 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  
6 in the attached report;  
7

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

11 A parcel of land located in part of the Southeast Quarter of the Southeast Quarter of Section  
12 28, T18N, R21E, Town of Eaton, Manitowoc County, Wisconsin and described as follows:  
13

14 Commencing at the Southeast Corner of Said Section 28; thence N89°22'36"W,  
15 200.82 feet along the south line of said SE 1/4 to the point of beginning; thence  
16 N89°22'36"W, 246.54 feet; thence N24°37'06"W, 320.64 feet; thence  
17 N69°24'11"E, 328.34 feet; thence S10°04'06"E, 416.09 feet to the point of  
18 beginning, said parcel containing approximately 2.36 acres of land more or less and  
19 is hereby rezoned from Exclusive Agriculture (EA) District to Rural Residential  
20 (RR) District.

Dated this 17th day of March 2020.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Falkowski to adopt Resolution (2019/2020-79) Supporting AB551/SB501 (Riparian Rights). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 79

**RESOLUTION SUPPORTING AB551/SB501**  
(Riparian Rights)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, for over 140 years, Wisconsin common law has recognized that waterfront  
2 property owners along navigable waters are presumed to have riparian rights including the right to  
3 place a pier unless their deed says otherwise; and  
4

5 WHEREAS, in 2018, the Wisconsin Supreme Court, in *Movrich v. Lobermeier*, 2018 WI  
6 9, 379 Wis. 2d 269, 905 N.W.2d 807, declared that owners of waterfront property along flowages  
7 are presumed to not have riparian rights including the right to have a pier unless expressly stated  
8 by their deed; and  
9

10 WHEREAS, the Wisconsin Supreme Court's decision in *Movrich* could create confusion  
11 about the riparian rights of waterfront property owners along man-made waterbodies, rivers, and  
12 other waterbodies; and  
13

14 WHEREAS, by declaring that waterfront property owners along flowages do not have  
15 riparian rights, the *Movrich* case could have a significant impact on the property values of  
16 thousands of waterfront property owners in Manitowoc County, who purchased their property with  
17 the reasonable expectation that they had the same riparian rights as any other waterfront property  
18 owner; and  
19

20 WHEREAS, affected waterfront property owners have been paying property taxes on their  
21 property and have been assessed for property tax purposes as if they had the same riparian rights  
22 as any other waterfront property owners;  
23

24 NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors of the  
25 County of Manitowoc supports 2019 Assembly Bill 551 and its companion 2019 Senate Bill 501,  
26 which seeks to protect the riparian rights of waterfront property owners by codifying a presumption  
27 that the owner of land that abuts a navigable waterway is a riparian owner and is entitled to exercise  
28 all rights afforded to a riparian owner; and

29  
30 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this  
31 resolution to Governor Evers, the legislators for Manitowoc County, Wisconsin counties, and the  
32 Wisconsin Counties Association.

Dated this 17th day of March 2020.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

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

Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Hoffman to adopt Resolution (2019/2020-80) Authorizing 2020-2021 Snowmobile Trail Program. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 80

**RESOLUTION AUTHORIZING 2020-2021 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 47 years of participation in the Wisconsin  
5 Snowmobile Aids Program by acquiring, developing, insuring, and maintaining public  
6 snowmobile trails in the County in accordance with Wisconsin Department of Natural Resources  
7 ("DNR") standards; and  
8

9 WHEREAS, Manitowoc County is eligible to continue its participation in the Snowmobile  
10 Aids Program and has budgeted \$66,150.00 for a Snowmobile Trail Program to cover the costs for  
11 220.5 miles of trail; and  
12

13 WHEREAS, the Planning and Zoning Department has provided the County Board with a  
14 trail system map showing the 220.5 miles of trail that are included in the Snowmobile Trail  
15 Program;

16  
17 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
18 County of Manitowoc approves the trail system map provided by the Planning and Zoning  
19 Department; and

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

26  
27 BE IT FURTHER RESOLVED that the Planning and Zoning Director is authorized to sign  
28 documents and take the actions necessary to undertake, direct, and complete the 2020-2021  
29 Snowmobile Trail Program; and

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

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

Dated this 17th day of March 2020.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. \$66,150.00 is included in the 2020 approved budget.  
The State of Wisconsin reimburses the County the total amount spent on the  
program.

APPROVED: Bob Ziegelbauer, County Executive.

