



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: January 19, 2021

TIME: 6:30 P.M.

PLACE: Expo Merchants Building
4921 Expo Dr., Manitowoc, WI 54220

Per Governor Evers' Emergency Order #1, Face Coverings Will Be Required and Social Distancing Will Be Exercised.

To live stream the meeting: <https://www.youtube.com/channel/UCcBZSVQYYfhgv5LHxT-fkwQ?reload=9>

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. Call to order by Chairperson Brey.
- II. Invocation by Supervisor Neils.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the December 15, 2020 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer – Extension of the Declaration of Emergency – Executive Proclamation Declaring Public Health Emergency
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. COMMUNICATIONS
 1. Eau Claire County – Resolution 20-21/089 Support Pending Legislation to Amend Hearing Time Frames for Juveniles Taken into Custody under Wisconsin Statutes Chapter 938 to Coincide with Hearing Timelines for Children Taken into Custody Under Wisconsin Statutes Chapter 48
 2. Jackson County – Resolution 53-12-2020 – Request to Review Funding for APS and Increase Long Term Care Placement Locations within Wisconsin
 3. Jackson County – Resolution 54-12-2020 In Support of State Funding for Equitable Return of Utility Tax Collections to Counties and Municipalities as Utility Aid
 4. Trempealeau County – Resolution Number 2020-12-01 Requesting the Wisconsin State Legislature to Convene a Special Session to Provide COVID-19 Direction for the State of Wisconsin
- X. UNFINISHED BUSINESS, INCLUDING ANY MOTIONS TO RECONSIDER ACTIONS TAKEN AT THE LAST MEETING

XI. APPOINTMENTS BY COUNTY EXECUTIVE

A. Aging and Disability Board

Appoint two members to fulfill the terms expiring April 2022.

1. Supervisor Catherine Wagner
2. Supervisor Charles Hagen, Sr.

B. Ethics Board

Appoint one member to succeed Tom Musial for a three year term expiring February 28, 2024.

1. Tom Musial

XII. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

A. Aging & Disability Board

B. Board of Health

C. Criminal Justice Coordinating Council

D. Executive Committee

E. Expo-Ice Center Board

F. Finance Committee

1. Resolution 2020/2021-54 Adopting Residential Antidisplacement and Relocation Assistance Plan

G. Highway Committee

2. Ordinance 2020/2021-55 Repealing Manitowoc County Code § 15.02(12)(e) (Controlled Access Highways)

H. Human Service Board

I. Land Conservation Committee/UW-Extension Education and Agriculture Committee

J. Personnel Committee

K. Planning & Park Commission

Petition: Greg Riederer – Town of Cato

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

O. Miscellaneous

Chairperson Jim Brey:

3. Resolution 2020/2021-56 Supporting Increased State Utility Tax Payments
4. Resolution 2020/2021-57 Ratifying County Executive's January 5, 2021, Proclamation of Continuing Public Health Emergency

XIII. ANNOUNCEMENTS

XIV. ADJOURNMENTS

Jim Brey, Chairperson

Prepared by Linda Herman, Deputy County Clerk

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

**RESOLUTION ADOPTING RESIDENTIAL ANTIDISPLACEMENT AND
RELOCATION ASSISTANCE PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County’s Revolving Loan Program was funded through the
2 Federal Community Development Block Grant Program for Economic Development (CDBG-ED);
3 and
4

5 WHEREAS, due to problems that were uncovered during federal audits of the State of
6 Wisconsin, the federal government came to an agreement with the State to close local CDBG ED
7 programs down; and
8

9 WHEREAS, with the close down of the CDBG-ED program, the County is required to
10 return to the State and any funds in our possession on or before January 31, 2021 associated with
11 the program; and
12

13 WHEREAS, the funds returned to the State may be returned to the County as a grant to
14 fund projects that meet certain federal and state initiatives; and
15

16 WHEREAS, the County is in the process of closing its CDBG-ED program as required by
17 the State’s contract with the federal government; and
18

19 WHEREAS, as part of closing the CDBG-program, Manitowoc County desires to take
20 advantage of its ability to apply for grants against the funds the County returns to the State; and
21

