

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

April 12, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 12th day of April, 2006, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 25 members present; Barnes, Bauknecht, Behnke, Braunel, Brey, Bundy, Dobbs, Gauger, Goeke, Graunke, Hansen, Henrickson, Janowski, Kozlowski, Maresh, Markwardt, Mueller, Muench, Nate, Rappe, Rasmussen, Skubal, Sloan, Vogt and Wagner. Supervisor Behnke arrived at 7:30 p.m.

On a motion by Supervisor Brey and seconded by Supervisor Nate, the March 21, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Hansen declared public input open at 7:10 p.m.

Theresa Norman, Maribel, spoke in opposition to the Pelishek rezoning request, stating her family chose to move to Maribel six years ago because of the Smart Growth Plan. She is concerned that the recommendation to build one home could lead to approval for many more.

John Hager, Town of Cooperstown Supervisor, explained he voted to approve the Pelishek rezoning request at the Town level because it was similar to a request granted for a property on Kvittek Road and he felt it fit in with the Smart Growth Plan.

Attorney Travis Glandt, Manitowoc, representing Nancy Weber, spoke on the Pelishek rezoning request referring to the twenty year Smart Growth Plan that was developed in the Town of Cooperstown. The property is labeled as an environmental corridor for wild life and is not in an area designated for growth. He respectfully requested supervisors deny this request.

Bill Enz, Town of Cooperstown Chairperson, spoke on the proposed rezoning of the Pelishek property, explaining the original request was to rezone a 4.3 acre parcel and the current owner petitioned to rezone 1.8 acres. He stated this property should never have been put into A-3 because it is rocky land and agrees that good farmland needs to be maintained.

Pam Kouba, Maribel, representing Town of Cooperstown Zoning Commission Chair Bill Angoli, provided a history of the zoning amendment requests that took place on the Pelishek parcel. She stated that corner has a safe and peaceful atmosphere and feels that is the way it should be kept.

Sue Kornely, Town of Cooperstown Clerk, asked why the Board is looking at the rezone request on the Pelishek property when it had been denied in 2003. She asked what changed since 2003.

Bill Hlinak, Two Rivers, spoke on the proposed wind energy amendment before the Board. He is concerned with electrical problems that exist and the need for everyone to understand this issue.

Don Pelishek, Mishicot, read a communication from Attorney Mark Hazelbaker representing "Citizens Opposing Wind Turbine Sites", that relates to the wind energy issue. He stated any reasonable finding that

is made relating to health and safety will sustain an ordinance the Board enacts. Ordinances which regulate spacing and compactness of wind turbine development may change the parameters of those developments but they do not affect the cost of the wind turbines.

Michael Kleckner, Two Rivers, spoke in favor of adopting the amendment to the Wind Energy Systems Ordinance. He stated there may be some weakness in the ordinance but it's a fair representation of both sides.

Lynn Korinek, Two Rivers, addressed the Board stating they are concerned with responsible regulations. We need renewable energy but it must be done with set rules to protect the health and safety of the citizens of this County. She commended everyone for creating a fair Wind Energy Systems Ordinance and urged supervisors to unanimously approve it.

Anita Roberts, Mishicot, spoke on property setbacks as they relate to the proposed Wind Energy Systems Ordinance and the importance of public health and safety.

David Korinek, Two Rivers, explained the Wind Energy Systems Advisory Committee completed one year of research and came up with good compromises. He asked supervisors to approve the Ordinance.

Jeff Roberts, Mishicot, spoke in favor of approving the proposed ordinance even though it does not include reimbursement for stray voltage issues. He also noted setback from roads still need to be addressed by the Board of Adjustment.

Fran Kunz, Mishicot, thanked the Wind Energy Systems Advisory Committee for their work and Planning and Park Commission for bringing the proposed Wind Energy Systems Ordinance forward. He stated there is a lot of public support for this proposed ordinance and asked supervisors to vote in favor of it.

Tony Heyroth, Mishicot, addressed the Board regarding concerns with setbacks and safety issues in the proposed Wind Energy Systems Ordinance. He stated there was a lot of hard work put into this ordinance and asked supervisors to support it.

Andy Konopacki, Denmark, spoke on the proposed amendment to the Wind Energy Systems Ordinance, stating it is not perfect, but it is a good one. The most contentious part of this ordinance is the setbacks and he gave examples of other wind turbine areas with setbacks of more than 1000 feet. He urged supervisors to unanimously pass this Ordinance.

Dean Anhalt, Mishicot, asked supervisors to support the proposed Wind Energy Systems Ordinance noting the 1000 foot setback does protect building rights.

No one else present wished to speak and public input was closed at 7:55 p.m.

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

Supervisor Dobbs moved, seconded by Supervisor Brey, to consider the Ordinance Amending Zoning Map for Randy Pelishek which had been referred to Planning and Park Commission on March 21, 2006. Discussion followed. Corporation Counsel Steve Rollins reported passage of this Ordinance amendment would require an affirmative vote of three-fourths of the board members. Upon vote, the motion failed with 16 ayes and 9 noes. Supervisors Bundy, Barnes, Braunel, Kozlowski, Vogt, Sloan, Markwardt, Gauger and Hansen voted no; all other supervisors voted aye.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Hansen presented Cindy Schroeder from Human Services with a Proclamation for Child Abuse and Neglect Prevention Month.

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

FORTHCOMING EVENTS

Expo Board: Supervisor Behnke reported Horse-A-Rama was a great success this past weekend.

Human Services Board: Supervisor Bundy reported the County Executive and Personnel Director met with them to address concerns with the three hour layoffs. They now have a better understanding of the situation.

Personnel Committee: Supervisor Vogt reported three Joint Dispatch Center Supervisors have been hired and will start May 1.

Planning and Park Commission: Supervisor Skubal moved, seconded by Supervisor Muench, to enact Ordinance 1 (2005/2006-189) Amending Zoning Map for Urban Binversie and Ordinance 3 (2005/2006-190) Amending Zoning Map for Herbert Garlieb et al. Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Rappe and Goeke voted no; all other supervisors voted aye.

No. 2005/2006 - 189

**ORDINANCE AMENDING ZONING MAP
(Urban Binversie)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on March 27, 2006 at 7:00 p.m. at the University of WI-
2 Manitowoc Campus, 705 Viebahn St., Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NE¼, Section 17, T17N-R22E, Town of Meeme, commencing
12 at the N¼ Corner of said Section 17; thence southerly approximately 33 feet to the south r/w of
13 CTH X which is the point of real beginning; thence continue southerly approximately 2,140
14 feet; thence easterly approximately 300 feet to the west r/w of CTH M; thence northerly along
15 the west r/w of CTH M approximately 2,140 feet to the point of real beginning, said parcel
16 containing approximately 6.21 acres of land, shall be and is hereby rezoned from A3 Agriculture
17 to A1 Agriculture.

Dated this 12th day of April 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

No. 2005/2006 - 190

**ORDINANCE AMENDING ZONING MAP
(Herbert Garlieb et al.)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on March 27, 2006 at 7:00 p.m. at the University of WI-
2 Manitowoc Campus, 705 Viebahn St., Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration

5 of testimony and an examination of the facts attendant with the petition, recommends the petition be
6 approved for the reasons stated in the attached report;

7
8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
9 ordain as follows:

10
11 A parcel of land located in the NE¼, SW¼, Section 19, T17N-R22E, Town of Meeme,
12 commencing at the Center of said Section 19; thence westerly approximately 250 feet which is
13 the point of real beginning; thence continue westerly approximately 550 feet; thence southerly
14 approximately 550 feet; thence easterly approximately 550 feet; thence northerly approximately
15 550 feet to the point of real beginning, said parcel containing approximately 6.95 acres of land,
16 shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 12th day of April 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Marquardt, to enact Ordinance 2 Amending Zoning Map for Robert Burrows Jr. Upon discussion and vote, the motion failed with 24 ayes and 1 no. Supervisor Skubal voted yes; all other supervisors voted no.

Supervisor Skubal moved, seconded by Supervisor Kozlowski, to enact Ordinance 4 (2005/2006-191) Amending Manitowoc County Code § 8.10(3)(c) & (d) (Feed Lots & Poultry Operations). Upon discussion and vote, the motion carried with 24 ayes and 1 no. Supervisor Nate voted no; all other supervisors voted aye.

No. 2005/2006 - 191

ORDINANCE AMENDING MANITOWOC COUNTY CODE § 8.10(3)(c) & (d)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Department of Agriculture, Trade and Consumer Protection has adopted standards
2 for large farm citing and, as a result, Manitowoc County cannot enforce certain conditional uses that are
3 authorized for A-3 Agricultural Districts by the Manitowoc County Code; and
4

5 WHEREAS, a public hearing was held on March 27, 2006, at 7:00 p.m. at the University of WI-
6 Manitowoc Campus, 705 Viebahn St., Manitowoc, Wisconsin, after public notice; and
7

8 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an
9 examination of the facts attendant with the petition, recommends the petition seeking the amendment of
10 Manitowoc County Code sec. 8.10 be approved for the reasons stated in the attached report;
11

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

15 Manitowoc County Code Chapter 8 is amended by striking sec. 8.10(3)(c) authorizing feed lots as
16 a conditional use.
17

18 Manitowoc County Code Chapter 8 is amended by striking sec. 8.10(3)(d) authorizing commercial
19 poultry operations as a conditional use.

Dated this 12th day of April 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Skubal moved, seconded by Supervisor Kozlowski, to enact Ordinance 5 (2005/2006-192) Amending Manitowoc County Code Chapter 24 (Wind Energy Systems Ordinance). Discussion followed. Corporation Counsel Steve Rollins explained that this amendment could be accepted, rejected, or referred back to the Planning and Park Commission with instructions. He also stated there is a provision at the end of the ordinance addressing the repeal of the moratorium effective May 1, 2006. Supervisor Dobbs moved, seconded by Supervisor Behnke, to refer the Ordinance back to Planning and Park. Discussion followed. Chairperson Hansen asked for a voice vote, the majority voted no, and the motion failed. Upon discussion and vote on the main motion, the motion carried with 23 ayes and 2 noes. Supervisors Behnke and Janowski voted no; all other supervisors voted aye.

No. 2005/2006 - 192

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 24
(Wind Energy Systems Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County adopted Ordinance No. 2004/2005-77 creating Manitowoc County
2 Code Chapter 24, Wind Energy Systems Ordinance, which became effective on September 29, 2004; and
3

4 WHEREAS, concerns raised following adoption of the Wind Energy Systems Ordinance caused
5 Manitowoc County to enact a moratorium on the receipt of applications and the granting of permits for wind
6 energy systems so that a specially-created Wind Energy Systems Advisory Committee could review the
7 ordinance and make recommendations to the Planning and Park Commission regarding the ordinance; and
8

9 WHEREAS, the Wind Energy Systems Advisory Committee found that a distinction should be drawn
10 between a large wind energy system that is used to generate energy for commercial sale and small wind
11 energy system that is primarily used to generate energy for use by its owner; and
12

13 WHEREAS, the Wind Energy Systems Advisory Committee presented a proposal for a small wind
14 energy system ordinance to the Planning and Park Commission; the Park and Planning Commission held a
15 public hearing and recommended adoption of the ordinance; and the County Board enacted the small wind
16 energy system ordinance on December 20, 2005; and
17

18 WHEREAS, the Wind Energy Systems Advisory Committee presented a proposal for a large wind
19 energy system ordinance to the Planning and Park Commission on March 24, 2006 and the Planning and Park
20 Commission held a properly noticed public hearing on March 27, 2006; and
21

22 WHEREAS, the Planning and Park Commission, after a careful consideration of the testimony and
23 an examination of the facts attendant with a petition for changes in the county's ordinances as they relate to
24 wind energy systems, recommends that the petition be approved for the reasons stated in the attached report;
25 and
26

27 WHEREAS, the County Board finds that the proposed ordinance serves to protect the public health
28 and safety and that the regulation of noise created by large wind energy systems is a proper exercise of the
29 county's police power; and
30

31 WHEREAS, the County Board recognizes that Wisconsin Stat. § 66.0401 limits the authority of any

32 county, city, town, or village to place any restriction, either directly or in effect, on the installation or use of
33 a wind energy system unless the restriction satisfies one of the following conditions:

- 34
- 35 (a) Serves to preserve or protect the public health or safety.
- 36
- 37 (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- 38
- 39 (c) Allows for an alternative system of comparable cost and efficiency; and
- 40

41 WHEREAS, the County Board finds that the regulation of large wind energy systems provided by
42 the proposed ordinance is consistent with the requirements of state law;

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

45
46 Manitowoc County Code Chapter 24, Wind Energy System Ordinance, is amended to read as follows:
47

48 **LARGE WIND ENERGY SYSTEM ORDINANCE**
49

- 50 24.01 Title.
- 51 24.02 Authority.
- 52 24.03 Purpose.
- 53 24.04 Applicability.
- 54 24.05 Definitions.
- 55 24.06 Standards.
- 56 24.07 General Requirements.
- 57 24.08 Conditional Use Permit Procedure.
- 58 24.09 Zoning Permit Procedure.
- 59 24.10 Restoration Requirement.
- 60 24.11 Signal Interference.
- 61 24.12 Violations.
- 62 24.13 Administration And Enforcement.
- 63 24.14 Penalties.
- 64 24.145 Relationship To Other Ordinances.
- 65 24.15 Severability.
- 66 24.16 Moratorium.

67
68 **24.01 Title.** This ordinance may be referred to as the Large Wind Energy System Ordinance.
69

70 **24.02 Authority.** This ordinance is adopted pursuant to authority granted by Wis. Stat. secs. 59.69,
71 59.694, and 66.0401.
72

73 **24.03 Purpose.** The purpose of this ordinance is to establish regulations for large wind energy systems
74 that comply with the requirements of Wis. Stat. sec. 66.0401.
75

76 **24.04 Applicability.** This ordinance applies to all lands within the boundaries of Manitowoc County
77 lying outside the limits of incorporated cities and villages, but will not take effect in a town until approved
78 by the Town Board in accordance with Wis. Stat. sec. 59.69.
79

80 **24.05 Definitions.** In this ordinance:

81
82 “Administrator” means the Manitowoc County Code Administrator appointed pursuant to sec. 8.18(2),
83 or his or her designee.
84

85 “Board” means the Manitowoc County Board of Adjustment.
86

87 “Commission” means the Manitowoc County Planning and Park Commission.
88

89 “Department” means the Manitowoc County Planning and Park Department.
90

91 “Flicker” or “shadow flicker” means the effect that results when the shadow cast by the rotating blade
92 of a wind energy system moves across a fixed point.
93

94 “Karst” means an area with surface and subsurface features that have developed as the result of the
95 dissolution of dolomite, gypsum, limestone, or other soluble rock. Characteristic features present in karst
96 topography include caves, closed depressions, disappearing streams, exposed bedrock, sinkholes, springs, and
97 underground drainage through conduits enlarged by dissolution.
98

99 “Landowner” means the person that owns the property on which a large wind system is located.
100

101 “Large wind energy system” means a wind energy system that includes one or more large wind systems.
102

103 “Large wind system” means a wind tower and turbine that has a nameplate capacity of more than 100
104 kilowatts or a total height of more than 170 feet, or both.
105

106 “Nonparticipating property” means real property on which either there is no large wind system or there
107 is a large wind system that is in a different wind farm system than another large wind system.
108

109 “Owner” means the person that owns a large wind system, a wind farm system, or a large wind energy
110 system.
111

112 “Participating property” means real property on which a large wind system is located and that is in the
113 same wind farm system as another large wind system.
114

115 “Total height” means the vertical distance from ground level to the tip of a wind turbine blade when the
116 tip is at its highest point.
117

118 “Wind energy system” means equipment that converts and then stores or transfers energy from the wind
119 into usable forms of energy and includes any base, blade, foundation, generator, nacelle, rotor, tower,
120 transformer, turbine, vane, wire, or other component used in the system.
121

122 “Wind farm system” means a wind energy system that includes more than one wind tower.
123

124 “Wind Tower” means the monopole, freestanding, or guyed structure than supports a wind turbine
125 generator.
126

127 **24.06 Standards. (1) Location.** (a) A large wind system may only be located in areas that are zoned A3-
128 Agriculture or PA-Prime Agricultural.
129

130 (b) A wind tower may not be located within one-quarter mile of any area that is zoned C1-Conservancy
131 or NA-Natural Area or within one-quarter mile of any state or county forest, hunting area, lake access, natural
132 area, or park.
133

134 **(2) Set Backs.** The wind tower in a large wind system and each wind tower in a wind farm system must
135 be set back:
136

137 (a) at least 1.1 times the total height of the large wind system from the property line of a participating
138 property.
139

140 (b) at least 1,000 feet from the property line of a nonparticipating property unless the owner of the
141 nonparticipating property grants an easement for a lesser setback. The easement must be recorded with the
142 Register of Deeds and may not provide for a setback that is less than 1.1 times the total height of the large
143 wind system.
144

145 (c) at least 1.1 times the total height of the large wind system or 500 feet, whichever is greater, from any
146 public road or power line right-of-way.
147

148 **(3) Spacing and Density.** A wind tower must be separated from every other wind tower by a sufficient
149 distance so that it does not interfere with the other wind tower.
150

151 **(4) Structure.** A wind tower must be of monopole construction to the extent practicable. If monopole
152 construction is not practicable, a wind tower must be of freestanding construction to the extent practicable.
153 If monopole or freestanding construction is not practicable, a wind tower may be guyed.
154

155 **(5) Height.** The total height of a wind energy system must be 500 feet or less.
156

157 **(6) Clearance.** The vertical distance from ground level to the tip of a wind turbine blade when the blade
158 is at its lowest point must be at least 75 feet.