Finance Committee: Supervisor Hansen gave a brief report.  
Supervisor Hansen moved, seconded by Supervisor Swade to adopt Resolution (2019/2020-72)  
Authorizing Fund Balance Designations, Carry-over, Transfers, and Reappropriation of Specified  
Funds from 2019 to 2020. Upon discussion and vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING FUND BALANCE DESIGNATIONS,  
CARRY-OVER, TRANSFERS, AND REAPPROPRIATION OF  
SPECIFIED FUNDS FROM 2019 TO 2020**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4        WHEREAS, some of the activities, programs, and projects that were planned for the 2019  
5 budget year did not take place, were not completed, or are on-going and must be carried-over into  
6 the next budget year; and  
7

8        WHEREAS, the County Board has previously adopted Resolution Implementing Fund  
9 Balance Policy In Accordance With GASB Statement No. 54 (No. 2011/2012-74 December 2011);  
10 and  
11

12        WHEREAS, the Comptroller/Auditor has compiled a pre-audit list designating those  
13 activities, programs, projects, and funds that should be carried forward and re-appropriated in the  
14 2020 budget; and  
15

16        WHEREAS, the appropriate oversight committees and the Finance Committee have  
17 reviewed the requests and recommend that the designation, carry-over, transfer, and re-  
18 appropriation requests be approved; and  
19

20        WHEREAS, Wisconsin statutes and county board rules require that the County Board take  
21 official action to authorize the designation, carry-over, transfer, and re-appropriation of funds; and  
22

23        WHEREAS, sound financial practice requires that such carry-over designations and  
24 transfers be recorded in the official books of the County; and  
25

26        WHEREAS, the General Fund had another good year in 2019 to the point that funds are  
27 available to transfer to the Debt Service Fund to pay off the remaining balance of our 2013 General  
28 Obligation Note; and  
29

30        WHEREAS, any additional items or adjustments that may be required at the completion of  
31 the County's external audit will be brought to the County Board in a separate resolution at the  
32 conclusion of the field work of the external audit;  
33

34        NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the  
35 County of Manitowoc that the following funds and their designations are authorized to be carried  
36 over from the official books of the County for the year ended December 31, 2019 to the official  
37 books of the County for the year ending December 31, 2020; that the funds be re-appropriated and



expended as may be required; and that the 2020 Annual Budget is amended and the appropriate line items be increased as necessary:

#### NON-SPENDABLE FUND BALANCE

Account Number	Description	Amount
100.34100	Resrvd-Property Taxes	\$1,314,989
100.34103	Resrvd-Mortgage Receivable	\$99,000
100.341XX	Resrvd-Inventory & Prepaid Items	\$116,594
TOTAL		\$1,530,583

#### RESTRICTED FUND BALANCE

100.34240	Unres/Desig-Public Health	\$2,860
100.34245	Unres/Desig-Veterans Srv	\$40,761
100.34256	Unres/Desig-Utility Conserv	\$303,883
100.34270	Unres/Desig-Lnd Rec Modern	\$252,666
100.34271	Unres/Desig-ROD Redaction	\$85,812
100.34284	Unres/Desig-UW Extension	\$1,453
TOTAL		\$687,435

#### COMMITTED FUND BALANCE

100.34232	Unres/Desig-Mapping	\$95,475
100.34233	Unres/Desig-Area Plan PP	\$145,096
100.34238	Unres/Desig-PZ Coastal Grant	\$10,316
100.34272	Unres/Desig-ROD Project	\$0
100.34274	Unres/Desig-Parks	\$25,000
100.34277	Unres/Desig-Vehicle Pool PW	\$111,179
100.34278	Unres/Desig-D.A. Office	\$10,000
100.34280	Unres/Desig-Emgt Hazmat	\$185,397
100.34282	Unres/Desig-Personnel	\$8,059
100.34287	Unres/Desig-System Updates	\$35,000
100.34288	Unres/Desig-PW Continuing Pr	\$33,122
100.34289	Unres/Desig-Elections CC	\$111,232
100.34290	Unres/Desig-Treasurer Outlay	\$25,000
100.34293	Unres/Desig-Communications Pro	\$203,450
100.34294	Unres/Desig-PW-PBX Phone Sys	\$133,519
TOTAL		\$1,129,845

#### ASSIGNED FOR SUBSEQUENT YEARS

100.34210	Unres/Desig-Sub Yr Bdgt	\$417,282
TOTAL		\$417,282

and

84  
85 BE IT FURTHER RESOLVED that the Snow Mobile budget in the general fund  
86 administered by our Planning and Zoning Department include a \$45,000 budget only carryover for  
87 the 2019/2020 snow grant year; and  
88

89 BE IT FURTHER RESOLVED that \$665,000 is hereby transferred from the General Fund  
90 to the Debt Service Fund to pay off the balance of our 2013 General Obligation Note; and  
91

92 BE IT FURTHER RESOLVED that remaining funds in the County's Special Revenue  
93 Funds, Debt Service Funds, and Capital Projects Funds be carried forward for their intended  
94 purpose as previously approved by the County Board and may be re-appropriated in the 2020  
95 budget as may be required; and  
96

97 BE IT FURTHER RESOLVED that the Comptroller/Auditor is directed to record such  
98 information in the official books of the County for the year ended December 31, 2019 and for the  
99 year ending December 31, 2020 as may be required.