22 WHEREAS, to be eligible for state CDBG Close Program grants, the County needs to be
23 in compliance with the current rules and regulations for participation in the CDBG Close Program,
24 which includes adopting a residential antidisplacement and relocation assistance plan; and
25

26 WHEREAS, a copy of the proposed Manitowoc County Residential Antidisplacement and
27 Relocation Assistance Plan has been placed on each Supervisor’s desk and is attached to this
28 resolution and incorporated herein; and
29

30 WHEREAS, after careful consideration and review, the Finance Committee recommends
31 adoption of the Manitowoc County Residential Antidisplacement and Relocation Assistance Plan
32 as attached hereto and incorporated herein;
33

34 NOW THEREFORE, BE IT RESOLVED that the county board of supervisors of the
35 County of Manitowoc adopts the Manitowoc County Residential Antidisplacement and Relocation
36 Assistance Plan as attached hereto and incorporated herein.

Dated this 19th day of January 2021.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____



APPROVED:

Bob Ziegelbauer, County Executive

Date

**ORDINANCE REPEALING MANITOWOC COUNTY CODE § 15.02(12)(e)
(CONTROLLED ACCESS HIGHWAYS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Highway Department has driveway permit granting
2 authority pursuant to Manitowoc County Code § 15.06 (Permits for Driveways on Right of Way);
3 and

4
5 WHEREAS, Manitowoc County Code § 15.02(12)(e) purports to establish a driveway
6 permit application fee at \$75.00; and

7
8 WHEREAS, Manitowoc County Code § 15.06(2) establishes the correct fee for a driveway
9 permit application in the amount \$150.00; and

10
11 WHEREAS, Manitowoc County Code §§ 15.02(12)(e) and 15.06(2) are currently in
12 conflict with each other; and

13
14 WHEREAS, Manitowoc County Code § 15.06(2) was last updated on December 19, 2017,
15 while § 15.02(12)(e) has not been amended since January 18, 2005; and

16
17 WHEREAS, the Highway Department has been charging the most recently updated fee of
18 \$150.00 since its adoption; and

19
20 WHEREAS, after careful consideration and review, the Manitowoc County Highway
21 Committee recommends repealing Manitowoc County Code § 15.02(12)(e) because it is in conflict
22 with § 15.06(2), which provides the intended fee to charge for a driveway permit application;

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

26
27 Manitowoc County Code § 15.02(12)(e) is repealed in its entirety.

28
29 and

30
31 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication; and

32
33 BE IT FURTHER ORDAINED that Chapter 15 of the Manitowoc County Code, as
34 amended, shall be recorded in the office of the Register of Deeds of Manitowoc County, Wisconsin
35 in accord with § 15.02(12)(h) of the Code.

Dated this 19th day of January 2021.

Respectfully submitted by the
Highway Committee

Kevin Behnke, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel _____

A handwritten signature in black ink, appearing to be 'J. Brey', is written over the line following 'Corporation Counsel'.

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION SUPPORTING INCREASED STATE UTILITY TAX PAYMENTS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, public utilities are generally exempt from local property taxes and taxed
2 instead by the state of Wisconsin under Wis. Stat. ch. 76; and

3
4 WHEREAS, in lieu of payment through local property taxes, the state gives a portion of
5 the amounts it collects to counties and municipalities through a shared revenue utility aid payment;
6 and

7
8 WHEREAS, shared revenue utility aid payments help counties and municipalities pay for
9 services provided to the tax-exempt utility property; and

10
11 WHEREAS, these shared revenue utility aid payments are also viewed as partial
12 compensation for the air pollution, noise, traffic congestion, and land use limitations caused by the
13 presence of utility property; and

14
15 WHEREAS, the state has historically retained about eighty percent of utility tax collections
16 for use as General Purpose Revenue, rather than return those dollars to counties and municipalities
17 where the utilities are located; and

18
19 WHEREAS, in 2019-20, the state collected \$351.4 million in utility taxes, but only
20 returned \$75.6 million to local governments as utility aid, and