159 (7) Access. A wind tower, including any climbing aids, must be secured against unauthorized access by
160 means of a locked barrier or security fence.

161
162 (8) Electrical Wires. All electrical wires associated with a wind energy system, other than wires
163 necessary to connect the wind turbine to its base and to overhead collection lines, must be located
164 underground.

165
166 (9) Code Compliance. A large wind system and a large wind energy system must comply with the
167 National Electrical Code, the National Electrical Safety Code, and all applicable state and federal codes and
168 regulations.

169
170 (10) Lighting. A wind tower and turbine may not be artificially lighted unless such lighting is required
171 by the Federal Aviation Administration. If lighting is required, the lighting must comply with FAA minimum
172 requirements and, whenever possible, be at the lowest intensity allowed, avoid the use of strobe or other
173 intermittent white lights, and use steady red lights. If more than one lighting alternative is available, the
174 alternative that causes the least visual disturbance must be used.

175
176 (11) Equipment. Any electrical equipment associated with a wind energy system must be located under
177 the sweep area of a blade assembly.

178
179 (12) Appearance, Color, and Finish. The exterior surface of any visible components of a wind energy
180 system must be a nonreflective, neutral color. Wind towers and turbines in a wind farm system that are
181 located within one mile of each other must be of uniform design, including tower type, color, number of
182 blades, and direction of blade rotation.

183
184 (13) Signs. No wind turbine, tower, building, or other structure associated with a wind energy system
185 may be used to advertise or promote any product or service. No word or graphic representation, other than
186 appropriate warning signs and owner or landowner identification, may be placed on a wind turbine, tower,
187 building, or other structure associated with a wind energy system so as to be visible from any public road.

188
189 (14) Noise. The noise generated by the operation of a large wind energy system may not exceed the
190 ambient noise level by more than 5 dB(A) as measured at any point on property adjacent to the parcel on
191 which the large wind energy system is located. The noise level generated by the operation of a large wind
192 energy system will be determined during the investigation of a noise complaint by comparing the sound level
193 measured when the wind generator blades are rotating to the sound level measured when the wind generator
194 blades are stopped.

195
196 (15) Flicker or Shadow Flicker. The owner of a large wind system must take such reasonable steps as
197 are necessary to prevent, mitigate, and eliminate shadow flicker on any occupied structure on a
198 nonparticipating property.

199
200 **24.07 General Requirements.** (1) A permit application must be on a form approved or provided by the
201 Administrator.

202
203 (2) The owner must provide a site plan, the information specified in sub. 8.18(3), and the following
204 additional information:

205
206 (a) Name, corporate status, address, and telephone number of the person signing the application and
207 certifying that the application is true and correct.

208
209 (b) Name, corporate status, address, and telephone number of the owner.

210
211 (c) Name, corporate status, address, and telephone number of the landowner.

212
213 (d) Legal description of the property and a description of a benchmark on the property, including its
214 elevation expressed in feet and tenths of feet.

215
216 (e) Number, description, and design specifications of each large wind system and met tower, including

217 the manufacturer, model, capacity, blade length, height, lighting, and total height of any large wind system.

218

219 (f) Blueprints or drawings that have been approved by a registered professional engineer showing a cross
220 section, elevation, and diagram for any tower and tower foundation.

221

222 (g) Scale diagram showing proposed location of aboveground and underground electrical wiring, access
223 routes, landscaping, and fencing.

224

225 (h) Statement describing any hazardous materials that will be used on the property and how those
226 materials will be stored.

227

228 (i) Location of any overhead utility lines adjacent to the property.

229

230 (j) Existing buildings and structures within one-half mile of the property, including any church, hospital,
231 public library, residence, and school.

232

233 (k) Karst features on or within one-half mile of the property as shown on a U.S. Geological Survey
234 topographical map with a scale of 1:24,000 or on maps maintained by the Manitowoc County Soil and Water
235 Conservation Department.

236

237 (l) Any sewer service planning area and incorporated municipal boundary within one-half mile of the
238 property.

239

240 (m) Copy of a Certificate of Authority and Environmental Assessment, if applicable, from the Wisconsin
241 Public Service Commission.

242

243 (n) Statement that each large wind system and met tower will be installed in compliance with
244 manufacturer's specifications, along with a copy of the manufacturer's specifications.

245

246 (o) Statement that the owner will construct and operate the large wind system, met tower, or wind farm
247 system in compliance with all applicable local, state, and federal codes, laws, orders, regulations, and rules.

248

249 (p) Statement signed by the landowner acknowledging that the landowner is financially responsible if the
250 owner fails to reclaim the site as required by sec. 24.10(4) and that any removal and reclamation costs
251 incurred by the county will become a lien on the property and may be collected from the landowner in the
252 same manner as property taxes.

253

254 (q) Written statement from the town board for each township in which a large wind energy system is
255 located stating that the township has held a public meeting with surrounding property owners and providing
256 the town board's recommendation.

257

258 **(3) Conditional Use Permit.** A conditional use permit is required for a wind farm system and for each
259 large wind system that is not included in a conditional use permit issued for a wind farm system.

260

261 **(4) Zoning Permit.** A zoning permit is required for the installation of a large wind system, including each
262 large wind system in a wind farm system.

263

264 **(5) Expiration.** A permit issued pursuant to this ordinance expires if the wind energy system is not
265 installed and functioning within 2 years from the date the permit is issued, but the Administrator may extend
266 the permit in response to a written request made prior to its expiration if the Administrator determines that
267 the request is reasonable under the circumstances.

268

269 **(6) Fees.** (a) The application for a conditional use permit for a large wind system that is not included in
270 a wind farm system must be accompanied by the fee required for a conditional use permit. The application
271 for a conditional use permit for a wind farm system must be accompanied by the fee required for a conditional
272 use permit, plus a \$100 processing fee for each large wind system included in the wind farm system.

273

274 (b) The application for a zoning permit for each large wind system, including each large wind system in

275 a wind farm system must be accompanied by the fee required for a zoning permit for a principal use.

276
277 (c) The owner must provide a site plan and pay the fee for a site plan review.

278
279 **(7) Financial Assurance.** (a) Proof of financial assurance is a condition precedent to the issuance of any
280 conditional use or zoning permit under this ordinance.

281
282 (b) The owner must provide a performance bond, completion bond, or other financial assurance of at least
283 \$20,000 for each large wind system to guarantee the performance of the restoration requirement set forth in
284 sec. 24.10.

285
286 **24.08 Conditional Use Permit Procedure.** (1) A person may submit an application to the Administrator
287 for a conditional use permit for a large wind system or a wind farm system. The application must be on a
288 form approved by the Administrator and must be accompanied by 10 copies of a scaled drawing, other
289 descriptive information sufficient to enable the Board to determine whether the requirements of this ordinance
290 will be satisfied, and such other information as may be specified on the application form. The Administrator
291 will review the application materials for completeness and may request that the applicant provide additional
292 information. When the Administrator determines that the application is complete, the Administrator will
293 forward it to the Board.

294
295 (2) The Board will conduct a hearing on the application after a class 2 hearing notice is published in the
296 official newspaper of Manitowoc County. The hearing will be held within 60 days after the Board receives
297 the completed application.

298
299 (3) The Board will grant a conditional use permit if it determines that the requirements of this ordinance
300 are met and that granting the permit will not unreasonably interfere with the orderly land use and development
301 plans of the county. The Board may include conditions in the permit if those conditions preserve or protect
302 the public health and safety; do not significantly increase the cost of the system or significantly decrease its
303 efficiency; or allow for an alternative system of comparable cost and efficiency. The Board may consider
304 the following factors when setting conditions:

305
306 (a) Proposed ingress and egress.

307
308 (b) Proximity to transmission lines to link the system to the electric power grid.

309
310 (c) Number of wind turbines and their location.

311
312 (d) Nature of land use on adjacent and nearby properties.

313
314 (e) Location of other wind energy systems in the surrounding area.

315
316 (f) Surrounding topography.

317
318 (g) Proximity to residential structures, residential zoning districts, or areas identified for future residential
319 use.

320
321 (h) Design characteristics that may reduce or eliminate visual obtrusiveness.

322
323 (i) Possible adverse effects on migratory birds, raptors, and other animals and wildlife.

324
325 (j) Possible adverse effects of stray voltage, interference with broadcast signals, shadow effect, and noise.

326
327 (k) Impact on the orderly development, property values, and esthetic conditions within the county.

328
329 (l) Effect on public roads.

330
331 (m) Recommendation of the Town Board for each township in which a large wind energy system is
332 located.

333 (n) Any other factors that are relevant to the proposed system.
334

335 (4) The Board may waive or reduce the burden on the applicant of one or more of the factors in sub. (3)
336 if it concludes that the purpose of this ordinance is met. The installation and continued operation of the large
337 wind system or wind farm system are contingent upon compliance with any conditions that are set by the
338 Board.
339

340 (5) The Board's decision, the reason for its decision, and any conditions will be recorded in the Board's
341 minutes. The Administrator will issue a conditional use permit or inform the applicant the conditional use
342 permit has been denied.
343

344 (6) The Board's decision may be appealed to the Circuit Court.
345

346 **24.09 Zoning Permit Procedure.** (1) A person may submit an application to the Administrator for a
347 zoning permit for a wind tower. The application must be on a form approved or provided by the
348 Administrator and must include the name, address, and telephone number of the person designated by the
349 owner as the contact for operational issues and the investigation of any complaints. The application must also
350 be accompanied by two copies of a drawing that shows the proposed location and distance of the tower from
351 the property lines of the parcel on which it is located; any residence, business, or public building on an
352 adjacent parcel; the right-of-way of any public road that is within 600 feet; and such other information as may
353 be specified on the application form.
354

355 (2) The Administrator should issue a permit or deny the application within one month of the date on
356 which the application is complete.
357

358 (3) The Administrator will issue a zoning permit for a tower in a large wind system or a wind farm system
359 if the application materials show that the proposed tower location meets the requirements of this ordinance
360 and of the conditional use permit issued by the Board.
361

362 (4) If the application is approved, the Administrator will return one copy of the drawing with the zoning
363 permit and retain the other copy with the application.
364

365 (5) If the application is rejected, the Administrator will notify the applicant in writing and provide a
366 written statement of the reason why the application was rejected.
367

368 (6) The zoning permit must be conspicuously posted on the premises and visible to the public at all times
369 until construction or installation of the tower is complete.
370

371 **24.10 Abandonment and Restoration.** (1) A large wind system, met tower, or wind farm system that
372 is out of service for a continuous 12-month period will be deemed to have been abandoned and the
373 Administrator may issue a Notice of Abandonment to the owner. If, within 30 days of receipt of a Notice of
374 Abandonment, the owner provides the Administrator with written information showing that the large wind
375 system, met tower, or wind farm system has not been abandoned, the Administrator will withdraw the Notice.
376

377 (2) An owner may provide the Administrator with a written Notice of Termination of Operations if the
378 operation of a large wind system, met tower, or wind farm system is terminated.
379

380 (3) A large wind system, met tower, or wind farm system must be removed within 3 months of receipt
381 of Notice of Abandonment unless the Administrator withdraws the Notice or within 6 months of providing
382 Notice of Termination of Operations. The owner must:
383

384 (a) remove all wind turbines, aboveground improvements, and outdoor storage;
385

386 (b) remove all foundations, pads, and underground electrical wires and reclaim the site to a depth of 4
387 feet below the surface of the ground; and
388

389 (c) remove all hazardous material from the property and dispose of the hazardous material in accordance
390 with federal and state law.

391
392 (4) If the owner fails to remove a large wind system, met tower, or wind farm system and reclaim the site,
393 the county may remove or cause the removal of the large wind system, met tower, or wind farm system and
394 the reclamation of the site. The county may recover the cost of removal and reclamation from any financial
395 assurance provided by the owner pursuant to sec. 24.07(7)(b). Any removal or reclamation cost incurred by
396 the county that is not recovered from the owner will become a lien on the property where the removal or
397 reclamation takes place and may be collected from the landowner in the same manner as property taxes.

398
399 **24.11 Signal Interference.** The owner of a large wind system, met tower, or wind farm system must take
400 such reasonable steps as are necessary to prevent, eliminate, or mitigate any interference with the transmission
401 and reception of electromagnetic communications, such as microwave, radio, telephone, or television signals.

402
403 **24.12 Violations.** It is unlawful for any person to construct, install, maintain, modify, or operate a large
404 wind system, met tower, or wind farm system that is not in compliance with this ordinance or with any
405 condition contained in a conditional use or zoning permit issued pursuant to this ordinance.

406
407 **24.13 Administration and Enforcement. (1)** This ordinance shall be administered by the Administrator.

408
409 (2) The Administrator may enter any property for which a conditional use or zoning permit has been
410 issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit
411 have been met. The Sheriff or the Sheriff's designee may enter any property for which a zoning permit has
412 been issued under this ordinance to conduct an inspection to determine whether there is any violation of sec.
413 24.06(14).

414
415 (3) The Administrator may issue orders to abate any violation of this ordinance. The Sheriff or the
416 Sheriff's designee may issue an order to abate a violation of sec. 24.06(14).

417
418 (4) The Administrator may issue a citation for any violation of this ordinance. The Sheriff or the Sheriff's
419 designee may issue a citation for any violation of sec. 24.06(14).

420
421 (5) The Administrator may refer any violation of this ordinance to the Corporation Counsel for
422 enforcement. The Sheriff may refer a violation of sec. 24.06(14) to Corporation Counsel for legal action.

423
424 (6) Nothing in this section shall be construed to prevent the county from using any other lawful means
425 to enforce this ordinance.

426
427 **24.14 Penalties. (1)** Any person who fails to comply with any provision of this ordinance or of a
428 conditional use permit or a zoning permit issued pursuant to this ordinance shall, upon conviction thereof,
429 forfeit at least \$500 but not more than \$1,000 for each offense. A separate offense shall be deemed
430 committed on each day during which a violation occurs or continues. Any person who is in default of
431 payment of a forfeiture or costs may be imprisoned in the county jail until the forfeiture or costs are paid,
432 except that the period of imprisonment may not exceed 30 days.

433
434 (2) The failure of any employee, official, or officer of the County to perform any official duty imposed
435 by this code will not subject the employee, official, or officer to the penalty imposed for violation of this code
436 unless a penalty is specifically provided.

437
438 **24.145 Relationship to Other Ordinances.** This ordinance does not abrogate, annul, impair, interfere
439 with, or repeal any existing ordinance.

440
441 **24.15 Severability.** The provisions of this ordinance are severable, and the invalidity of any section,
442 subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the
443 remainder of the ordinance.

444
445 **24.16 Moratorium. (1)** A moratorium on the receipt of applications and the granting of permits for large
446 wind energy systems and small wind energy systems is hereby enacted. The purpose of the moratorium is
447 to allow the creation of an Advisory Committee to make recommendations to the Planning and Park
448 Commission on amendments to this ordinance and to allow the Planning and Park Commission to conduct

449 hearings and make recommendations to the County Board regarding amendments to this ordinance. The
450 moratorium shall be in effect for a period of 12 months from the date this ordinance is passed by the County
451 Board and approved by the County Executive or until the County Board adopts and the County Executive
452 approves amendments to this ordinance or rescinds this moratorium, or both.

453
454 (2) The moratorium on the receipt of applications and the granting of permits for small wind energy
455 systems contained in sub. (1) is repealed effective January 1, 2006. The moratorium on the receipt of
456 applications and the granting of permits for large wind energy systems contained in sub. (1) will continue in
457 effect until May 17, 2006 or until the County Board adopts and the County Executive approves amendments
458 to this ordinance or rescinds this moratorium.

459
460 (3) The moratorium on the receipt of applications and the granting of permits for large wind energy
461 systems contained in sub. (1) is repealed effective May 1, 2006.

462 This ordinance is effective May 1, 2006.
463

Dated this 12th day of April 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable. Increased revenue from fees will depend on the number of permit applications that are filed.

APPROVED: Dan Fischer, County Executive.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 6 (2005/2006-193) Authorizing Cooperative Agreements for Home Composting Program. Upon vote, the motion carried unanimously.

No. 2005/2006 - 193

**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENTS
FOR HOME COMPOSTING PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 1989 Wisconsin Act 335, effective May 11, 1990, establishes the goal of reducing the
2 amount of solid waste being sent to landfills through the development of programs that reduce, reuse, and
3 recycle waste; and
4

5 WHEREAS, 1989 Wisconsin Act 335 requires that each municipality operate under an effective
6 recycling program as outlined by the Act; and
7

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

10 WHEREAS, a cooperative agreement between Manitowoc County and any interested municipality
11 would benefit both the county and the municipality commercially and would benefit the health, safety, and
12 welfare of their respective citizens; and
13

14 WHEREAS, the Public Works Committee has reviewed and recommends this agreement to the
15 Manitowoc County Board of Supervisors;
16

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

Dated this 12th day of April 2006.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No tax levy impact.