Dated this 17th day of March 2020.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over and transfers the amounts specified from the 2019 budget to  
the 2020 budget and amends the 2020 Annual Budget as may be required.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Brunner to adopt Resolution (2019/2020-73)  
Denying Claim (Progressive Northern Insurance Company). Upon discussion and vote, the motion  
carried unanimously.

No. 2019/2020 - 73

**RESOLUTION DENYING CLAIM**  
(Progressive Northern Insurance Company)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wendy Smith filed a claim with Manitowoc County on April 3, 2019 seeking  
2 the relief from what was purportedly the result of flooding allegedly caused by the Manitowoc  
3 County Highway Department; and  
4

5 WHEREAS, the County Board of Supervisors of the County of Manitowoc denied that  
6 claim on May 21, 2019; and  
7

8 WHEREAS, Progressive Northern Insurance Company has now filed a subrogation claim  
9 against Manitowoc County with the Corporation Counsel on February 6, 2019 for the amount of  
10 \$28,513.93 that it paid to Ms. Smith for the same incident; and  
11

12 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to  
13 its insurance carrier; and  
14

15 WHEREAS, the insurance carrier has reviewed the information provided, investigated the  
16 facts, and determined that Manitowoc County should deny the claim; and  
17

18 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the  
19 insurance carrier's recommendation that the claim be denied and that the county issue a formal  
20 disallowance;  
21

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

Dated this 17th day of March 2020.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.  
Supervisor Behnke moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-74)  
Adopting Statement of Project Intentions (Manitowoc County Airport). Upon discussion and vote,  
the motion carried unanimously.

No. 2019/2020 - 74

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns and operates the Manitowoc County Airport; and  
2

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

6 WHEREAS, Wisconsin Statutes require a Statement of Project Intentions from airport  
7 owners that contemplate receiving federal or state aid, or both, within the next six years; and  
8

9 WHEREAS, the Six-Year Statement of Project Intentions is used by the Department of  
10 Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition  
11 for federal or state aid; and  
12

13 WHEREAS, the Department of Transportation, Bureau of Aeronautics is planning and  
14 budgeting the following list of proposed improvements using federal or state aid, or both:  
15

- 16 • 2020 Phase II Construction Taxiway “B” Regulator & Taxiway LED Lighting  
17 Upgrade;
- 18 • 2020 Pavement Crack Sealing;
- 19 • 2021 Runway 17/35 Lighting & Guidance Signage Design/Pavement Marking;
- 20 • 2022 Runway 17/35 Lighting & Guidance Signage;
- 21 • 2023 Design Pavement Rehabilitation;
- 22 • 2024 Pavement Rehabilitation;
- 23 • 2025 ALP update;
- 24

25 and  
26

27 WHEREAS, the Manitowoc County Highway Committee has reviewed and approved the  
28 improvements listed herein and recommends that the Manitowoc County Board of Supervisors  
29 approve these projects and funding;  
30

31 NOW, THEREFORE BE IT RESOLVED that the County Board of Supervisors of the  
32 County of Manitowoc adopts the above listed proposed improvements as its Six-Year Statement  
33 of Project Intentions for airport improvement projects.

Dated this 17th day of March 2020.

Respectfully submitted by the Highway Committee.

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

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Maresh to adopt Resolution (2019/2020-75)  
Authorizing Quarry Lease (Vinton Construction Company). Upon discussion and vote, the motion  
carried unanimously.

**RESOLUTION AUTHORIZING QUARRY LEASE**  
(Vinton Construction Company)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1       WHEREAS, Manitowoc County owns property in the Town of Kossuth more particularly  
2 described as follows (the “310 Quarry Property”):

3  
4       Parcel Identification No. 007-036-009-001.00, being the NE¼ of the SW¼ of  
5 Section 36, Town 20 North, Range 23 East, Town of Kossuth, Manitowoc County,  
6 Wisconsin;

7  
8 and

9  
10       WHEREAS, the 310 Quarry Property is suitable for conducting certain “Nonmetallic  
11 Mining Operations” including extracting, crushing, stockpiling, processing, and removal of  
12 limestone, rock, sand, gravel or other aggregate; and