21
22 WHEREAS, payments generated through the current utility aid formula have largely been
23 stagnant, both as a percentage of tax collections and in the actual dollars distributed to counties
24 and municipalities; and

25
26 WHEREAS, stagnant or declining aid has resulted in a burdensome shift in taxes to owners
27 of the remaining taxable property in the county;

28
29 NOW THEREFORE BE IT RESOLVED that the county board of supervisors of the
30 County of Manitowoc hereby requests the Honorable Tony Evers to build in an inflationary
31 increase in the utility aid formula in the Governor’s 2021-23 budget plan, which will result in a
32 fairer, more equitable return of utility tax collections; and

33
34 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this
35 resolution to Governor Evers and the legislators who represent Manitowoc County.

Dated this 19th day of January 2021.

Respectfully submitted by

Jim Brey, County Board Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____



APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION RATIFYING COUNTY EXECUTIVE’S JANUARY 5, 2021,
PROCLAMATION OF CONTINUING 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 has since spread to many countries, including the United States;
3 and
4

5 WHEREAS, the outbreak of COVID-19 and the effects of its risk of person-to-person
6 transmission has significantly affected the lives and health of Manitowoc County citizens, as well
7 as the County’s economy; and
8

9 WHEREAS, as a result of the COVID-19 outbreak, on March 16, 2020, County Executive
10 Bob Ziegelbauer issued a proclamation declaring a public health emergency in Manitowoc County
11 due to the COVID-19 pandemic for 60 days, which was ratified by the Board of Supervisors of the
12 County of Manitowoc on March 17, 2020; and
13

14 WHEREAS, on May 15, 2020, July 14, 2020, September 15, 2020, November 5, 2020, the
15 County Executive issued proclamations declaring a continuing public health emergency in
16 Manitowoc County for additional 60 day time periods because the COVID-19 pandemic had not
17 yet fully abated and continued to pose an imminent threat of disaster in Manitowoc County; and
18

19 WHEREAS, the County Board of Supervisors of the County of Manitowoc ratified those
20 proclamations on May 19, 2020, July 21, 2020, September 15, 2020, and November 5, 2020,
21 respectively; and
22

23 WHEREAS, to date, the COVID-19 pandemic still has not fully abated and continues to
24 pose an imminent threat of disaster within the meaning of Wis. Stat. ch. 323 that impacts the health,
25 security, and safety of the public and could impair critical systems of Manitowoc County; and
26

27 WHEREAS, it is necessary and expedient for the health, safety, protection, and welfare of
28 persons within Manitowoc County, to continue taking reasonable and prudent steps to treat those
29 infected with COVID-19 and to prevent, limit, and contain the potential community spread of
30 COVID-19; and
31

32 WHEREAS, consistent with Wis. Stat. § 323.14(4)(b), on January 5, 2021, the Manitowoc
33 County Executive issued another continuing proclamation declaring an ongoing public health
34 emergency in Manitowoc County due to the COVID-19 pandemic; and
35

36 WHEREAS, pursuant to Wis. Stat. § 323.14(4)(b), the continuing proclamation is “subject
37 to ratification, alteration, modification or repeal by the governing body as soon thereafter as that
38 body can meet, but the subsequent action taken by the governing body shall not affect the prior
39 validity of the proclamation”; and

40
41 WHEREAS, ratifying the County Executive's proclamation declaring a state of continuing
42 emergency will facilitate and expedite the use of resources to protect persons from the impacts of
43 the spread of COVID-19 while ensuring continuity of critical operations within Manitowoc County
44 as well as permitting the County to properly plan for and use County facilities, temporarily re-
45 assign staff, and expend necessary funds to support any upcoming vaccination effort;

46
47 NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors of the
48 County of Manitowoc hereby ratifies the January 5, 2021 proclamation by the Manitowoc County
49 Executive declaring a continuing public health emergency due to the COVID-19 pandemic.

Dated this 19th day of January 2021.

Respectfully submitted

Jim Brey, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel _____

APPROVED:

Bob Ziegelbauer, County Executive

Date