APPROVED: Dan Fischer, County Executive.

Wind Energy Systems Advisory Committee: Supervisor Kozlowski thanked everyone for their dedicated service and participation on this important issue.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 7 (2005/2006-194) Approving Town of Newton Zoning Ordinance (Tammy Bergene). Upon vote, the motion carried with 23 ayes and 2 noes. Supervisors Rappe and Goeke voted no; all other supervisors voted aye.

No. 2005/2006 - 194

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Tammy Bergene)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have
5 adopted a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County Board; and
6

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

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
11 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Tammy Bergene on
12 March 22, 2006.

Dated this 12th day of April 2006.

Respectfully submitted by Supervisor Kevin L. Behnke.

FISCAL IMPACT: None.

APPROVED: Dan Fischer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Brey, to adopt Resolution 8 (2005/2006-195) Regarding City of Manitowoc's Proposed Storm Water Management Program. Upon discussion and vote, the motion carried unanimously.

No. 2005/2006 - 195

**RESOLUTION REGARDING CITY OF MANITOWOC'S PROPOSED STORM WATER
MANAGEMENT PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the City of Manitowoc is considering a storm water management program to address a
2 state regulatory mandate that flows from the federal Clean Water Act of 1972; and
3

4 WHEREAS, the financial impact of the storm water management program on Manitowoc County may
5 exceed \$90,000 per year and will significantly affect the county's budget; and
6

7 WHEREAS, the storm water management program provides for credits that reduce the financial impact
8 on property owners that make little or no use of the program or that implement storm water management
9 practices, but limits the maximum credit available to the owner of a property that has no impact at all on the
10 City's storm water management program to just 55%; and

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WHEREAS, consideration of the storm water management program has proceeded so quickly that the parties affected by the program do not have a clear understanding of the nature of the program, what credits may be available, the standards used to determine eligibility for credits, how credits will be applied, or the alternatives available to meet the state regulatory mandate;

NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors requests that the City of Manitowoc slow the development and adoption of its storm water management program to allow the public to have a full and clear understanding of the proposed storm water management program and the available alternatives; and

BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors requests that the City provide clear guidelines on the credits that will be available, the standards used to determine eligibility for credits, and how the credits will be applied; and

BE IT FURTHER RESOLVED that the County Board asks the City to increase the range of credits available and the maximum credit for a property that has little or no impact on the storm water management program to 90%; and

BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution to the Common Council and Mayor of the City of Manitowoc.

Dated this 12th day of April 2006.

Respectfully submitted by the Public Works Committee.
Respectfully submitted by the Finance Committee.

APPROVED: Dan Fischer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Maresh, to adopt Resolution 9 (2005/2006-196) Honoring James Barnes, Lee Braunel, Donald Goeke, Marion Nate, Glen Skubal, and Ricky Sloan. Chairperson Hansen asked for unanimous consent, there was no objection, and the resolution was adopted. Chairperson Hansen presented the outgoing Supervisors with certificates of appreciation.

No. 2005/2006 - 196

**RESOLUTION HONORING JAMES BARNES, LEE BRAUNEL,
DONALD GOEKE, MARION NATE, GLEN SKUBAL, AND RICKY SLOAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, the Manitowoc County Board of Supervisors wishes to express its appreciation to those who have served the citizens of Manitowoc County by serving on the County Board; and

WHEREAS, James Barnes served on the County Board for six terms from April 1978 until April 1984 and from April 1990 until his retirement in April 2006 and was member of the Agricultural, Extension, Education, and Soil & Water Conservation Committee; the Area Vocational, Technical and Adult Education Board; the Bay-Lake Regional Planning Commission; the Board of Health; the Chairperson’s Advisory Committee; the Commission on Aging; the Economic Development Group; the Grievance Committee; the Human Services Board; the Ice Center Board; the Long Term Support Planning Committee; the Manitowoc County Merit System Board; the Personnel Committee; the Public Health Committee; the Public Works Committee; the Space Needs Study Committee; the Transportation Coordinating Committee; and the Veterans Service Commission; and

WHEREAS, Lee Braunel served on the County Board for one term from April 2004 until April 2006, was a liaison member of the Expo Board, and served on the Public Works Committee; and

WHEREAS, Donald Goeke served on the County Board for one term from April 2004 until April 2006

18 and was a member of the Commission on Aging, the Grievance Committee, the Land Conservation
19 Committee/Natural Resources and Education Committee, the Public Safety Committee, the Transportation
20 Coordinating Committee, and the Wind Energy Systems Advisory Committee; and
21

22 WHEREAS, Marion Nate served on the County Board for three terms from April 2000 until her
23 retirement in April 2006 and was a member of the Board of Health; the Health Care Center Committee; the
24 Long Term Support Planning Committee; and the Natural Resources and Education Committee/Land
25 Conservation Committee; and
26

27 WHEREAS, Glen Skubal served on the County Board for seven terms from April 1992 until April
28 2006; was a member of the Chairperson's Advisory Committee, the Executive Committee, the Finance
29 Committee, the Highway Committee, the Local Emergency Planning Committee, the Natural Resources and
30 Education Committee, the Planning and Park Commission, the Wind Energy Systems Advisory Committee,
31 and the Wisconsin Counties Utility Tax Association; and also served as Vice-Chairperson;
32

33 WHEREAS, Ricky Sloan served on the County Board for seven terms from April 1992 until his
34 retirement in April 2006 and was a member of the Ad Hoc Communications Committee, the Board of Health,
35 the Chairperson's Advisory Committee, the Executive Committee, the Grievance Committee, the Highway
36 Committee, the Human Services Board, the Joint Dispatch/E-911 Committee, the Local Emergency Planning
37 Committee, the Manitowoc County Traffic Safety Commission, the Public Safety Committee, the Public
38 Safety Joint Services (PSJS) Board, the Public Works Committee, and the Youth Services Coordinating
39 Council;
40

41 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
42 commends and expresses its sincere appreciation to James Barnes, Lee Braunel, Donald Goeke, Marion Nate,
43 Glen Skubal, and Ricky Sloan for their service to the citizens of Manitowoc County as members of the
44 County Board; and
45

46 BE IT FURTHER RESOLVED that James Barnes, Lee Braunel, Donald Goeke, Marion Nate, Glen
Skubal, and Ricky Sloan will each be presented with a certified copy of this resolution.

Dated this 12th day of April 2006.

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

APPROVED: Dan Fischer, County Executive.

The meeting adjourned Sine Die at 9:05 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

April 18, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc County, in the City of Manitowoc, being the 18th day of April, 2006, for the purpose of transacting business as a Board of Supervisors.

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

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

The County Clerk read the Certified List of Members elected to the County Board for a two year term, April 18, 2006 to April 15, 2008. The Clerk then administered the oath of office.

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

Establish the Rules: Supervisor Kozlowski moved, seconded by Supervisor Graunke, to adopt Resolution I (2006/2007-1) Adopting County Board Rules for the County Board Elected in April 2006. Upon vote, the motion carried unanimously.

No. 2006/2007 - 1

**RESOLUTION ADOPTING COUNTY BOARD RULES
FOR THE COUNTY BOARD ELECTED APRIL 2006**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 1.02(5) provides that the County Board may adopt and amend
2 rules of procedure governing county board operations; and
3

4 WHEREAS, the County Board desires to adopt rules incorporating changes that are beneficial to the
5 efficient and effective operation of the County's business; and
6

7 WHEREAS, the County Board recognizes that careful consideration must be given to all such changes
8 in its rules or procedure and has reviewed the proposed rules;
9

10 NOW, THEREFORE, BE IT RESOLVED that the Rules for the County Board Elected April 2006 are
11 adopted and in effect for the 2006-2007 term of the Manitowoc County Board of Supervisors.

Dated this 18th day of April 2006.

Respectfully submitted by Supervisor Paul B. Hansen.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.
**MANITOWOC COUNTY BOARD RULES
COUNTY BOARD ELECTED APRIL 2006**

1. Applicability Of Rules To County Board, Committees, Subunits, and Other Governmental Bodies.
2. Open Meetings Compliance.
3. General Meeting Procedures.
4. County Board Meetings.
5. Joint Committee Meetings.

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

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

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

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

(c) Unintended Quorums. Members of the Manitowoc County Board of Supervisors are entitled to attend the meetings of subunits of the

County Board, even when they are not members of the subunit. It is possible that the attendance of one or more non-member Supervisors at such a meeting may result in the creation of a quorum of another subunit of the County Board. Such a quorum is unintended and the non-member supervisors are not meeting for the purpose of and shall not exercise the responsibility, authority, power, or duties of any other subunit of the County Board.

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

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

(b) Powers of Person Presiding. The person presiding at a meeting shall have the general powers to recognize members or other persons entitled to the floor; to state and put to a vote all

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

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

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

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

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

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

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

(b) Annual Meeting. The County Board shall hold an annual meeting on the last Monday of

October in each year, except that the annual meeting shall be held on the first Monday in November in any year that the last Monday in October is the last day of the month.

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

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

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

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

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

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

(c) In the event that differences arise which the respective committee chairs cannot resolve, the

chair of any affected committee may ask the County Board Chair to intervene. The County Board Chair shall have the authority to order such action as is necessary to ensure the success of the joint committee meeting.

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

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

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

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

(d) The County Board Chair shall appoint all committee chairs, except for any committee whose membership is authorized by statute to elect its own chair. Committees shall elect their own vice-chairs and secretaries.

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

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

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

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

(i) A committee shall deny consideration to any ordinance, resolution, or motion which is

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

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

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

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

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

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

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

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

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

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

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

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

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

- Resolutions, and Ordinances
- Other Business, Including Claims and Such Other Matters as Are Authorized by Law
- Adjournment

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

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

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

11 Agenda for Committees, Subunits, and Other Governmental Bodies. (a) The person presiding at the meeting of any committee, subunit, or other governmental body shall have an agenda prepared for each meeting.

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

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

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

preside at a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

14 Attendance. Attendance at all meetings is mandatory, but the County Board Chair or the person presiding at a meeting may excuse the absence of a member from the meeting.

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

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

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

(e) The person presiding over a committee,

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

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

(g) Any member may bring a motion for a call of the house. In the absence of a quorum, a majority of those members present may order a call of the house. A member who has been excused from a meeting shall not be subject to a call of the house.

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

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

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

(b) A draft of the minutes of every open

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Each member is allowed ten minutes and is limited to speaking no more than twice on the same topic, except to respond. A member who has used the time allowed may accept up to a total of five minutes of time yielded from one or more other members. No member may speak in excess of fifteen minutes on the same topic.

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

(h) A member’s right to speak, discuss, or debate shall be limited by a “motion to close

debate” or to “call the question” which is adopted by at least two-thirds of the members present.

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

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

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

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

(e) If a member wishes to respond to any question raised by a person during public input, the member may do so after being recognized by the person presiding at the conclusion of the person’s remarks. The member will be allowed up to one minute to respond.

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) A motion to reconsider may be made on any matter except the budget. The motion must be made by a member who voted with the prevailing side, provided that the motion for reconsideration

is made on the same day, the following day if the meeting continues for more than one day, or at the next regular meeting.

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

24 Petitions, Resolutions, Ordinances, Written Motion, and Other Papers. (a) All resolutions, ordinances, and written motions shall be submitted to the appropriate standing committee for review before being presented to the County Board. This provision may be waived by the County Board Chair, but any item added to the agenda as the result of such a waiver shall be stricken from the agenda upon the objection of any member. The foregoing notwithstanding, the County Board may, by majority vote, override the objection and restore the item to the agenda.

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

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

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

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

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

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

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

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

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

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

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

LEGAL NOTE: Approved as to form by

Corporation Counsel. _____

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

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

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

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

(c) Ascertaining and Recording Votes. Any member may request a show of hands or a roll call vote or otherwise require that a vote be taken in such a manner that the vote of each member is ascertained and recorded, except when voting to determine the election of officers.

(d) Voice Vote. The person presiding at the meeting shall first ask “all those in favor of the motion say ‘aye’” and then ask “all those opposed say ‘no.’” If the vote appears close, the person presiding shall announce either that “the ayes appear to have it” or “the noes appear to have it”

and then pausing long enough for any member to request a show of hands or a roll call vote. If the vote does not appear close or if no division or roll call is requested, the person presiding shall then announce either that “the ayes have it and the motion is carried” or “the noes have it and the motion is defeated.”

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

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

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

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

(i) Abstain. A member who believes that he or she is legally required to abstain from voting shall do so. The person presiding shall ask any member who abstains to state the reason for doing

so. The abstention and the reason for the abstention shall be recorded in the minutes. A member who abstains from voting shall not be included when calculating the number of votes required for passage.

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

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

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

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

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

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

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

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

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

(e) Limitations on Authorized Expenses.

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

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

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

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

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

(h) Advances. Members of the County Board, committees, subunits, and other governmental bodies shall, upon request, receive an advance toward any reimbursable expenses

other than mileage that are expected to be incurred while conducting official county business outside Manitowoc County which has been authorized by the County Board.

(i) Claims, Verification, and Receipts. All claims for reimbursement by members of the County Board, committees, subunits, or other governmental bodies shall be itemized and submitted to the County Clerk in a form approved by the County Clerk. All such claims must be accompanied by receipts for the expenses claimed or by a statement explaining the absence of a receipt. All claims must be signed by the person seeking reimbursement swearing or affirming that the claim is accurate and that the expenses were reasonably and necessarily incurred while conducting official county business.

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

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

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

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

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

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

(e) Transfer of Funds. Rule 3(f) notwithstanding, the Finance Committee may, with the approval of the appropriate committee, transfer funds between budgeted items of an individual county office or department, if such budgeted items have been separately appropriated, and may supplement the appropriations for a particular office, department, or activity by transfers from the contingent fund. Such committee transfers shall not exceed the amount set up in the contingent fund as adopted in the annual budget, nor aggregate in the case of an individual office, department, or activity in excess of ten per cent of the funds originally provided for such office, department, or activity in the annual budget.

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

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

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

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

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

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

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

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

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

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

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

(d) A copy of all written requests or motions seeking a legal opinion shall be provided to the County Clerk and shall be distributed to the members of the County Board as provided in Rule 10.

35 Rules of Construction and Severability. Nothing in these rules shall be construed to conflict with any statute. These rules shall be deemed to be severable and if any rule is held

invalid, void, or unenforceable by operation of law or by a court of competent jurisdiction, the remainder of the rules shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

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

ELECTIONS

CHAIRPERSON:

Acting Chair Hansen announced that nominations were open for the position of Chairperson. Supervisor Rasmussen nominated Supervisor Brey. Supervisor Gauger nominated Supervisor Henrickson. Supervisor Mueller nominated Supervisor Kozlowski. There were no more nominations. Supervisor Rasmussen moved, seconded by Supervisor Markwardt, to close nominations. Motion carried unanimously. Speeches were given by the prospective candidates for the Chairperson position. Ballots were cast and the results were read aloud as follows: Supervisor Brey received 14 votes, Supervisor Henrickson received 2 votes, and Supervisor Kozlowski received 8 votes. Supervisor Brey was elected as Chairperson for a two year term, and assumed the Chair position.

FIRST VICE-CHAIR:

Chairperson Brey announced that nominations were open for the position of First Vice-Chairperson. Supervisor Rasmussen nominated Supervisor Graunke. Supervisor Hansen nominated Supervisor Behnke. There were no more nominations. Supervisor Dobbs moved, seconded by Supervisor Rasmussen, to close nominations. Motion carried unanimously. Ballots were cast and the results were read aloud as follows: Supervisor Graunke received 11 votes, and Supervisor Behnke received 13 votes. Supervisor Behnke was elected as First Vice-Chairperson for a two year term.

SECOND VICE-CHAIR:

Chairperson Brey announced that nominations were open for the position of Second Vice-Chairperson. Supervisor Rasmussen nominated Supervisor Rappe. Supervisor Muench nominated Supervisor Graunke. Supervisor Bauknecht nominated Supervisor Dobbs. There were no more nominations and Chairperson Brey closed nominations. Ballots were cast and the results were read aloud as follows: Supervisor Rappe received 13 votes, Supervisor Graunke received 6 votes, and Supervisors Dobbs received 5 votes. Supervisor Rappe was elected as Second Vice-Chairperson for a two year term.

Chairperson Brey announced there will be an Executive Committee meeting on Thursday, April 20 at 4:00 p.m., in the Administration Building.