13  
14       WHEREAS, Vinton Construction Company (“Vinton”) desires to lease the 310 Quarry  
15 Property to conduct Nonmetallic Mining Operations to provide aggregate to the Waldo Boulevard  
16 reconstruction project in the City of Manitowoc; and

17  
18       WHEREAS, permitting Vinton to supply aggregate to the Waldo Boulevard reconstruction  
19 project from the 310 Quarry Property meets the public purpose doctrine; and

20  
21       WHEREAS, Manitowoc County wishes to lease the 310 Quarry Property to Vinton to  
22 conduct Nonmetallic Mining Operations on such terms that are substantially similar to those  
23 contained in the attached Quarry Lease Agreement;

24  
25       NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
26 County of Manitowoc hereby authorizes the County to enter into a lease agreement with Vinton  
27 Construction Company to conduct Nonmetallic Mining Operations on the 310 Quarry Property on  
28 substantially the same terms as provided in the attached Quarry Lease Agreement; and

29  
30       BE IT FURTHER RESOLVED, that the County Board authorizes the County Clerk,  
31 Corporation Counsel, Highway Commissioner and such other county officials as may be necessary  
32 to finalize and execute any and all documents required to complete the Quarry Lease Agreement.

Dated this 17th day of March 2020.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: The lease calls for the County to be paid \$0.75 per ton of material removed from the quarry. The County anticipates receiving approximately \$60,000 in revenue based upon estimates of material needed for the project.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Gerroll to adopt Resolution (2019/2020-76) Authorizing Nonmetallic Mining Lease (Lutze Pit). Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 76

**RESOLUTION AUTHORIZING NONMETALLIC MINING LEASE**  
(Lutze Pit)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns property in the Town of Liberty commonly known  
2 as the Lutze Pit more particularly described as follows (the “Lutze Pit Property”):

3  
4 Parcel Identification Nos. 008-020-015-001.00 and 008-020-016-001.00 being the SE¼ of  
5 the SE¼ of Section 20 and the SW¼ of the SE¼ of Section 20, Town 18 North, Range 22  
6 East, Town of Liberty, Manitowoc County, Wisconsin;

7  
8 and

9  
10 WHEREAS, the Lutze Pit Property is suitable for conducting certain “Nonmetallic Mining  
11 Operations” including extracting, stockpiling, processing, and removal of aggregate material; and  
12

13 WHEREAS, Evenson Construction Company, Inc. (“Evenson Construction”) desires to  
14 lease the Lutze Pit Property to conduct Nonmetallic Mining Operations; and  
15

16 WHEREAS, Evenson Construction has conducted Nonmetallic Mining Operations on the  
17 Lutze Pit Property since 2005 under a lease with Manitowoc County; and  
18

19 WHEREAS, Evenson Construction desires to continue current Nonmetallic Mining  
20 Operations on the Lutze Pit Property for an addition three years; and  
21

22 WHEREAS, after careful consideration and review the Highway Committee recommends  
23 leasing the Lutze Pit Property to Evenson Construction on such terms that are substantially similar  
24 to those contained in the attached Nonmetallic Mining Lease Agreement;  
25

26 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
27 County of Manitowoc hereby authorizes the County to enter into a lease agreement with Evenson  
28 Construction Company, Inc. to conduct Nonmetallic Mining Operations on the Lutze Pit Property  
29 on substantially the same terms as provided in the attached Quarry Lease Agreement; and

30  
31 BE IT FURTHER RESOLVED, that the County Board authorizes the County Clerk,  
32 Corporation Counsel, Highway Commissioner and such other county officials as may be necessary  
33 to finalize and execute any and all documents required to complete the Quarry Lease Agreement.

Dated this 17th day of March 2020.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: The lease calls for the County to be paid \$0.55 per ton of material removed from the pit. The County anticipates receiving approximately \$16,500 in revenue based upon historic estimates of material excavated.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.  
Supervisor Gerroll moved, seconded by Supervisor Dyzak to adopt Resolution (2019/2020-77) Accepting Sponsorship for Two Digital Electronic Monument Signs. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 77

**RESOLUTION ACCEPTING SPONSORSHIP FOR TWO DIGITAL  
ELECTRONIC MONUMENT SIGNS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Expo is a division of the Manitowoc County  
2 Department of Public Works; and  
3

4 WHEREAS, the Manitowoc County Expo is in the midst of a progressive capital buildings  
5 and grounds renovation and improvement program; and  
6

7 WHEREAS, the funds for these renovations and improvements are allocated in the annual  
8 County Budget as approved by the Manitowoc County Board; and  
9