On motion by Supervisor Behnke, seconded by Supervisor Bauknecht, the April 12, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open at 7:37 p.m. There was no one present who wished to speak and public input was closed.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Economic Development Corporation: Supervisor Maresh reported activity highlights for April including: assisting the City of Kiel and the Village of St. Nazianz with property development; participated in the Village of Clevelands's Smart Growth Planning; developed business plans for six entrepreneurs; advised four manufacturers considering expansions; searched for investors for a large retailer; assisted two groups regarding management buy-outs; researched the establishment of a Foreign Trade Zone that could save local companies in import duties; lobbied for airport development tax credits and loan program legislation; completing transfer of the Revolving Loan Fund from the County to the EDC; and participated on the response team for Fischer-Hamilton. As of March 31, twenty-seven projects have been logged for 2006.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Mueller to adopt Resolution 2 (2006/2007-2) Approving Town of Newton Zoning Ordinance for Thomas Bouc, and Resolution 3 (2006/2007-3) Approving Town of Newton Zoning Ordinance for Justin Sieracki. Upon vote, the motion carried unanimously.

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Thomas Bouc)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have adopted
5 a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County Board; and
6

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

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
11 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Thomas Bouc on April
12 12, 2006.

Dated this 18th day of April 2006.

Respectfully submitted by Supervisor Kevin L. Behnke.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 3

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Justin Sieracki)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances in counties which have adopted
5 a zoning ordinance under Wis. Stat. § 59.69 are subject to the approval of the County Board; and
6

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

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
11 the zoning ordinance that was adopted by the Town Board of the Town of Newton for Justin Sieracki on April
12 12, 2006.

Dated this 18th day of April 2006.

Respectfully submitted by Supervisor Kevin L. Behnke.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Other Business: Supervisor Rasmussen moved to draw numbers for Supervisors' seating arrangement. There was no second to the motion. Supervisor Behnke moved, seconded by Supervisor Zigmunt, to stay in their current seats with the option to work out a trade with another supervisor. Upon vote, the motion carried unanimously.

Supervisor Mueller moved to adjourn to April 25, 2006 at 7:00 p.m. to continue the organization of the 2006-2008 Board. Supervisor Bauknecht seconded, and the motion was adopted by acclamation. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

April 25, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. § 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin - Manitowoc County, in the City of Manitowoc, being the 25th day of April, 2006, for the purpose of transacting business as a Board of Supervisors.

The meeting was called to order by Chairperson James Brey at 7:00 P.M.

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

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

On motion by Supervisor Behnke, seconded by Supervisor Zigmunt, the April 18, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared the public input open at 7:06 p.m.

Tom Stanton, Human Services Director, stated Manitowoc County has been a leader in Child Abuse Prevention and this year the Human Services Department has been recognized with an award. He introduced Cindy Schroeder and Jennifer Witzak, members of the Child Prevention Committee. Cindy explained they received the award for community participation to promote child abuse awareness. She encouraged everyone to attend Family Fun Day at the Zoo with activities for children and displays on child abuse prevention. Jennifer noted child abuse awareness is being promoted in many ways including on the tickers of municipal buses and placemats. She stated 375 reports of abuse have come into the agency this year.

Ronald Burrows Jr., Manitowoc, addressed the Board regarding a parcel of land he purchased from his Uncle to build his home and the request to rezone the property which had been approved by the Township and the Planning and Park Commission. He wanted to know why the County Board denied his request. Supervisor Behnke explained the request was denied because the zone change is considered spot zoning with the parcel located in the middle of prime agriculture farmland.

No one else present wished to speak and public input was closed at 7:15 p.m.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Supervisor Mueller reported Rockville Dam has been completed at a cost of approximately \$189,000 plus an additional \$20,000 in engineering fees. The City of Kiel and the Town of Schleswig each donated \$80,000 and fund raisers provided additional money. A meeting will be held on May 3 to determine ways to pay the remaining costs.

APPOINTMENTS BY CHAIRPERSON

Supervisor Henrickson moved, seconded by Supervisor Hansen, to approve the recommended appointments to standing committees. The committee appointments are: Finance Committee: Kozlowski-Chair, Muench, Graunke, Hansen, and Zigmunt; Highway Committee: Bundy-Chair, Behnke, Markwardt, Konen, and Bauknecht; Health Care Center Committee: Graunke-Chair, Rappe, Henrickson, Dobbs, and Hansen; Natural Resources & Education Committee: Wagner-Chair, Maresh, Mueller, Zigmunt, and Heyroth; Personnel Committee: Vogt-Chair, Janowski, Rappe, Markwardt, and Rasmussen; Public Safety: Henrickson-Chair, Bauknecht, Muench, Konen, and Tittl; Public Works Committee: Behnke-Chair, Mueller, Dufek, Gauger, and Vogt.

Upon discussion and vote, the appointments to committees were confirmed by unanimous consent.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments to various committees, boards, commissions and other organizations: Board of Health: Rasmussen, Janowski, Dobbs, and Tittl; Citizens Participation Committee: Muench; Community Action Program: Dobbs; Economic Development Board of Directors: Maresh; English Lake Management District: Janowski; Ethics Board: Vogt; Expo Board: Behnke; Glacierland Res. Cons. & Development: Mueller; Grievance Committee: Public Safety Chr, Vice Chr & Secy and Personnel Chr & Vice Chr; Human Services Bd: Bundy, Rappe, Bauknecht, Kozlowski, Henrickson, and Dufek; Ice Center Bd: Gauger; Joint Dispatch Board: Henrickson; Lester Public Library Board of Trustees: Gauger; Loan Review Board: Kozlowski; Local Emergency Planning Comm: Janowski and alternate: Rappe; Long Term Support Planning Comm: Wagner and Vogt; Manitowoc-Calumet Library System Board of Trustees: Konen; Maitowoc Public Library Board of Trustees: Graunke; Planning & Park Commission: Rasmussen, Mueller, Muench, and Heyroth; Sheboygan River & Rockville Mill Pond Management District: Mueller; Transportation Coordinating Committee: Mueller and Dobbs; VTAE District II Farm Comm: Wagner; WI Counties Utility Tax Association: Kozlowski.

Upon discussion and vote, the appointments to committees, boards, commissions and other organizations were confirmed by unanimous consent.

Chairperson Vogt moved, seconded by Supervisor Muench to appoint Rick Henrickson as Sergeant-At-Arms. Upon vote, the appointment was confirmed unanimously.

COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS AND ORDINANCES

Personnel Committee: Supervisor Vogt announced they will be meeting on May 15 at 10:00 a.m.

Finance Committee: Supervisor Kozlowski reported they will meet on the second Monday of each month at 4:30 p.m. He also announced the Wind Energy Systems Advisory Committee is dissolved.

Executive Committee: Supervisor Behnke moved, seconded by Supervisor Janowski, to adopt Resolution 1 (2006/2007-4) Abolishing Legislative Review Committee. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 4

RESOLUTION ABOLISHING LEGISLATIVE REVIEW COMMITTEE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Executive Committee proposed and the County Board adopted Resolution No.
2 2001/2000 - 4 on April 17, 2001 establishing a special legislative review committee for the purpose of
3 reviewing and commenting on proposed legislation; and
4

5 WHEREAS, the Executive Committee has reviewed whether there is a need to continue having a special
6 legislative review committee; and
7

8 WHEREAS, the Executive Committee has concluded that the need to review and comment on proposed
9 legislation can best be met through the standing committees because those committees are in the best position
10 to determine when proposed legislation will affect those matters that fall within their oversight authority;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors abolishes
13 the Legislative Review Committee effective immediately.

Dated this 25th day of April 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey announced the next County Board meeting will be May 16.

Supervisor Bauknecht moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:29 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

May 16, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 16th day of May, 2006, for the purpose of transacting business as a Board of Supervisors.

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

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

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

On a motion by Supervisor Behnke and seconded by Supervisor Bauknecht, the April 25, 2006 meeting minutes were approved on a unanimous vote.

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

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

Curt Drumm, President of Lakeshore Aviation, spoke on the upcoming 14th annual 2006 "Thunder on the Lakeshore" Airshow scheduled for June 3rd and 4th. He gave an overview of the performers, military acts, exhibits, hot air balloons and flying showcase events. He stated 45,000 people attended the event last year.

Ken Stubbe, EDC Executive Director, presented the EDC's semi-annual report that included active projects, business visits, and a projected workplan. He noted they have been assisting the City of Kiel and Villages of St. Nazianz, Francis Creek and Cleveland. Steve Shellman, Vice President of EDC, gave highlights of the 2005-2006 budget. He noted an assistant will be added to their staff on June 1.

Jeff Roberts, Mishicot, spoke on the Board of Adjustment Hearing that was held for Emerging Energies Conditional Use Permit to build seven wind turbines. He was disappointed no one requested a noise profile, flicker map, or debris throwing information. He was concerned the Emerging Energies request would fall under the old Wind Turbine Ordinance.

Dave Korinek, Two Rivers, addressed the Board on the Emerging Energies Conditional Use Permit Hearing stating he thought the permit would be issued under the new Chapter 24 ordinance and learned at the hearing they could be grandfathered under the old Chapter 24 ordinance. He felt case law supporting the old rule was ambiguous.

Fran Kunz, Mishicot, expressed concern regarding the manner in which the wind tower issue has been handled. He stated Emerging Energies should have to follow the new ordinance ruling and land owners also deserve the right to be governed by the new ordinance. He asked the board to do what they can to ensure Emerging Energies will be under the new ruling.

Anita Roberts, Two Creeks, spoke on the Emerging Energies request for a Conditional Use Permit and asked who is accountable for the burden of proof for health and safety issues. She felt she had been misled to believe Emerging Energies' permit would be governed by the new ordinance.

Lynn Korinek, Two Rivers, addressed the Board on the Emerging Energies Conditional Use Permit stating the Board of Adjustment can follow guidelines relating to setbacks, impact on aesthetics and property values from the old ordinance. She asked why the new Chapter 24 Wind Energy Systems Ordinance couldn't be made part of the conditional use permit for safety reasons. She said it is the wish of the citizens in the area to follow the new ordinance for health and safety reasons.

Dean Anhalt, Mishicot, expressed concern with the noise clause for wind turbines. He questioned whether Navitas' turbines are covered on the noise. He thanked the Board for looking at this issue and adopting the new ordinance and noted the Town of Mishicot counts on the County Board to look after their best interests.

Bill Hlinak, representing St. Mary's Cemetery in Tisch Mills, spoke on funds for the care of soldiers graves. They were paid out \$200 per grave for perpetual care. He thought there were federal funds to pay for this care and would like to know where it's being used.

No one else present wished to speak and public input was closed at 8:01 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Public Works Director Jeff Beyer and Supervisor Kevin Behnke presented a Proclamation Commending Eliza Ulness, Manitowoc County Expo's outgoing "Fairest of the Fair." Eliza thanked everyone for the opportunity to represent Manitowoc County and invited the public to the Crowning of the 2006 "Fairest of the Fair" on May 24th.

Chairperson Brey presented Tom Stanton, Director of Human Services and Patti Timm, Foster Care Coordinator, with a Proclamation for Foster Care Month. Patti stated foster parenting is a life style change in which foster parents help children overcome difficult issues. Manitowoc County has fifty licensed foster homes and twenty respite homes. She introduced several Manitowoc County foster parents that were in attendance.

Corporation Counsel Steve Rollins reported on the Board of Adjustment meeting stating they closed the hearing without taking action on the Emerging Energies Conditional Use Permit Application. The Board referred the matter to Corporation Counsel asking for a legal opinion on questions they had before making a decision.

Supervisor Kozlowski reported he attended the annual meeting of the Wisconsin Counties Utility Tax Association. He provided a handout with information on the purpose of the Association and will continue to give updates.

APPOINTMENTS BY CHAIRPERSON

Chair Brey recommended the appointment of Andrew Schneider for Supervisory District 16. Supervisor Behnke moved, seconded by Supervisor Vogt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent. The Oath of Office was administered by the County Clerk.

Chair Brey recommended the appointment of Andrew Schneider to the following: the Health Care Center Committee to replace Supervisor Bob Dobbs; and to the Commission on Aging. Supervisory Behnke moved, seconded by Supervisor Henrickson, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Eric Storm and alternate Brian Helminger to the Local Emergency Planning Committee for a two year term expiring June 2008. Supervisor Rasmussen moved, seconded by Supervisor Dobbs, to approve the appointments. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor Rick Henrickson to complete Supervisor Gauger's term on the Lester Library Board of Trustees expiring July 1, 2007. Supervisor Muench moved, seconded by Supervisor Kozlowski, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

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

Board of Health: Supervisor Janowski reported they elected officers at their May 11 meeting. He reported the State Lab suspended the current test for mumps due to inaccuracy and replaced it with cultures; there has

been one confirmed case of mumps in Manitowoc County; they received a \$127,000 grant for a Healthier Wisconsin Partnership and a \$370,00 grant for Rural Health Services; the Health Officer is investigating unsafe homes; wells tested in the Town of Franklin did not indicate high levels of atrazine; and well testing and beach monitoring will be done by the Health Department. Their next meeting will be June 8.

Executive Committee: Chairperson Brey moved, seconded by Supervisor Dobbs, to enact Ordinance 1 (2006/2007-5) Amending Manitowoc County Code (Per Diem and Mileage for Citizen Members on Planning & Park Commission and Board of Adjustment). Upon vote, the motion carried with 23 ayes and 1 abstention. Supervisor Tittl stepped out and Supervisor Schneider abstained.

No. 2006/2007 - 5

**ORDINANCE AMENDING MANITOWOC COUNTY CODE
(Per Diem and Mileage)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the method by which county board supervisors are compensated was changed from a per
2 diem system to a salary and county board members no longer receive per diem payments; and
3

4 WHEREAS, the change in the method of compensating county board supervisors did not affect those
5 citizen members of boards, committees, and commissions who are authorized to be paid a per diem, but the
6 county code sections that authorize the payment of a per diem to citizens incorrectly refers to the per diems
7 and mileage allowed members of the County Board;
8

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

12 Manitowoc County Code sec. 2.04(1)(f) is amended as follows:
13

14 (f) ~~Members~~ Citizen members of the Board of Adjustment ~~shall receive~~ will be paid a per diem and
15 ~~mileage in the amount allowed as authorized~~ by the County Board.
16

17 Manitowoc County Code sec. 2.04(15)(d) is amended as follows:
18

19 (d) ~~Members~~ Citizen members of the Planning and Park Commission ~~shall receive the same per diems~~
20 ~~will be paid a per diem and mileage allowed members of~~ as authorized by the County Board.

Dated this 16th day of May 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey reported they will be meeting in June to discuss amendments to the County Board Rules.

Expo Board: Supervisor Behnke invited everyone to the Manitowoc County Fair Appreciation Reception for the selection of the 2006 Manitowoc County Fairest of the Fair on May 24th. He reported they continue to sign contracts with vendors for the 2006 Fair and they came to an agreement with a contractor to allowing crushing on Expo property in exchange for gravel for a parking area.

Finance Committee: Supervisor Kozlowski reported they elected officers at their meeting on May 8; several Department Directors educated them on major functions of their respective offices; a Hud Grant and a generous challenge grant from the West Foundation was received for the Courthouse Restoration; and they discussed TABOR legislation which will be ongoing in the next few months.

Health Care Center Committee: Supervisor Graunke reported absenteeism is down, their census is looking good, and they will be discussing budgetary issues at their next meeting.

Highway Committee: Supervisor Bundy reported the contractors are working on the waterline project from the City of Manitowoc to Brown County and are incurring problems with rock that has slowed them down; highway is working on a road construction project on County Trunk R. Detours for these two projects will remain in effect until August.

Human Services Board: Supervisor Bundy reported operations at the Job Center will be limited during the next week due to carpet installation.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported 4-H Camp will be offering many activities at Camp Tapawingo and the public can contact the UW-Extension or Camp Tapawingo for information.

Supervisor Wagner moved, seconded by Supervisor Maresh, to approve Resolution 2 (2006/2007-6) Proclaiming June Dairy Month. Upon vote, the motion carried unanimously.

No. 2006/2007 - 6

RESOLUTION PROCLAIMING JUNE DAIRY MONTH

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

- 1 WHEREAS, agriculture accounts for over 6,000 jobs in Manitowoc County and provided annual
- 2 cash receipts of approximately 150 million dollars in 2005; and
- 3
- 4 WHEREAS, Manitowoc County agriculture accounts for a combined total economic impact of over
- 5 800 million dollars per year; and
- 6
- 7 WHEREAS, Manitowoc County ranks in the top five Wisconsin counties and in the top one percent
- 8 of all counties in the United States in annual milk production; and
- 9
- 10 WHEREAS, Manitowoc County's approximately 340 dairy farms and 44,000 cows produced more
- 11 than 875,000,000 pounds of milk in 2005; and
- 12
- 13 WHEREAS, this milk has a value of more than 125 million dollars and makes up nearly 80 percent
- 14 of Manitowoc County's agricultural income;
- 15
- 16 NOW, THEREFORE, BE IT RESOLVED, that the Manitowoc County Board of Supervisors hereby
- 17 proclaims the entire month of June as June Dairy Month in Manitowoc County.

Dated this 16th day of May 2006.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Muench, to approve Resolution 3 (2006/2007-7) Authorizing Grant Funding for 4-H Shooting Sports Program Equipment. Upon vote, the motion carried unanimously.