10 WHEREAS, there has been tremendous public and private support for the Expo Facility  
11 and its mission; and  
12

13 WHEREAS, much of this support is in the form of financial sponsorships to be used toward  
14 building construction and site improvements; and  
15

16 WHEREAS, one of the desired improvements to the facility are digital electronic  
17 monument signs at the Merchants Gate and Ice Center Gate; and

18  
19 WHEREAS, the Manitowoc County Expo regularly accepts donations and sponsorships to  
20 supplement the cost of the annual Manitowoc County Fair, to improve buildings and building  
21 systems, and to add site amenities; and

22  
23 WHEREAS, Meijer Inc. has offered a financial contribution of \$50,000 to supply and  
24 install (2) two digital electronic monument signs in exchange for becoming a sponsor of these  
25 signs; and

26  
27 WHEREAS, accepting these sponsorship funds will enable the Manitowoc County Expo  
28 to fund the addition of these signs; and

29  
30 WHEREAS, sponsorship funding for the digital electronic monument signs was not part  
31 of the approved 2020 budget and the 2020 budget will need to be amended to account for these  
32 funds; and

33  
34 WHEREAS, the Public Works Committee has reviewed this proposed sponsorship and  
35 recommends the County Board accepts Meijer's sponsorship for two (2) digital electronic  
36 monument signs to be erected at the Merchants Gate and Ice Center Gate at the Expo Facility;

37  
38 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the  
39 County of Manitowoc accepts the offer from Meijer Inc. to sponsor two (2) digital electronic  
40 monument signs at the Expo Facility in the amount of \$50,000; and

41  
42 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors  
43 authorizes the County Executive, County Clerk, Public Works Director, and Corporation Counsel,  
44 and such other county officials as may be necessary to finalize and execute this sponsorship  
45 agreement; and

46  
47 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the  
48 2020 budget are amended by the amount of the sponsorship donation for 2020 and the  
49 Comptroller/Auditor is directed to record such information in the official books of the county for  
50 the year ending December 31, 2020 as may be required.

Dated this 17th day of March 2020.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Increases the budgeted revenues and expenses for 2020 in the appropriate Expo activity budget by \$50,000 and authorizes the actual expenses to be incurred and paid to the extent the actual revenues are collected in 2020.

APPROVED: Bob Ziegelbauer, County Executive.



Supervisor Gerroll moved, seconded by Supervisor Gauger to adopt Resolution (2019/2020-78) Accepting Naming Right Sponsorship for Manitowoc County Expo Merchants Building. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 78

**RESOLUTION ACCEPTING NAMING RIGHT SPONSORSHIP FOR  
MANITOWOC COUNTY EXPO MERCHANTS BUILDING**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Expo is a division of the Manitowoc County  
2 Department of Public Works; and  
3

4 WHEREAS, the Manitowoc County Expo is in the midst of a progressive capital buildings  
5 and grounds renovation and improvement program; and  
6

7 WHEREAS, the funds for these renovations and improvements are allocated in the annual  
8 County Budget as approved by the Manitowoc County Board; and  
9

10 WHEREAS, there has been tremendous public and private support for the Expo Facility  
11 and its mission; and  
12

13 WHEREAS, much of this support is in the form of financial sponsorships to be used toward  
14 building construction and site improvements; and  
15

16 WHEREAS, one of the desired improvements to the facility is replacing the ceilings in the  
17 Merchants Building; and  
18

19 WHEREAS, the Manitowoc County Expo regularly accepts donations and sponsorships to  
20 supplement the cost of the annual Manitowoc County Fair, to improve buildings and building  
21 systems, and to add site amenities; and  
22

23 WHEREAS, Americollect Inc. has offered a financial contribution of \$37,000 to become  
24 the naming rights sponsor of the Merchants Building, to be paid in two (2) equal installments of  
25 \$18,500 in 2020 and \$18,500 in 2021; and  
26

27 WHEREAS, accepting these sponsorship funds will enable the Manitowoc County Expo  
28 to replace the ceiling in the Merchants Building in 2020 and make additional improvements in  
29 2021; and  
30

31 WHEREAS, sponsorship funding for the Merchants Building ceiling was not part of the  
32 approved 2020 budget and the 2020 budget will need to be amended to account for these funds;  
33 and  
34

35 WHEREAS, the Public Works Committee has reviewed the proposed sponsorship and  
36 recommends Americollect Inc. become the naming rights sponsor of the Merchants Building  
37 pursuant to its agreement with Manitowoc County;

38  
39 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of  
40 Manitowoc accepts the offer from Americollect Inc. to sponsor the Merchants Building at the Expo  
41 Facility in the amount of \$37,000; and

42  
43 BE IT FURTHER RESOLVED that the County Board approves Americollect Inc. as the  
44 naming rights sponsor of the Merchants Building; and

45  
46 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors  
47 authorizes the County Executive, County Clerk, Public Works Director, and Corporation Counsel,  
48 and such other county officials as may be necessary to finalize and execute this sponsorship  
49 agreement; and

50  
51 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the  
52 2020 budget is amended by the amount of the sponsorship donation for 2020 and the  
53 Comptroller/Auditor is directed to record such information in the official books of the county for  
54 the year ending December 31, 2020 as may be required.