No. 2006/2007 - 7

**RESOLUTION AUTHORIZING GRANT FUNDING
FOR 4-H SHOOTING SPORTS PROGRAM EQUIPMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 4-H Shooting Sports program events and activities are important elements in the 4-H
2 youth development program, help to meet the youth need for Mastery, and help youth to develop self-
3 confidence and a sense of responsibility; and
4

5 WHEREAS, youth involved in the 4-H Shooting Sports program will learn gun safety, the proper use
6 of firearms, and an appreciation for our natural resources; and
7

8 WHEREAS, the addition of an air rifle project will create more opportunities for youth and adult
9 volunteers to practice the shooting sports discipline and will help to balance the gender inequity that currently
10 exists in the program; and
11

12 WHEREAS, funds to purchase the 4-H Shooting Sports equipment were requested through a UW-
13 Extension Eastern District Resource Management Grant;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is
16 authorized to accept \$1,138 from the UW-Extension Eastern District Resource Management Grant to
17 purchase 4-H Shooting Sports equipment; and
18

19 BE IT FURTHER RESOLVED the 2006 budget is amended by the amount of grant funds received
20 and that the Comptroller/Auditor is directed to record such information in the official books of the County
21 for the year ending December 31, 2006 as may be required.

Dated this 16th day of May 2006.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by \$1,138.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt reported they met yesterday to elect officers and they were in mediation with the AFSCME union today.

Planning and Park Commission: Supervisor Muench moved, seconded by Supervisor Heyroth, to enact Ordinance 4 (2006/2007-8) Amending Zoning Map for Kathryn Dewane, Ordinance 5 (2006/2007-9) Amending Zoning Map for Town of Kossuth, Ordinance 6 (2006/2007-10) Amending Zoning Map for Paul Liermann, Ordinance 7 (2006/2007-11) Amending Zoning Map for Steven Muench, and Ordinance 8 (2006/2007-12) Amending Zoning Map for Dale Schuh. Upon discussion and vote, the motion carried with 23 ayes, 1 no, and 1 abstention. Supervisor Rappe voted no; Supervisor Schneider abstained; all other supervisors voted aye.

No. 2006/2007 - 8

ORDINANCE AMENDING ZONING MAP (Kathryn Dewane)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 8, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the SW¼, SE¼, Section 17, T19N-R23E, Town of Manitowoc

12 Rapids, commencing at the S¼ Corner of said Section 17; thence easterly approximately 660
13 feet along the centerline of CTH JJ; thence northerly approximately 33 feet to the north r/w of
14 CTH JJ which is the point of real beginning; thence continue northerly approximately 1320 feet;
15 thence easterly approximately 660 feet; thence southerly approximately 850 feet; thence
16 westerly approximately 300 feet; thence southwesterly approximately 175 feet; thence southerly
17 approximately 200 feet; thence westerly along the north r/w of CTH JJ approximately 250 feet
18 to the point of real beginning, said parcel contains approximately 16.27 acres of land, shall be
19 and is hereby rezoned from A3 Agriculture to GA Agriculture.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 9

ORDINANCE AMENDING ZONING MAP (Town of Kossuth)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 8, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NW¼, Section 36, T20N-R23E, Town of Kossuth, lying east of
12 the parcel conveyed to and used by the railroad as recorded in Volume 87 of Deeds, Page 65,
13 excepting therefrom the following parcels, to wit:
14

- 15 Parcel conveyed by Volume 121 of Deeds, page 552;
- 16 Parcel conveyed by Volume 130 of Deeds, page 355;
- 17 Parcel conveyed by Volume 138 of Deeds, page 489;
- 18

19 said parcel containing approximately 97.10 acres of land, shall be and is hereby rezoned from
20 PA Principal Agriculture to I1 Industrial.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 10

ORDINANCE AMENDING ZONING MAP (Paul Liermann)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 8, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the SE¼, SW¼, Section 20, T19N-R23E, Town of Manitowoc
12 Rapids, commencing at the S¼ Corner of said Section 20; thence northerly approximately 33
13 feet to the north r/w of Middle Road; thence westerly along the north r/w of Middle Road
14 approximately 500 feet which is the point of real beginning; thence northerly approximately 275
15 feet; thence westerly approximately 160 feet; thence southerly approximately 275 feet; thence
16 easterly along the north r/w of Middle Road approximately 160 feet to the point of real
17 beginning, said parcel contains approximately 1.0 acres of land, shall be and is hereby rezoned
18 from A3 Agriculture to A1 Agriculture.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 11

**ORDINANCE AMENDING ZONING MAP
(Steven Muench)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 8, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NE¼, NW¼, Section 13, T19N-R22E, Town of Cato,
12 commencing at the N¼ Corner of said Section 13; thence southerly approximately 950 feet;
13 thence westerly approximately 216 feet which is the point of real beginning; thence continue
14 westerly approximately 225 feet; thence southerly approximately 300 feet; thence easterly along
15 the north r/w of Summerset Lane approximately 225 feet; thence northerly approximately 300
16 feet to the point of real beginning, said parcel contains approximately 1.55 acres of land, shall
17 be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 12

ORDINANCE AMENDING ZONING MAP (Dale Schuh)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, May 8, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NE¼, NW¼, Section 6, T19N-R23E, Town of Manitowoc
12 Rapids, commencing at the N¼ Corner of said Section 6; thence westerly along the centerline
13 of San Road approximately 885 feet; thence southerly approximately 221 feet which is the point
14 of real beginning; thence continue southerly approximately 200 feet; thence southeasterly
15 approximately 404 feet; thence northerly approximately 505 feet; thence westerly approximately
16 238 feet to the point of real beginning, said parcel contains approximately 2.50 acres of land,
17 shall be and is hereby rezoned from A3 Agriculture to SE Small Estate.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported they met this evening to elect officers.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to enact Ordinance 9 (2006/2007-13) Amending Manitowoc County Code Sec. 6.05(1) (Boat Launching-Aquatic Plants). Upon vote, the motion carried with 24 ayes and 1 abstention. Supervisor Schneider abstained; all other supervisors voted aye.

No. 2006/2007 - 13

ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 6.05(1)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted certain state boating laws by reference, but the state
2 boating laws have been amended and Wis. Stat. § 30.715 is not one of the statutes that the county has adopted
3 by reference; and
4

5 WHEREAS, Wis. Stat. § 30.715 prohibits a person from placing a boat, boating equipment, or a boat
6 trailer in a navigable water if the person has reason to believe that any aquatic plants are attached; and
7

8 WHEREAS, the Public Safety Committee recommends that Wis. Stat. § 30.715 be included as one of
9 the statutes that Manitowoc County has adopted by reference;
10

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

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Manitowoc County Code sec. 6.05(1) is amended to read as follows:

6.05 State Statutes Adopted By Reference. (1) Under authority of Wis. Stat. §§ 30.77(2), 59.07(64), and 349.06(1), Manitowoc County hereby adopts the provisions of Wis. Stat. Ch. 23; Wis. Stat. §§ 30.50 through ~~30.71~~ 30.715 and rules of the Department of Natural Resources promulgated thereunder; Wis. Stat. Chs. 125, 167, ~~174~~, ~~340~~ to 348, and 350; all MVD and TRANS chapters of the Wisconsin Administrative Code; and all acts amendatory thereto. These provisions are hereby incorporated by reference as published in the most recent revision to the specific statute or rule involved.

Dated this 16th day of May 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke moved, seconded by Supervisor Vogt, to adopt Resolution 10 (2006/2007-14) Accepting Grant for Reconstruction of Manitowoc County Courthouse. Upon vote, the motion carried unanimously.

No. 2006/2007 - 14

**RESOLUTION ACCEPTING GRANT FOR
RECONSTRUCTION OF MANITOWOC COUNTY COURTHOUSE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, the Manitowoc County Board recognizes the prominence of the Manitowoc County Courthouse in the community; and

WHEREAS, in an effort to secure funding to restore the Manitowoc County Courthouse to its original splendor and beauty, the Assistant County Executive applied for financial assistance through Congressman Tom Petri's Office; and

WHEREAS, Congressman Petri successfully lobbied for a grant for the reconstruction of the Manitowoc County Courthouse; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) has offered a grant to Manitowoc County in the amount of \$198,000 for reconstruction of the Manitowoc County Courthouse;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes the Public Works Director to accept and manage the HUD grant for the purpose of reconstruction of the Manitowoc County Courthouse.

Dated this 16th day of May 2006.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Increases budgeted revenues and expenditures by the amount of the grant (\$198,000).

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 11 (2006/2007-15) Authorizing Land Sale to Randy Kirt. Upon discussion and vote, the motion carried unanimously.

RESOLUTION AUTHORIZING LAND SALE TO RANDY KIRT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Public Works Committee received an offer from Randy Kirt to purchase 1.67 acres
2 of county-owned land in the Manitowoc County Industrial Park; and
3

4 WHEREAS, Randy Kirt has reviewed the deed restrictions established by Manitowoc County Board
5 Resolution No. 90/91-75, the Planning and Park Commission staff has reviewed the offer to purchase, and
6 the Public Works Committee has reviewed the offer to purchase; and
7

8 WHEREAS, the Public Works Committee recommends the sale of 1.67 acres of land to Randy Kirt
9 for \$7,500 per acre;
10

11 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
12 the sale of approximately 1.67 acres of land in the County Industrial Park to Randy Kirt for \$7,500 per acre
13 and authorizes the County Clerk to execute such papers as may be required to effect this land sale; and
14

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

Dated this 16th day of May 2006.

Respectfully submitted by the Public Works Committee.

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

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous: Supervisor Gauger moved, seconded by Supervisor Rasmussen, to adopt Resolution 12
(2006/2007-16) Accepting Donation of Weyers Lake Access From Manitowoc County Fish and Game
Protective Association. Upon vote, the motion carried unanimously.

**RESOLUTION ACCEPTING DONATION OF WEYERS LAKE ACCESS FROM MANITOWOC
COUNTY FISH AND GAME PROTECTIVE ASSOCIATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Fish and Game Protective Association has donated parcels of land
2 to provide public access and landings at various sites to improve public access to the waterways in Manitowoc
3 County; and
4

5 WHEREAS, the Manitowoc County Fish and Game Protective Association has offered to donate a
6 parcel of land that will provide public access and landing to Weyers Lake; and
7

8 WHEREAS, the Manitowoc County Park and Planning Commission, the Manitowoc County Public
9 Works Committee, and the Manitowoc County Executive have reviewed this offer and recommend that the
10 County Board accept this donation;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts
13 the donation of land from the Manitowoc County Fish and Game Protective Association for public access and
14 a landing at Weyers Lake and authorizes the County Executive to take such action as may be necessary to
15 finalize the donation.

Dated this 16th day of May 2006.

Respectfully submitted by the Planning and Park Commission.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No cost to accept donated land, but annual maintenance fees are estimated at \$500.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey presented Resolution 13 (2006/2007-17) Honoring Paul B. Hansen for his Service as County Board Chair. Chairperson Brey asked for unanimous consent, there was no objection, and the resolution was adopted by unanimous consent. Supervisor Hansen stated it has been an honor to serve the people in the community. He appreciates the two years he was able to lead the Board.

No. 2006/2007 - 17

**RESOLUTION HONORING PAUL B. HANSEN
FOR HIS SERVICE AS COUNTY BOARD CHAIR**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Paul B. Hansen served as the Manitowoc County Board Chair from April 2004 thru April
2 2006; and
3

4 WHEREAS, the County Board has implemented a variety of efficient and innovative methods for
5 delivering high quality services to the citizens of Manitowoc County during Paul’s tenure as County Board
6 Chair; and
7

8 WHEREAS, Paul demonstrated strong and decisive leadership in guiding the County Board in its
9 consideration of complex and controversial issues, including the Large Wind Energy System and Small Wind
10 Energy System ordinances; and
11

12 WHEREAS, Paul has effectively represented the interests of Manitowoc County as a member of the
13 Health Care Center Committee and Executive Committee; and
14

15 WHEREAS, Paul has honorably served the Manitowoc County Board and has effectively
16 communicated the County Board’s actions to the citizens of Manitowoc County by appearing on local radio
17 shows and speaking before local community groups;
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors honors
20 Paul B. Hansen for his service to the County Board and the community as County Board Chair.

Dated this 16th day of May 2006.

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

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Muench, to adopt Resolution 14 (2006/2007-18) Approving Town of Centerville Zoning Ordinance (Chapter 9 Zoning and Land Use). Upon vote, the motion carried with 23 ayes and 2 abstentions. Supervisors Schneider and Rappe abstained; all other supervisors vote aye.

No. 2006/2007 - 18

**RESOLUTION APPROVING TOWN OF CENTERVILLE ZONING ORDINANCE
(Chapter 9 Zoning and Land Use Ordinance Amendment)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

6
7 WHEREAS, the Town of Centerville has submitted the new zoning ordinance to the Manitowoc
8 County Board of Supervisors for approval;

9
10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
11 the changes to the Town of Centerville Zoning Ordinance Chapter 9 that were adopted by the Town Board
12 of the Town of Centerville on May 9, 2006.

Dated this 16th day of May 2006.

Respectfully submitted by Kevin L. Behnke, Supervisor.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Other Business: Supervisors discussed the wind energy systems ordinances relating to noise and how towns are affected whether they adopt the county ordinances or not. There was discussion on the proposed Emerging Energies Conditional Use Permit Application. Corporation Counsel Steve Rollins stated the Board of Adjustment has asked him to provide a legal opinion on various questions and he will ask the Board of Adjustment to consent to disclosure of the opinion. Mike Demske also responded to a Supervisor's question indicating that all municipalities were sent a copy of the county ordinances with a letter of explanation. Discussion followed.

Chairperson Brey invited Supervisors to march in the Memorial Day Parade on May 29th.

Supervisor Markwardt moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:34 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

June 20, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 20th day of June, 2006, for the purpose of transacting business as a Board of Supervisors.

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

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

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

On a motion by Supervisor Kozlowski and seconded by Supervisor Behnke, the May 16, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open at 7:08 p.m. There was no one present who wished to speak and public input was closed.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Brey presented a Proclamation Proclaiming Amateur Radio Operator Recognition Days to the Mancorad Club. Dan Kolb, a member of Mancorad, introduced club members and thanked Manitowoc County for their support. He noted there are over 100 amateur radio operators in Manitowoc County.

Assistant County Executive Lauren Reed talked about fund-raising activities for the Courthouse Restoration. She displayed a Courthouse replica that is on sale for \$52.50. Manitowoc County has received a \$198,000 grant from HUD, there is a \$325,000 challenge grant from the Rahr West Foundation, and there is the potential for making \$170,000 on the sale of the Courthouse replicas. Also, there will be Courthouse prints by Doug Haag sold for \$50.00 framed and \$10.00 unframed with a portion of the money going to the Restoration Project. She invited everyone to the Courthouse Birthday celebration on July 8 from 10:00 to Noon. Public Works is putting together a time capsule for the 100th Birthday celebration.

APPOINTMENTS BY CHAIRPERSON

Chair Brey recommended the appointment of Supervisor Bob Dobbs to complete Supervisor Rick Henrickson's term on the Health Care Center Committee. Supervisor Muench moved, seconded by Supervisor Graunke, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Marian Schneider and Charles Nate to the Board of Adjustment for three year terms expiring July 2009. Supervisor Muench moved, seconded by Supervisor Henrickson, to approve the appointments. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Bob Ziegelbauer to the Local Emergency Planning Committee for a two year term expiring July 2008. Supervisor Zigmunt moved, seconded by Supervisor Rasmussen, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Melvin Waack to the Planning and Park Commission for a seven year term expiring July 2013. Supervisor Maresh moved, seconded by Supervisor Rasmussen, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Julia Davis and Darlene Werdeo to the Kiel Public Library Board of Trustees for three year terms expiring June 30, 2009. Supervisor Konen moved, seconded by Supervisor Bauknecht, to approve the appointments. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Jay Muchin to the Manitowoc Public Library Board of Trustees for a three year term expiring June 30, 2009. Supervisor Vogt moved, seconded by Supervisor Tittl, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

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

Board of Health: Supervisor Janowski reported they received a pandemic flu grant and beach testing will begin June 5.

Supervisor Janowski moved, seconded by Supervisor Rasmussen, to adopt Resolution 1 (2006/2007-19) Accepting Healthier Wisconsin Partnership Program Grant. Upon vote, the motion carried unanimously.

No. 2006/2007 - 19

**RESOLUTION ACCEPTING
HEALTHIER WISCONSIN PARTNERSHIP PROGRAM GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department is a member of Healthiest Manitowoc County
2 2010, which is dedicated to improving health in Manitowoc County; and
3

4 WHEREAS, Healthiest Manitowoc County 2010 has identified specific activities to improve the health
5 of Manitowoc County and has entered into a partnership with the Rural Health Development Council,
6 Langlade County, and Waupaca County to form the Strong Rural Communities Initiative; and
7

8 WHEREAS, the Strong Rural Communities Initiative was awarded grant funding from the Healthier
9 Wisconsin Partnership Program to work with employers to improve the health of workers in Manitowoc
10 County and the Manitowoc County Health Department is the fiscal agent for the grant;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
13 the Health Department to accept a Healthier Wisconsin Partnership Program Grant in the amount of \$42,500;
14 and
15

16 BE IT FURTHER RESOLVED that the 2006 budget is amended by the amount stated above and that
17 the Comptroller/Auditor is directed to record such information in the official books of the County for the year
18 ending December 31, 2006 as may be required

Dated this 20th day of June 2006.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: No tax levy impact. Increase revenue and expenses by \$42,500.