Dated this 17th day of March 2020.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Increases the budgeted revenues and expenses for 2020 in the appropriate Expo activity budget by \$18,500 and authorizes the actual expenses to be incurred and paid to the extent the actual revenues are collected in 2020. The Expo budgeted revenues and expenses for 2021 will include \$18,500 and authorize the actual expenses to be incurred and paid to the extent the actual revenues are collected in 2021.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous-Chairperson Brey: Supervisor Behnke moved, seconded by Supervisor Henrickson to adopt Resolution (2019/2020-81) Ratifying County Executive's March 16, 2020 Proclamation of Public Health Emergency. Upon discussion and vote, the motion carried unanimously.

No. 2019/2020 - 81

**RESOLUTION RATIFYING COUNTY EXECUTIVE'S MARCH 16, 2020  
PROCLAMATION OF PUBLIC HEALTH EMERGENCY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in December 2019, COVID-19, a contagious and potentially fatal respiratory  
2 disease, was first identified; and

3  
4 WHEREAS, COVID-19 has since spread to the United States including multiple cases in  
5 the State of Wisconsin; and

6  
7 WHEREAS, on March 12, 2020, the State of Wisconsin declared a public health  
8 emergency due to COVID-19; and

9  
10 WHEREAS, consistent with Wis. Stat. § 323.14(4)(b), on March 16, 2020, the Manitowoc  
11 County Executive issued a proclamation declaring a public health emergency in Manitowoc  
12 County due to the COVID-19 pandemic; and

13  
14 WHEREAS, pursuant to Wis. Stat. § 323.14(4)(b), the proclamation is “subject to  
15 ratification, alteration, modification or repeal by the governing body as soon thereafter as that body  
16 can meet, but the subsequent action taken by the governing body shall not affect the prior validity  
17 of the proclamation”;

18  
19 NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors of the  
20 County of Manitowoc hereby ratifies the March 16, 2020 proclamation by the Manitowoc County  
21 Executive declaring a public health emergency.

Dated this 17th day of March 2020.

Respectfully submitted Jim Brey, Chair.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

#### ADJOURNMENT

Supervisor Behnke moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted by acclamation. The meeting adjourned at 6:49 p.m.

Respectfully submitted,  
Jessica Backus, Manitowoc County Clerk

\*\*The County Board meeting is available for viewing at:

[https://www.youtube.com/embed/OX2\\_PLMEt3A](https://www.youtube.com/embed/OX2_PLMEt3A)



# COUNTY BOARD PROCEEDINGS INDEX

## APPOINTMENTS

### **April 9, 2019 Session:**

- ADRC of the Lakeshore Board: Shirley Fessler.
- Board of Health: Kayla Drumm.
- Local Emergency Planning Committee: Jessica Backus.

### **May 21, 2019 Session:**

- Local Emergency Planning Committee: Chad Bennin, Karl Puestow, Robert Wenger, and alternate Bob Mayer.
- Traffic Safety Commission: Steven Denzien, and alternate Dave Murack.

### **June 18, 2019 Session:**

- Child Support Department: Kristine Damman.
- Land Information Council: Amy Kocian.
- Manitowoc-Calumet Library System Board of Trustees: Charles Krueger.
- Northeast Wisconsin Regional Economic Partnership: Peter Wills, and alternates April Kroner and Dan Pawlitzke.
- Planning and Park Commission: Supervisor David Dyzak.

### **July 16, 2019 Session:**

- Manitowoc-Calumet Library System Board of Trustees: Ron Ziolkowski.
- Transportation Coordinating Committee: Deanna Genske and Kara Ottum.

### **August 20, 2019 Session:**

- Local Emergency Planning Committee: Todd Bergmann, Amy John, and alternate Debbie Holschbach.

### **November 5, 2019 Session:**

- Commission on Aging: Connie Gulash and Linda Langman.
- Local Emergency Planning Committee: Jessica Backus, Jerry Wendt, Jamie Aulik, Mary Halada, Supervisor Rick Henrickson, and alternates Robert Hennings, Jr., Jessica Wanserski and Supervisor Randy Vogel.
- Veterans Service Commission: Kurt Carlson.