APPROVED: Bob Ziegelbauer, County Executive.

Economic Development Corporation

Supervisor Maresh reported the EDC has contacted local developers on prospective sites for manufacturing and financial service companies; a staff member has been hired for marketing research; the website updating is continuing; the EDC is active in workforce issues; the economic planning summit is in place; efforts continue to establish a local Foreign Trade Zone; ten new clients approached the EDC for assistance; 13 entrepreneurs have been advised; and three existing manufactures have inquired about funding for business expansions.

Executive Committee: Chairperson Brey moved, seconded by Supervisor Behnke, to adopt Resolution 2 (2006/2007-20) Approving Intercounty Consortium Agreement. Upon vote, the motion carried unanimously.

No. 2006/2007 - 20

**RESOLUTION APPROVING
INTERCOUNTY CONSORTIUM AGREEMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the federal Workforce Investment Act (WIA) of 1998 represents a national consensus to
2 consolidate and coordinate all workforce preparation and development programs into a single, united
3 workforce investment system; and
4

5 WHEREAS, Wisconsin delivers employment placement, retention, job, and education-related training
6 programs through job centers, with local policy oversight provided through Workforce Development Boards
7 that work hand-in-hand with local elected officials;
8

9 WHEREAS, the Bay Area Workforce Development Board covers Brown, Door, Florence, Kewaunee,
10 Manitowoc, Marinette, Menominee, Oconto, Shawano and Sheboygan counties and local elected officials
11 in those counties previously entered into an Intercounty Consortium Agreement which has now expired; and
12

13 WHEREAS, the County Board has been provided with a copy of a proposal for a new Intercounty
14 Consortium Agreement Of The Lake Michigan And Northeastern Counties Of Wisconsin Under The
15 Workforce Investment Act (P.L. 105-220) and the Executive Committee recommends that the county enter
16 into this agreement;
17

18 NOW THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
19 the Intercounty Consortium Agreement, provided that the reference to Wis. Stat. § 66.30 is changed to Wis.
20 Stat. § 66.0301, and authorizes the County Executive to execute the agreement and serve as the county's
21 representative to the consortium's board with all expenses, if any, to be paid with funds appropriated for the
22 operation of the office of the County Executive.

Dated this 20th day of June 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable. Mileage and other expenses will depend on number and location of meetings.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey moved, seconded by Supervisor Rasmussen, to adopt Resolution 3 (2006/2007-21) Authorizing Appointment to Manitowoc Industrial Development Corporation. Upon vote, the motion carried unanimously.

No. 2006/2007 - 21

**RESOLUTION AUTHORIZING APPOINTMENT TO
MANITOWOC INDUSTRIAL DEVELOPMENT CORPORATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the City of Manitowoc has established the Manitowoc Industrial Development
2 Corporation (MIDC) to manage the City's industrial parks and act as the City's agent in encouraging and
3 promoting the development of industry and in negotiating the sale of property in the Manitowoc I-43
4 Industrial Park; and
5

6 WHEREAS, MIDC has included a representative from Manitowoc County in the past, but does not
7 currently have a representative from Manitowoc County; and
8

9 WHEREAS, the City would like to formalize Manitowoc County's participation with MIDC and has
10 asked that Manitowoc County designate a member of the County Board as a representative to MIDC;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
13 the County Executive, subject to confirmation by the County Board, to appoint a county board supervisor as
14 the county's representative to the Manitowoc Industrial Development Corporation for a 2-year term that is
15 concurrent with the appointee's term on the County Board; and
16

17 BE IT FURTHER RESOLVED that the appointment is also subject to confirmation by the Mayor and
18 Common Council of the City of Manitowoc; and
19

20 BE IT FURTHER RESOLVED that the county will not pay or reimburse the person appointed for any
21 expenses, mileage, or per diem, but that the person appointed may accept expenses, mileage, or per diem paid
22 by MIDC pursuant to MIDC or the City's written policies.

Dated this 20th day of June 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor Don Markwardt to the Manitowoc Industrial Development Corporation for the term expiring April 2008. Supervisor Graunke moved, seconded by Supervisor Mueller, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried

Expo Board: Supervisor Behnke reported they continue to work on contracts for the 2006 Fair. The Budweiser Clydesdales will be coming and they are looking for ideas to showcase the Clydesdales in the opening of the Fair. There will also be the "Parade of Cows" which are large, intricately painted statues.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 4 (2006/2007-22) Denying Claim for Steven Gilmer. Upon vote, the motion carried unanimously.

No. 2006/2007 - 22

**RESOLUTION DENYING CLAIM
(Steven Gilmer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Steven Gilmer of Manitowoc, Wisconsin filed a claim dated May 9, 2006 demanding
2 \$50,000 as the result of his motorcycle accident on August 22, 2005; and
3

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

7 WHEREAS, the insurance carrier has investigated the claim and recommends that the claim be denied;
8 and
9

10 WHEREAS, the Corporation Counsel has reviewed the claim and concurs in the recommendation that
11 the claim be denied; and

12
13 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and
14 recommends that the claim be denied;

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

Dated this 20th day of June 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Heyroth, to adopt Resolution 5 (2006/2007-23) Authorizing Participation in Courthouse Centennial and Fund-Raising Activities. Upon vote, the motion carried unanimously.

No. 2006/2007 - 23

**RESOLUTION AUTHORIZING PARTICIPATION IN
COURTHOUSE CENTENNIAL AND FUND-RAISING ACTIVITIES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Courthouse was designed by renowned architect Chris Tegen
2 more than 100 years ago, is listed on the National Register of Historic Places, and is still in full use today as
3 a judicial center and as the seat of county government; and
4

5 WHEREAS, citizens in Manitowoc County recognize that the Courthouse is a unique and valuable
6 asset and have formed a Friends of the Courthouse group to raise funds for the restoration and preservation
7 of the Courthouse; and
8

9 WHEREAS, the County Executive's office has secured a grant from the National Trust's Jeffris
10 Wisconsin Projects Fund, a Housing and Urban Development grant, and a challenge grant from the West
11 Foundation to restore the glass panels in the Courthouse dome; and
12

13 WHEREAS, Friends of the Courthouse and Towsley's Inc. have commissioned 5,000 scale models
14 of the Courthouse to be sold as a fund-raiser for the dome project; and
15

16 WHEREAS, Friends of the Courthouse is planning a public birthday celebration on July 8, 2006 in
17 honor of the centennial of the Courthouse; and
18

19 WHEREAS, Manitowoc County shares an interest with the Friends of the Courthouse in the restoration
20 and preservation of the Courthouse;
21

22 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
23 employees, officials, and officers of Manitowoc County are encouraged to participate on a voluntary basis
24 in the Courthouse Centennial and the dome restoration project; and
25

26 BE IT FURTHER RESOLVED that Manitowoc County staff, subject to the approval of the County
27 Executive, are authorized to participate in the course of their employment on a voluntary basis in fund-raising
28 and other activities related to the Courthouse Centennial, restoration of the dome, and other courthouse
29 restoration and preservation projects.

Dated this 20th day of June 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to adopt Resolution 6 (2006/2007-24) Authorizing Appointment to NEWREP Board. Upon vote, the motion carried unanimously.

No. 2006/2007 - 24

RESOLUTION AUTHORIZING APPOINTMENT TO NEWREP BOARD

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the State of Wisconsin established the Northeast Wisconsin Regional Economic
2 Partnership (NEWREP) to create a higher standard of living and enhance the economic climate through a
3 cooperative regional partnership among 15 counties; and
4

5 WHEREAS, NEWREP focuses on businesses engaged in research and the development of advanced
6 products; provides assistance to businesses that use advanced technology; and is dedicated to finding
7 collaborative solutions that have a regional economic impact; and
8

9 WHEREAS, Manitowoc County has been a member of NEWREP since 2002 and has previously
10 appointed a representative and alternate to the NEWREP board for two-year terms which will expire in July
11 2006; and
12

13 WHEREAS, the current representative and alternate, along with the Director of the Manitowoc County
14 Economic Development Corporation, recommend appointing representatives from the City of Manitowoc,
15 the City of Two Rivers, and the Manitowoc County Economic Development Corporation to represent
16 Manitowoc County and recommend increasing the term of the appointments to three years;
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
19 the County Executive to appoint, subject to confirmation by the County Board, a representative from the City
20 of Manitowoc, the City of Two Rivers, and the Manitowoc County Economic Development Corporation to
21 serve three-year terms as Manitowoc County's representative and alternates to the NEWREP board, with each
22 person serving as representative for one year and as an alternate for two years.

Dated this 20th day of June 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Ken Stubbe as representative and alternates Dan Pawlitzke and David Less to the Northeast Wisconsin Regional Economic Partnership to serve three-year terms with each person serving as representative for one year and as an alternate for two years. Supervisor Gauger moved, seconded by Supervisor Maresh, to approve the appointment. Chairperson Brey asked for a voice vote, the ayes were unanimous, and the motion carried.

Supervisor Kozlowski reported the committee discussed the taxpayer protection amendment which they will continue to discuss at their next meeting.

Health Care Center Committee: Supervisor Graunke reported a flu notice has been posted at the Health Care Center. Five residents have been hospitalized with the flu and it is also affecting employee attendance. They

have a \$700,000 deficit due to timing issues with other departments and reimbursements. Their next meeting is July 11.

Highway Committee: Supervisor Bundy reported construction at the Airport on the main runway is ahead of schedule. There is an interest in developing a charter service and restaurant at the Airport. Their next meeting is July 11.

Human Services Board: Supervisor Bauknecht thanked Supervisor Bundy for doing an outstanding job as Chairperson over the last two years. He reported finances are looking good; Secretary Helene Nelson of the Wisconsin Department of Health and Family Services presented the Prevention Grant to the County on June 8; and they discussed Community Relocation Initiative which allows elderly or physically disabled persons to relocate out of a nursing home to an assisted living facility, or stay in their own home.

Supervisor Bauknecht moved, seconded by Supervisor Henrickson to adopt Resolution 7 (2006/2007-25) Authorizing Out-of-State Travel (Stuart Maples) and Resolution 8 (2006/2007-26) Authorizing Out-of-State Travel (Nancy Randolph and Linae Haefele). Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Graunke vote no; all other supervisors voted aye.

No. 2006/2007 - 25

RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL (Stuart Maples)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department relies on CMHC Systems, Inc. computer software to
2 conduct some of its day-to-day activities; and
3

4 WHEREAS, training is available from CMHC to write code, improve the validation procedures for
5 data entry and data integrity, and establish flow controls for designing forms and screens; and
6

7 WHEREAS, Technician/Trainer Stuart Maples has been selected to attend this training and will be able
8 to train other CMHC software users in Wisconsin once he completes the training; and
9

10 WHEREAS, funds are available from the Human Service Department's Internal Service Information
11 Systems account to pay for the training, and some costs may be recovered from fees charged to CMHC
12 software users who participate in training conducted by Stuart Maples;
13

14 NOW, THEREFORE, BE IT RESOLVED that by the Manitowoc County Board of Supervisors that
15 Stuart Maples is authorized to travel out-of-state to attend an Advanced MIS Designer training course in
16 Dublin, Ohio, which is presently scheduled for July 17-19, 2006.

Dated this 20th day of June 2006.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Estimated cost of \$2,400 is included in the 2006 budget. Costs may be recovered from training fees charged for training other software users.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 26

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Human Services Department continues to develop community-based services as an
2 alternative to out-of-county placements; and

3 WHEREAS, the State of Wisconsin, Department of Substance Abuse and Mental Health has made
4 funds available to cover registration, travel, lodging, and other expenses for Nancy Randolph and Linae
5 Haeefe to attend training on Developing Local Systems of Care for Children and Adolescents with Emotional
6 Disturbances that is offered at the 2006 Training Institutes in Orlando, Florida; and
7

8 WHEREAS, the training will provide the Human Services Department with substantial information
9 on a variety of matters, including crisis outreach services, implementation of evidence-based practices,
10 effective wraparound practices, and strategies to maximize Medicaid funding;
11

12 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board of Supervisors authorizes
13 Nancy Randolph and Linae Haeefe to travel out-of-state to attend the 2006 Training Institutes in Orlando,
14 Florida that is scheduled for July 11-16, 2006.

Dated this 20th day of June 2006.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: No tax levy impact. State will pay the cost, which is estimated at \$3,080.

APPROVED: Bob Ziegelbauer, County Executive.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported she attended a conference in Washington D.C. for the Wisconsin Associated County Extension Committees National Leadership Seminar. She also spoke on June Dairy Month saluting dairy farming and declaring agriculture provides over 6000 jobs in Manitowoc County, the dairy business generates \$130 million in revenue, and there are 90,000 cows versus a population of 84,000 residents in the County. She reminded everyone the 5th Annual Municipal Officials Event will be July 19th at Twin Fountains.

Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 9 (2006/2007-27) Authorizing ADRC Prevention Program Grant. Upon vote, the motion carried unanimously.

No. 2006/2007 - 27

RESOLUTION AUTHORIZING ADRC PREVENTION PROGRAM GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Health and Family Services has allocated \$273,075 to
2 Manitowoc County to develop prevention programs as part of a tri-county grant that includes Sheboygan and
3 Grant Counties;
4

5 WHEREAS, the Natural Resources and Education Committee recommends that the Aging & Disability
6 Resource Center be authorized to apply for and accept this grant if awarded;
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
9 the Aging and Disability Resource Center to apply for the prevention program grant funds in the amount of
10 \$273,075 and to accept the grant funds that are awarded; and
11

12 BE IT FURTHER RESOLVED that the 2006 budget is amended by the amount of the grant funds
13 received and that the Comptroller/Auditor is directed to record such information in the official books of the
14 County for the year ending December 31, 2006 as may be required.

Dated this 20th day of June 2006.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Increases revenue and expenditures by up to \$273,075.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt reported in July they will receive a report on the renewal health insurance rates and they are looking at other insurance plans. They have submitted their final offer to the mediator and they are waiting for the bargaining units to do the same.

Public Safety Committee: Supervisor Henrickson reported they will be touring the jail during their meeting on July 11 and invited other supervisors to join them.

Supervisor Henrickson moved, seconded by Supervisor Bauknecht, to adopt Resolution 10 (2006/2007-28) Authorizing Mutual Assistance Agreement with Lakeshore Technical College. Upon vote, the motion carried unanimously.

No. 2006/2007 - 28

**RESOLUTION AUTHORIZING MUTUAL ASSISTANCE AGREEMENT
WITH LAKESHORE TECHNICAL COLLEGE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Lakeshore Technical College owns VHF radio equipment in an Emergency Operations
2 Center (EOC) and this VHF radio equipment is used during simulated training on campus and when the EOC
3 is activated and used as a fully functional alternate EOC by Manitowoc County; and
4

5 WHEREAS, Lakeshore wants to have access to the County's VHF radio system when the Lakeshore's
6 EOC is used for training and when Lakeshore's EOC is activated and used as a fully functional alternate EOC
7 for the County; and
8

9 WHEREAS, the County wants to provide Lakeshore access to the County's VHF radio system as a
10 form of mutual aid under the authority of Wis. Stat. § 66.0301 pursuant to the terms and conditions specified
11 in this Agreement; and
12

13 WHEREAS, the Public Safety Committee, the Emergency Management Director, and the Corporation
14 Counsel have reviewed the proposed agreement and recommend that the County enter into the mutual aid
15 agreement with Lakeshore;
16
17
18

19 NOW, THEREFORE, BE IT RESOLVED that the Emergency Management Director is authorized to
20 execute the Mutual Aid Agreement with Lakeshore Technical College.

Dated this 20th day of June 2006.

Respectfully submitted by the Public Safety Committee

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 11 (2006/2007-29) Authorizing Mutual Assistance Agreement with City of Manitowoc for Ride-Along Training. Upon vote, the motion carried unanimously.

No. 2006/2007 - 29

**RESOLUTION AUTHORIZING MUTUAL ASSISTANCE AGREEMENT
WITH CITY OF MANITOWOC FOR RIDE-ALONG TRAINING**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Operates a Joint Dispatch Center (JDC) for the purpose of providing
2 a reliable and responsive, cost effective county-wide communications link for the public to police, fire,
3 rescue, emergency medical, and emergency management services; and
4

5 WHEREAS, JDC also provides direct services to the public in the form of pre-arrival instructions
6 during the dispatch of emergency medical services; and
7

8 WHEREAS, JDC personnel must have specific training that includes ride-along experience with
9 emergency medical providers in order to maintain the certification necessary to provide pre-arrival
10 instruction, but the County does not operate emergency medical services that would provide the required
11 experience; and
12

13 WHEREAS, the City of Manitowoc operates emergency medical services on a regular basis and is
14 willing and able to provide the needed ride-along training experience under a mutual aid agreement; and
15

16 WHEREAS, the Public Safety Committee, the Emergency Management Director, and the Corporation
17 Counsel have reviewed a proposed mutual aid agreement with the City and recommend that the County enter
18 into this agreement to provide ride-along training for JDC personnel;
19

20 NOW, THEREFORE, BE IT RESOLVED that the Emergency Management Director is authorized to
21 execute the Ride-Along Training Mutual Aid Agreement with City of Manitowoc.

Dated this 20th day of June 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 12 (2006/2007-30)
Authorizing Out-of -State Travel (Kurk Bessler). Upon vote, the motion carried with 23 ayes and 1 no.
Supervisor Graunke voted no; all other supervisors voted aye.

No. 2006/2007- 30

RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL (Kurk Bessler)

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS:

1 WHEREAS, the Commercial Equipment Direct Assistance Program (CEDAP), on behalf of the
2 Department of Homeland Security, has approved the Sheriff's Department's application for a SearchCam
3 2000 Victim Location System; and
4

5 WHEREAS, the SearchCam 2000 is a technical search and rescue device designed to quickly and
6 accurately pinpoint the location of victims in structural collapse and similar confined space rescue situations;
7 and
8

9 WHEREAS, proper training is required to deploy and operate the SearchCam, which combines a high-
10 resolution, color video camera; a sensitive search microphone; speaker; and light source into a fully
11 articulating, remote-controlled, telescoping probe; and
12

13 WHEREAS, CEDAP will fund training for an officer in Orlando, Florida, including expenses related
14 to travel, lodging, and a limited per diem, and will provide Manitowoc County with a SearchCam unit upon
15 completion of the training;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
Lt. Kurk Bessler to attend the CEDAP training program in Orlando, Florida on August 14-16, 2006.

Dated this 20th day of June, 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. CEDAP will fund training, travel, lodging, and a limited per diem, totaling approximately \$650. SearchCam equipment is valued at \$14,000.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke reported the Clean Sweep Program held at the Highway Shop on 310 was successful.

Transportation Coordinating Committee: Supervisor Mueller reported Bay-Lakes Regional Planning Commission facilitated a workshop to identify services needed in the County and they will share the results at their meeting on June 28th.

Miscellaneous: Supervisor Behnke moved, seconded by Supervisor Gauger, to adopt Resolution 13 (2006/2007-31) Authorizing Sale of Kellnersville Shop. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 31

RESOLUTION AUTHORIZING SALE OF KELLNERSVILLE SHOP

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Highway Committee and the Public Works Committee have received an offer from
2 Michael Marek to purchase the property commonly known as the Kellnersville Shop, which consists of
3 approximately 3.0 acres of county-owned land, a masonry vehicle storage building, and other storage
4 buildings located at 8718 County Road K, Whitelaw, Wisconsin; and
5

6 WHEREAS, the Highway Committee and Public Works Committee recommend the sale of the
7 Kellnersville Shop to Michael Marek for \$132,500;
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
10 the sale of the Kellnersville Shop, consisting of approximately 3.0 acres of land and several buildings for
11 \$132,500; and that the County Clerk is authorized to execute such papers as may be required to effect this sale.

Dated this 20th day of June 2006.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: Proceeds of sale to be divided between Highway and Public Works Departments based on their respective interests in the building, with \$49,687.50 placed in a fund designated and used for the construction of a new highway maintenance building and \$82,812.50 placed in Fund 405 - Economic Development Capital Projects Fund.

APPROVED: Bob Ziegelbauer, County Executive.

Other Business: Chairperson Brey announced there will be a Committee of the Whole meeting on July 18 at 6:15 p.m. to discuss proposed changes to the County Board Rules and possibly the issuance of Conditional Use Permits.

Supervisor Markwardt moved to adjourn. Supervisor Bauknecht seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:56 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

July 18, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 18th day of July, 2006, for the purpose of transacting business as a Board of Supervisors.

Acting Chairperson Kevin Behnke called the meeting to order at 7:02 P.M.

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

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

On a motion by Supervisor Gauger and seconded by Supervisor Graunke, the June 20, 2006 meeting minutes were approved on a unanimous vote.

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

Acting Chairperson Behnke declared public input open at 7:05 p.m.

Jeff Roberts, Mishicot, spoke on the conditional use permit that was granted to Emerging Energies at the Board of Adjustment meeting. He asked the Board to tighten the regulations on noise and flicker.

Lynn Korinek, Two Rivers, addressed the Board regarding the conditional use permit granted to Emerging Energies. She was disturbed with the process that took place at the Board of Adjustment meeting noting they did not address health and safety issues. She felt the Planning and Park Commission should be given the authority to grant conditional use permits.

Anita Roberts, Mishicot, commented on the Board of Adjustment meeting where the conditional use permit was granted to Emerging Energies. She stated property rights are being taken away from the citizens of Manitowoc County. She was disappointed health and safety issues were not addressed during the process.

No one else present wished to speak and public input was closed at 7:18 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Acting Chairperson Behnke read certificates of appreciation for retiring Manitowoc County employees Rosie Benzinger, Marjorie Vetter, and Joyce Vnuk. Supervisor Markwardt moved, seconded by Supervisor Dobbs to approve the certificates of appreciation. Upon vote, the certificates were confirmed by unanimous consent.

Todd Reckelberg, Comptroller, introduced Michael Konecny, External Auditor from Schenk Business Solutions, who summarized results of the 2005 Comprehensive Annual Financial Report and indicated there are no significant weaknesses. He explained expenses are rising more rapidly than revenues and suggested that more shared services between the county, cities, towns, and villages could be cost saving. He answered supervisors' questions.

APPOINTMENTS BY COUNTY EXECUTIVE

Acting Chairperson Behnke presented County Executive Bob Ziegelbauer's appointment of Mark Busse to the Joint Dispatch Board for a two year term expiring August 2008. Supervisor Bauknecht moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski reported they met on July 13 and discussed one active case of Tuberculosis; beach monitoring continues to have mixed results due to changing water conditions; and the dietician position for the Women, Infants and Children Program has been filled. Their next meeting will be August 10. He answered supervisors' questions.

Economic Development Corporation: Supervisor Maresh reported an Illinois manufacturing company prospect interested in a Manitowoc or Two Rivers site continues; the EDC and FBO have been working on a business plan for a prospective business at the Airport; an Ag Business Committee has been formed to determine and pursue strategic ag business opportunities; there have been 17 entrepreneurial contacts; and the EDC now schedules all SCORE appointments and has assumed coordination of most local entrepreneurial assistance activities.

Expo Board: Supervisor Behnke reported they continue to work on finalizing events for the 2006 Fair along with a tentative Parade scheduled for 5:00 p.m. on Tuesday, August 22.

Finance Committee: Supervisor Kozlowski reported they met earlier this evening with the External Auditor to discuss the 2005 Comprehensive Annual Financial Report. At their July 10 meeting, County Executive Bob Ziegelbauer presented an overview on tax spending and revenue issues related to TABOR and the Taxpayer Protection Amendment.

Health Care Center Committee: Supervisor Graunke reported they are continuing to look at finances and staff attendance. They will be implementing a new patient care program that is customer focused.

Highway Committee: Supervisor Bundy reported construction on County Trunk R is on schedule and will be completed before the County Fair, reconstruction of the main runway at the Airport is ahead of schedule, and the waterline project continues from Manitowoc to Brown County.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Zigmunt, to adopt Resolution 1 (2006/2007-32) Amending 2006 Budget (Aging and Disability Resource Center). Upon vote, the motion carried unanimously.

No. 2006/2007- 32

RESOLUTION AMENDING 2006 BUDGET (Aging and Disability Resource Center)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, the Natural Resources and Education Committee has reviewed the impact of the changes
5 and recommends approval of the following modifications to the 2006 Budget:
6

7	Revenue or	Account		
8	Expense	Number	Description	Amount
10	Revenue	46100.43566.01	Congregate Meal Program	(141)
11	Expense	46100.52940	Contracted Food	(141)
12				
13	Revenue	46250.43566.02	Home-delivered meals	(464)
14	Expense	46250.52940	Contracted Food	(464)
15				
16	Revenue	46325.43566. 12	Health Prevention Services	(102)
17	Expense	46325.52108	Public Health Services	(102)
18				
19	Revenue	46325.43566.05	Title IIIB Grant	(922)
20	Expense	46325.51100	Personnel Services	(922)
21				

22	Revenue	46430.43566.14	Family Caregiver Support Grant	(112)
23	Expense	46430.52999	Contracted Services	(112)

24
25 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
26 2006 Budget is amended by the amounts stated above and that the Comptroller/Auditor is directed to record
27 such information as may be required in the official books of the County for the year ending December 31,
28 2006.

Dated this 18th day of July 2006.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Decreases budgeted revenue and expenses by \$1,741.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 1a (2006/2007-33) Authorizing Funding for Family Health Fairs. Upon vote, the motion carried unanimously.

No. 2006/2007 - 33

RESOLUTION AUTHORIZING FUNDING FOR FAMILY HEALTH FAIRS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 17.7 percent of Manitowoc County’s population has an income below 185% of the
2 poverty level, 26.57% of students in Manitowoc schools are from low income families, and lack of income
3 limits access to health professionals; and
4

5 WHEREAS, obesity rates have doubled among children and tripled among all adolescents regardless
6 of income since 1980, and 60% of overweight children ages 5-10 years have one or more risk factors for
7 cardiovascular heart disease; and
8

9 WHEREAS, the Manitowoc County UW-Extension Family Living Educator coordinated a Family
10 Health Fair at Jefferson School with the assistance of 17 community agencies on April 27 and an evaluation
11 of the April Family Health Fair showed demonstrated positive results; and
12

13 WHEREAS, the next Family Health Fair is scheduled to be held at St. Thomas the Apostle Church in
14 Newton on Sunday, October 8, 2006, and other elementary school personnel in the county are interested in
15 hosting a Family Health Fair at their schools;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County UW-Extension Office is
18 authorized to accept \$500 from the Service League of Manitowoc County, Inc. to purchase supplies needed
19 for the continuation of the Family Health Fairs; and
20

21 BE IT FURTHER RESOLVED the 2006 budget is amended by the amount stated and that the
22 Comptroller/Auditor is directed to record such information in the official books of the County for the year
23 ending December 31, 2006 as may be required.

Dated this 18th day of July 2006.

Respectfully submitted by the Natural Resources & Education Committee.

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

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner reminded everyone the 5th Annual Municipal Officials Event will be July 19th at Twin

Fountains.

Personnel Committee: Supervisor Vogt reported the midyear review with Blue Cross/Blue Shield indicates health insurance premiums for 2007 will be increased nine to ten percent; they are obtaining quotes from other companies; and they are looking at the State Health Insurance plan. He answered supervisors' questions.

Planning and Park Commission: Supervisor Muench moved, seconded by Supervisor Heyroth, to adopt Resolution 2 (2006/2007-34) Adopting Planning and park Commission Report Denying Zoning Amendment Petition (John Stiefvater). Upon discussion and vote, the vote carried with 22 ayes and 1 abstention. Supervisor Wagner abstained; all other supervisors voted aye.

No. 2006/2007 - 34

**RESOLUTION ADOPTING PLANNING AND PARK COMMISSION REPORT
DENYING ZONING AMENDMENT PETITION (John Stiefvater)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by John Stiefvater on March 6, 2006 to rezone approximately
2 1.31 acres of land located in the N½, NW¼, Section 20, T18N-R22E, Town of Liberty, from A3 Agriculture
3 to A1 Agriculture; and
4

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

8 WHEREAS, a public hearing was held on May 8, 2006 at 10:00 a.m. at the Manitowoc County Office
9 Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
10

11 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
12 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the
13 petition be denied for the reasons stated in the report attached to this ordinance;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts
16 the report of the Manitowoc County Planning and Park Commission denying the attached petition for
17 amendment submitted by John Stiefvater.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Muench moved, seconded by Supervisor Schneider, to adopt Resolution 3 (2006/2007-35) Authorizing Out-of-State Travel (Matthew Payette). Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors vote aye.

No. 2006/2007 - 35

RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL (Matthew Payette)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission administers land use regulations and planning
2 activities in floodplain areas of Manitowoc County; and
3

4 WHEREAS, the Federal Emergency Management Agency has made funds available to cover
5 registration, travel, lodging, and other expenses for Matthew Payette to attend a GIS training program titled
6 "Advanced HAZUS-MH for Flood" that is offered at the Emergency Management Institute in Emmitsburg,
7 Maryland; and

8
9 WHEREAS, the training will provide substantial information on a variety of matters, including
10 floodplain management, mitigation planning, and modeling using GIS technology that will benefit Manitowoc
11 County;

12
13 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County Board of Supervisors authorizes
14 Matthew Payette to travel out-of-state to attend training at the Emergency Management Institute in
15 Emmitsburg, Maryland that is scheduled for August 14 - 17, 2006.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax levy impact. FEMA will pay the costs, excluding some meals.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Muench moved, seconded by Supervisor Mueller, to enact Ordinance 4 (2006/2007-36) Amending Zoning Map (James Evenson), Ordinance 5 (2006/2007-37) Amending Zoning Map (Terry Meyer), Ordinance 6 (2006/2007-38) Amending Zoning Map (Peter Propson), Ordinance 7 (2006/2007-39) Amending Zoning Map (Glen Riesterer), Ordinance 8 (2006/2007-40) Amending Zoning Map (Kevin Ramminger-River Central LLP), and Ordinance 9 (2006/2007-41) Amending Zoning Map Scott and Lisa Schamburek). Upon vote, the motion carried unanimously.

No. 2006/2007 - 36

ORDINANCE AMENDING ZONING MAP (James Evenson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006 at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice;
3 and

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

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

11
12 A parcel of land located in the SW¼, SW¼, Section 9, T18N-R22E, Town of Liberty,
13 commencing at the SW Corner of said Section 9; thence northerly along the centerline of CTH
14 J approximately 1170 feet; thence easterly approximately 33 feet to the east r/w of CTH J,
15 which is the point of real beginning; thence continue easterly approximately 290 feet; thence
16 northerly approximately 150 feet; thence westerly approximately 290 feet; thence southerly
17 along the east r/w of CTH J approximately 150 feet to the point of real beginning, said parcel
18 contains approximately 1.0 acres of land, shall be and is hereby rezoned from A3 Agriculture
19 to A1 Agriculture.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 37

ORDINANCE AMENDING ZONING MAP (Terri Meyer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NW¼, SW¼, Section 14, T17N-R22E, Town of Meeme,
12 commencing at the W¼ Corner of said Section 14; thence southerly approximately 450 feet;
13 thence southeasterly along the north r/w of Spring Valley Road approximately 450 feet which
14 is the point of real beginning; thence northeasterly approximately 290 feet; thence
15 southeasterly approximately 150 feet; thence southwesterly approximately 290 feet to the
16 north r/w of Spring Valley Road; thence northwesterly along the north r/w of Spring Valley
17 Road approximately 150 feet to the point of real beginning, said parcel contains approximately
18 1.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive

No. 2006/2007 - 38

ORDINANCE AMENDING ZONING MAP (Peter Propson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful
5 consideration of testimony and an examination of the facts attendant with the petition, recommends
6 the petition be approved for the reasons stated in the attached report;
7

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

11 A parcel of land located in the SE¼, NW¼, Section 19, T18N-R22E, Town of Liberty,
12 commencing at the center of said Section 19; thence southerly along the centerline of
13 Thompkins Road approximately 1111 feet; thence easterly approximately 33 feet to the east
14 r/w of Thompkins Road which is the point of real beginning; thence continue easterly
15 approximately 209 feet; thence southerly approximately 209 feet; thence westerly
16 approximately 209 feet; thence northerly along the east r/w of Thompkins Road approximately
17 209 feet to the point of real beginning, said parcel contains approximately 1.0 acres of land,
18 shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 39

ORDINANCE AMENDING ZONING MAP (Kevin Ramminger - River Central LLP)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

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

7
8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
9 ordain as follows with respect to five parcels of land located in the Section 5, T19N-R23E, Town of
10 Manitowoc Rapids:

11
12 Parcel No. 1 commencing at the NW Corner of said Section 5; thence southerly along the
13 centerline of Danmar Road approximately 950 feet; thence easterly approximately 33 feet to the
14 east r/w of Danmar Road which is the point of real beginning; thence continue easterly
15 approximately 722 feet; thence northeasterly approximately 300 feet; thence southeasterly along
16 an existing drainage way approximately 600 feet; thence westerly approximately 1250 feet to the
17 east r/w of Danmar Road; thence northerly along the east r/w of Danmar Road approximately 200
18 feet to the point of real beginning, said parcel contains approximately 8.0 acres of land, shall be
19 and is hereby rezoned from A3 Agriculture to ES Estate Residential; and

20
21 Parcel No. 2 commencing at the Center of said Section 5; thence northerly along the centerline
22 of Deer Lane approximately 1320 feet to the point of real beginning; thence westerly
23 approximately 550 feet; thence northerly approximately 520 feet; thence easterly approximately
24 365 feet; thence southerly approximately 200 feet; thence easterly approximately 185 feet; thence
25 southerly approximately 320 feet to the point of real beginning, said parcel contains
26 approximately 6.64 acres of land, shall be and is hereby rezoned from A3 Agriculture to SE
27 Small Estate; and