### **December 17, 2019 Session:**

- Board of Adjustment: Kenneth Schuler.
- Expo-Ice Center Board: Tonya Dvorak, Marilyn Lentz, and Dick Pollen.
- Joint Dispatch Board: Paul Granger.
- Manitowoc-Calumet Library System Board of Trustees: Sarah Greuel, Cheryl Kjelstrup, and Charles Krueger.

## **APPOINTMENTS continued...**

**January 21, 2020 Session:** No Appointments.

**February 11, 2020 Session:**

- Ethics Committee: Attorney Katherine Reynolds.
- Land Conservation Committee: Ted Hoffman.

**March 24, 2020 Session:**

- Joint Dispatch Board: Christopher Dallas and Daniel Hartwig.
- Loan Review Board: Jim Hamann and Cindy Huhn.
- Local Emergency Planning Committee: Dave Murack, alternate Eric Isselmann and Paul Tittl.
- Transportation Coordinating Committee: Dave Schmaling.

## COMMUNICATIONS

### **April 9, 2019 Session:**

1. Dodge County - Resolution No. 18-73 Supporting Legislation Addressing Illegal Activities Associated With Adult Entertainment Establishments.

### **May 21, 2019 Session:**

1. Polk County - Resolution No. 11-19 In Support of a Comprehensive Response to Methamphetamine and Opioid Addiction.
2. Winnebago County - Resolution No. 132-042019 To Support the National Association of Counties' (NACo) Project: "The National Collaborative for Infants and Toddlers Resolution to Promote Investments in Young Children and Families from Prenatal to Age Three".
3. Town of Kossuth - Letter Regarding Manitowoc County 0.5% Sales Tax.
4. City of Kiel - Email Regarding Manitowoc County 0.5% Sales Tax.

### **June 18, 2019 Session:**

1. Buffalo County - Resolution No. 19-04-14 To Create a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans.
2. City of Two Rivers - Resolution Regarding Manitowoc County 0.5% Sales Tax.
3. Town of Cooperstown - Resolution Regarding Manitowoc County 0.5% Sales Tax.
4. Town of Franklin - Resolution Regarding Manitowoc County 0.5% Sales Tax.
5. Town of Gibson - Resolution Regarding Manitowoc County 0.5% Sales Tax.
6. Town of Two Creeks - Resolution Regarding Manitowoc County 0.5% Sales Tax.

### **July 16, 2019 Session:**

1. Door County - Resolution No. 2019-41 Urging the Legislature to Revise the Statutes for Court Fees and Costs in Probate and Juvenile Cases.
2. Kenosha County - Resolution No. 20 - Asking Governor Evers and the Wisconsin State Legislature to apply for a waiver from Federal rules excluding institutional stays from Medicaid coverage.
3. Portage County - Resolution No. 134-2018-2020 Supporting Local Control for Livestock Siting.
4. Price County - Resolution 17-19 Request Additional State Funding for Child Protective Services.
5. Price County - Resolution 18-19 Request Elimination of the 0% Levy Cap Imposed on Wisconsin Counties.
6. City of Manitowoc - Resolution 19-0596 Supporting Proposed Manitowoc County Sales Tax.
7. Town of Cato - Letter Regarding Manitowoc County 0.5% Sales Tax.
8. Town of Schleswig - Letter Regarding Manitowoc County 0.5% Sales Tax.
9. Village of St. Nazianz - Letter Regarding Manitowoc County 0.5% Sales Tax.
10. Village of Whitelaw - Letter Regarding Manitowoc County 0.5% Sales Tax.

### **August 20, 2019 Session:**

1. Burnett County - Resolution No. 2019-21 Medicaid Expansion.
2. Door County - Resolution No. 2019-50 Public Health Requesting the Wisconsin Legislature End the Use of Personal Conviction Waivers for School and Day Care Center Immunizations.
3. Winnebago County - Resolution No. 160-062019 Support Increased County Child Support Funding.
5. Winnebago County - Resolution No. 161-062019 Support a National Estuarine Research (NERR) Designation for Northeast Wisconsin.

## **COMMUNICATIONS continued...**

### **September 17, 2019 Session:**

1. Waupaca County - Resolution Number 12 (2019-2020) - Court Fees and Costs in Probate and Juvenile Cases.

### **October 28, 2019 Session:**

1. Outagamie County - Resolution No. 64-2019-20 Non-Partisan Redistricting Process.

### **November 5, 2019 Session:**

1. Outagamie County - Resolution No. 84-2019-20 - Supporting Legislation Regarding Utility Aid Payments.

### **December 17, 2019 Session:**

1. Florence County - Resolution 2019-23 Second Amendment Right to Bear Arms.
2. Outagamie County - Resolution No. 72-2019-20 Regarding Population and Workforce Trends.
3. Sawyer County - Resolution #2019-50 Nonpartisan Procedure for Preparation of Legislative and Congressional Redistricting Plans Supported.
4. Washburn County - Resolution No. 67-19 Clerk of Courts and Register in Probate Offices Charge for Court Costs, Fees and Surcharges.

### **January 21, 2020 Session:**

1. Eau Claire County - Resolution 19-20/078 Requesting the Wisconsin Legislature Revise Chapter 814 to Make Filing Fees Consistent Between the Clerk of Court and Register in Probate.
2. Outagamie County - Resolution No. 114-2019-20 - Urging Submission of Waiver Applications from Medicare/Medicaid Services of the Medicaid Institute for Mental Disease.
3. Outagamie County - Resolution No. 128-2019-20 - Support of Clerk of Court and Register in Probate Offices Charges for Court Costs, Fees and Surcharges.
4. St. Croix County - Resolution No. 4 (2020) - Referendum on Question for Fair Maps.
5. Trempealeau County - Resolution Number 2019-12-09 - Advisory Referendum on Creation of Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps.
6. Waushara County - Resolution No. 40-12-19 In Support of Clerk of Court and Register in Probate Offices Charges for Court Costs, Fees and Surcharges.
7. Wood County - Resolution 19-12-20 Supporting Revisions to Ch. NR 151, Wis. Adm. Code.

### **February 11, 2020 Session:**

1. Outagamie County - Resolution No. 79-2019-20 Supporting Sexual Misconduct Legislation.
2. Outagamie County - Resolution No. 130-2019-20 Supporting Legislation Regarding Detention Hearing Timelines for Children in Need of Protection (CHIPS).



## PETITIONS

### **June 18, 2019 Session:**

1. Dale McCulley - Town of Cato

### **September 17, 2019 Session:**

1. James C. Hansen – Town of Schleswig
2. Manitowoc County – Ordinance Text Amendment

### **October 28, 2019 Session:**

1. Manitowoc County - Ordinance Text Amendment, County Code Chapter 20
2. Manitowoc County - Ordinance Text Amendment, County Code Chapter 31
3. Christianson Farm RE LLC - Town of Cato
4. David J. & Karen A. Christel - Town of Liberty
5. Brian & Lori Peterson - Town of Kossuth
6. Russell Boldt - Town of Maple Grove
7. Samuel & Christina Schrock - Town of Maple Grove
8. Cary B. Luedtke - Town of Mishicot

### **December 17, 2019 Session:**

#### Bridge Petitions -

1. Town of Centerville - Center Road Bridge B-36-0221
2. Town of Cooperstown - Pleasant Road B-36-0216
3. Town of Cooperstown - Cooperstown Road B-36-0235
4. Town of Eaton - Litz Bridge
5. Town of Franklin - Grimms Road B-36-0118
6. Town of Franklin - Hillcrest Road (East) B-36-0214
7. Town of Franklin - Hillcrest Road (West) B-36-0220
8. Town of Franklin - Preston Bridge
9. Town of Franklin - Wellner Bridge
10. Town of Gibson - Old “Y” Road Bridge B-36-0001
11. Town of Gibson - Melnik Road B-36-0162
12. Town of Gibson - Twin Road Bridge P-36-0085
13. Town of Gibson - Babiash Bridge
14. Town of Gibson - Wavrunek Bridge
15. Town of Liberty - Mulhaney Bridge
16. Town of Manitowoc Rapids - Michigan Avenue B-36-0169
17. Town of Manitowoc Rapids - North Union Road P-36-0144
18. Town of Manitowoc Rapids - Grotegut Bridge
19. Town of Maple Grove - Grassell Bridge Oakwood Road
20. Town of Meeme - County Line Road B-36-0222
21. Town of Meeme - Greylak Bridge Pioneer Road
22. Town of Rockland - Hillmann Bridge
23. Town of Schleswig - Rockville Road B-36-0023

### **January 21, 2020 Session:**

1. Marion Hartman - Town of Meeme
2. Brad and Amy Sibley - Town of Mishicot

\* Denotes an Ordinance.

➤ Denotes Vetoed.

✕ Denotes Postponed.

## RESOLUTIONS & ORDINANCES ALPHABETICAL BY COMMITTEE

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\*Due to the public health emergency (COVID-19) the Proclamations were not read, but were accepted by the County Board during the March 24, 2020 meeting.