28
29 Parcel No. 3 commencing at the N¼ Corner of said Section 5; thence westerly approximately 330
30 feet to the point of real beginning; thence southeasterly approximately 350 feet; thence westerly
31 approximately 185 feet; thence southerly approximately 500 feet; thence westerly approximately
32 365 feet; thence northerly approximately 800 feet; thence easterly approximately 330 feet to the
33 point of real beginning, said parcel contains approximately 7.24 acres of land, shall be and is
34 hereby rezoned from A3 Agriculture to GA General Agriculture; and

35
36 Parcel No. 4 commencing at the Center of said Section 5; thence northerly along the centerline
37 of Deer Lane approximately 1640 feet to the point of real beginning; thence westerly
38 approximately 185 feet; thence northerly approximately 700 feet; thence easterly approximately
39 330 feet; thence southeasterly approximately 400 feet, along the west bank of the Branch River;
40 thence southerly approximately 500 feet; thence westerly approximately 330 feet to the point of
41 real beginning, said parcel contains approximately 8.79 acres of land, shall be and is hereby
42 rezoned from A1 Agriculture to GA General Agriculture; and

43
44 Parcel No. 5 commencing at the Center of said Section 5; thence northerly along the centerline
45 of Deer Lane approximately 1640 feet to the point of real beginning; thence easterly
46 approximately 330 feet; thence northerly approximately 500 feet to the west bank of the Branch
47 River; thence southeasterly approximately 900 feet; thence southwesterly approximately 500 feet,
48 along said west bank of the Branch River; thence westerly approximately 1000 feet to the point

49 of real beginning, said parcel contains approximately 15.81 acres of land, shall be and is hereby
50 rezoned from A3 Agriculture to GA General Agriculture.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive

No. 2006/2007 - 40

ORDINANCE AMENDING ZONING MAP (Glen Riesterer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the SW¼, NE¼, Section 32, T18N-R21E, Town of Eaton,
12 commencing at the center of said Section 32; thence northerly approximately 1320 feet; thence
13 easterly approximately 900 feet; thence southerly approximately 100 feet which is the point of
14 real beginning; thence continue southerly approximately 209 feet; thence easterly
15 approximately 209 feet; thence northerly approximately 209 feet; thence westerly
16 approximately 209 feet to the point of real beginning, said parcel contains approximately 1.0
17 acres of land, shall be and is hereby rezoned from A3 Agriculture to C1 Conservancy.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive

No. 2006/2007 - 41

ORDINANCE AMENDING ZONING MAP (Scott & Lisa Schamburek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, June 19, 2006, at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NW¼, NW¼, Section 35, T19N-R22E, Town of Cato,
12 commencing at the NW corner of said Section 35; thence southerly approximately 950

13 feet to the south r/w of STH 151; thence easterly along the south r/w of STH 151 approximately
14 300 feet which is the point of real beginning; thence continue easterly along the south r/w of STH
15 151 approximately 150 feet; thence southerly approximately 350 feet; thence westerly
16 approximately 150 feet; thence northerly approximately 400 feet to the point of real beginning,
17 said parcel contains approximately 1.29 acres of land, shall be and is hereby rezoned from
18 A3 Agriculture to A1 Agriculture.

Dated this 18th day of July 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported they toured the Joint Dispatch Center and Jail for the annual inspection and noted that Joint Dispatch is in the process of updating equipment. He was totally impressed with the personnel and the cleanliness of the facility.

Public Works Committee: Supervisor Behnke reported they are looking at the possibility of the Ice Center operations being run by the county. They face high insurance premiums among other issues which has been a driving factor in these discussions.

Supervisor Behnke moved, seconded by Supervisor Henrickson, to adopt Resolution 10 (2006/2007-42) Commending Clean Sweep program Volunteers and Staff. Upon vote, the motion carried unanimously.

No. 2006/2007 - 42

RESOLUTION COMMENDING CLEAN SWEEP PROGRAM VOLUNTEERS AND STAFF

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County held a Household, Very Small Quantity Generator, and Agricultural
2 Hazardous Waste collection "Clean Sweep" at the Manitowoc County Highway Department Building on May
3 19 and 20, 2006 and at the City of Kiel Garage on May 19, 2006; and
4

5 WHEREAS, this year's Clean Sweep program serviced a total of 949 households from Manitowoc
6 County; and
7

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

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

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

Dated this 18th day of July 2006.

Respectfully submitted by the Public Works Committee.

APPROVED: Robert Ziegelbauer, County Executive.

Supervisor Behnke moved, seconded by Supervisor Henrickson, to adopt Resolution 11 (2006/2007-43) Authorizing Application for Household and Agricultural Clean Sweep Grant. Upon vote, the motion carried unanimously.

No. 2006/2007 - 43

**RESOLUTION AUTHORIZING APPLICATION FOR
HOUSEHOLD AND AGRICULTURAL CLEAN SWEEP GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board recognizes the benefits of a program to control the disposal
2 and storage of potentially hazardous household and agricultural waste; and
3

4 WHEREAS, Manitowoc County's Clean Sweep Programs are intended to offer education and assistance
5 to citizens in the identification, proper handling, and disposal of household and agricultural hazardous waste
6 through the distribution of public information materials, presentations to citizen groups, and a designated day
7 for the collection and disposal of household and agricultural hazardous waste; and
8

9 WHEREAS, Manitowoc County has successfully organized and conducted Clean Sweep Programs in
10 the past, has declared its intent to conduct annual Clean Sweep Programs subject to public response and the
11 appropriation of funding, is planning a collection for May 2007, and can apply for a state grant for the
12 Household and Agricultural Clean Sweep Program; and
13

14 WHEREAS, Calumet County has also successfully organized and conducted Clean Sweep Programs
15 in the past, has declared its intent to conduct annual Clean Sweep Programs subject to public response and the
16 appropriation of funding, is planning a collection for May 2007, and can apply for a state grant for the
17 Household and Agricultural Clean Sweep Program; and
18

19 WHEREAS, Manitowoc County and Calumet County have successfully organized and conducted joint
20 Clean Sweep Programs in the past, realize the economic benefits and efficiencies that result from conducting
21 joint programs, and want to conduct a joint program again in 2007; and
22

23 WHEREAS, the Manitowoc County Public Works Director will serve as the Grant and Program
24 Coordinator and the Calumet County Community Resource Development Agent will serve as the Grant Writer
25 and Public Information and Education Coordinator for both counties; and
26

27 WHEREAS, Manitowoc County and Calumet County will, if awarded a state grant for a joint
28 Household and Agricultural Clean Sweep Program, carry out all activities described in the state grant
29 application; will allow employees from the Wisconsin Department of Natural Resources and the Wisconsin
30 Department of Agriculture, Trade and Consumer Protection access to inspect any Clean Sweep Program site;
31 and will maintain records documenting all expenditures made during and for the Clean Sweep Program; and
32

33 WHEREAS, Manitowoc County and Calumet County will submit a final report to the Wisconsin
34 Department of Agriculture, Trade and Consumer Protection describing all Clean Sweep Program activities,
35 achievements, and problems; comparing the actual program with the activities and objectives proposed in the
36 application; providing samples of information/education brochures, data on participation rates and waste
37 quantities collected, and documentation of project costs; and making appropriate recommendations;
38

39 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
40 the Public Works Director to apply for and accept a state grant for the purpose of conducting a joint
41 Manitowoc County and Calumet County Household and Agricultural Hazardous Waste Clean Sweep Program
42 during 2007; and
43

44 BE FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Public
45 Works Director to enter into a Memorandum Of Understanding with Calumet County in order to conduct a
46 joint Manitowoc County and Calumet County Household and Agricultural Hazardous Waste Clean Sweep
47 Program during 2007.

Dated this 18th day of July 2006.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: No fiscal impact in 2006. No tax levy impact in 2007 because appropriate revenue and expenditure line items in the 2007 budget will be amended by equal amounts that will not exceed the amount of any grant awarded.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported they will be meeting on July 26 to review the six month 85.21 and 53.10 reports. A Request for Proposals has been put out for transportation services.

Miscellaneous: Supervisor Dobbs requested a copy of the minutes from the Board of Adjustment meeting be sent to all supervisors.

Supervisor Markwardt moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:08 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

August 15, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 15th day of August, 2006, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:03 P.M.

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

Roll call: 23 members present; Bauknecht, Behnke, Brey, Bundy, Dufek, Gauger, Graunke, Hansen, Heyroth, Janowski, Konen, Kozlowski, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Dobbs and Henrickson were excused. Supervisor Maresh arrived at 7:50 p.m.

On a motion by Supervisor Behnke and seconded by Supervisor Gauger, the July 18, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open at 7:06 p.m.

Rachel Herrmann, 2006 Fairest of the Fair, invited everyone to the Fair that begins Tuesday, August 22, with a parade at 5:00 honoring the Budweiser Clydesdale Team. She provided a rundown of the events for the week.

Ron Kossik, Manitowoc Community Gardens Coordinator, gave an update on the status of the gardens. He explained Faith Evangelical Free Church provided land at no cost and numerous people helped coordinate and plan the gardens with 50 plots. On behalf of the gardeners, he thanked Manitowoc County for their role in supporting this project.

James Theyerl, Manitowoc, addressed the Board stating he has exhausted all remedies in Circuit Court relative to DNR violations and felt he was unfairly defaulted. He stated he is holding people in the county responsible for misconduct in public office.

Dean Anhalt, Town of Mishicot Supervisor, spoke on his concerns with the enforcement of stipulations in the Wind Tower Ordinances. He felt the current process to enforce the noise clause may be cumbersome and he would like to see more defined guidelines for repeat occurrences.

Lynn Korinek, Town of Gibson, spoke on a report from the UK referencing wind farm noise, flickering and potential harm to health. She stated wind farm low frequency needs to be addressed.

Dave Korinek, Town of Gibson, addressed the Board regarding the rules that are in place for the wind towers being built.

If the rules are not sufficient, the County Board will need to step up and support the people who are having problems. There are questions on the manner in which setbacks are measured with the blades not being included in the size of the setback. He stated people in England are asking for a mile setback from a home compared to 1000 feet here.

Michael Kleckner, Town of Two Rivers, commented on a letter he sent to his county supervisor regarding health and safety issues as they relate to the Wind Towers. He talked about the potential danger in wind farm areas to skiers and snowmobilers exposed to the possibility of ice throw and interference with aviation, TV and radio frequency signals.

Don Goeke, Manitowoc, spoke on the Board of Adjustment and the wind tower conditional use permit. He stated the Board of Adjustment based their decision on the facts presented to them. He felt the present Ordinance lacks a sufficient amount of bond money and crane rental allotment. He also feels roadway flicker needs to be addressed.

No one else present wished to speak and public input was closed at 7:42 p.m.

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

Supervisor Zigmunt moved, seconded by Supervisor Behnke, to adopt Resolution A (2006/2007-44) Approving Amended County Board Rules for 2006-2008. Corporation Counsel Steve Rollins explained the amendments created more guidance and less specific direction allowing greater latitude to conduct County business. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 44

RESOLUTION APPROVING AMENDED COUNTY BOARD RULES

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 1.01(5) provides that the County Board may adopt and amend
2 rules of procedure governing county board operations; and
3

4 WHEREAS, the County Board enacted Resolution No. 2006/2007-1 on April 18, 2006 to establish
5 Rules For The County Board Elected April 2006, but expressed a desire to review those rules and make
6 changes that are beneficial to the efficient and effective operation of the County's business; and
7

8 WHEREAS, the Executive Committee has reviewed the rules and has presented a proposed set of
9 amended rules to the County Board sitting as a committee of the whole; and
10

11 WHEREAS, the County Board sitting as a committee of the whole recommends that the Rules of the
12 County Board Elected April 2006 be amended as proposed;
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors amends
15 and adopts the Manitowoc County Board Rules for the County Board Elected April 2006 as proposed.

Dated this 15th day of August 2006.

Respectfully submitted by the Executive Committee.

APPROVED: Bob Ziegelbauer, County Executive.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer spoke on the 2007 Budget Preparation Calendar and increases in health insurance with 3% wage increases and how this affects the budget. He stated we will bring in a budget that is in balance with revenues and expenses. It will be a significant challenge to maintain the status quo in our budget and we are looking at merging into the State Health Insurance Plan. If the County joins the State Health Plan, there will be significant savings, but there may not be enough to meet our budget. He explained the point of this comparison is to give an idea of the magnitude we are dealing with. He noted a resolution must be passed at the September County Board meeting to meet the State's October 1 deadline. He answered supervisors' questions.

Corporation Counsel Steve Rollins spoke on a letter Jim Theyerl sent to Supervisors and provided background on the complaints that originated in 2004 with a conviction on twelve counts of DNR violations resulting in fines of approximately \$25,000. He did not appeal and two commitments followed along with a thirteen month sentence in a Federal Prison for other charges. Jim Theyerl continues to dispute the procedures that

are being followed and failed to enter into a payment plan with Manitowoc County. The situation the County Board faces is that this individual feels he has been treated unfairly.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Anil Chudgar to the Aging and Disability Resource Center Board for a three year term expiring August 2009. Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Supervisor Clyde Mueller to complete Vida Willins term expiring June 30, 2007 on the Bay Area Agency on Aging Board of Directors. Supervisor Maresh moved, seconded by Supervisor Rasmussen, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Expo Board: Supervisor Behnke reported they continue to prepare for the 2006 Fair that begins next week and they are in need of volunteers.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Hansen, to adopt Resolution 1 (2006/2007-45) Authorizing Participation in United Way Campaign. Upon vote, the motion carried with 22 ayes and 1 abstention. Supervisor Konen abstained; all other supervisors voted aye.

No. 2006/2007 - 45

RESOLUTION AUTHORIZING PARTICIPATION IN UNITED WAY CAMPAIGN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County is committed to improving the quality of life for all of its citizens and
2 recognizes that private, not-for-profit organizations make a significant contribution to the quality of life in
3 Manitowoc County; and
4

5 WHEREAS, United Way Manitowoc County, Inc. conducts an annual campaign that gives employees
6 an opportunity to support charitable causes through a payroll giver’s plan and to support more than two dozen
7 different organizations in Manitowoc County that insure basic needs are met, increase self-sufficiency, nurture
8 children and youth, promote health and healing, and strengthen families; and
9

10 WHEREAS, Manitowoc County has determined that a single, combined campaign such as the United
11 Way is the most efficient and effective way to provide its employees with an opportunity to contribute to
12 charitable organizations;
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors designates
15 United Way Manitowoc County, Inc. as the organization authorized to offer an opportunity to enroll in a
16 payroll giver’s plan to Manitowoc County employees, officers, and officials from now through December 31,
17 2006, with payroll deductions to be made during the 2007 calendar year; and
18

19 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes and
20 encourages the voluntary participation of its employees, officers, and officials in the United Way campaign.

Dated this 15th day of August 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski reported their next meeting will be September 11.

Highway Committee: Supervisor Bundy reported construction at the airport is ahead of schedule, the waterline project continues, and County Trunk R is open to two way traffic from Highway 151 to Custer Street and will be complete before the Fair opens.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Heyroth, to adopt Resolution 2 (2006/2007-46) Authorizing Out-of-Country Travel (Faye Malek). Discussion followed. Supervisor Kozlowski moved, seconded by Supervisor Hansen to amend line 14....."paid for by grants or by UWEX Office", eliminating "by Faye Malek." Discussion followed. Supervisor Kozlowski withdrew the amendment. Discussion followed. Supervisor Behnke reintroduced the amendment, seconded by Supervisor Hansen. Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no; all other supervisors voted aye. Upon vote on the main motion as amended, the motion carried with 21 ayes and 2 noes. Supervisors Rappe and Graunke voted no; all other supervisors voted aye.

No. 2006/2007 - 46

RESOLUTION AUTHORIZING OUT-OF-COUNTRY TRAVEL (Faye Malek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Michigan State University Extension is offering an educational study seminar titled
2 "Mexico: Its People, Culture, and Immigration Pressures" from February 3 – 11, 2007 in Mexico City,
3 Chapingo, and Oaxaca, Mexico that will provide its participants with information about the sources of pressure
4 for Mexican immigration to the United States; economic challenges for families left behind; the growing street
5 kids issues; social, health, and nutritional issues; and the struggle to retain kids in school; and
6

7 WHEREAS, because of changing racial demographics in Manitowoc County, including the growing
8 Hispanic population, government officials, service providers, educational institutions, and others will benefit
9 from what is learned on this trip; and
10

11 WHEREAS, Faye Malek will be out of the office for five workdays during the nine-day experience and
12 all expenses for this trip, except for \$500, will be covered by the UW-Extension Dean's Office, with the \$500
13 not covered by UW-Extension will be paid for by grants or by ~~Faye Malek~~; and
14 (UWEX Office)
15

16 WHEREAS, the Natural Resources and Education Committee has approved the travel with the
17 requirement that this resolution be forwarded to the County Board;
18

19 NOW, THEREFORE, BE IT RESOLVED that Faye Malek is authorized to apply for and, if selected,
20 participate in the "Mexico: Its People, Culture, and Immigration Pressures" seminar in Mexico from February
21 3 - 11, 2007 provided that the amount of any grant expenditures do not exceed grant revenues, and that the
22 Comptroller/Auditor is directed to record such information in the official books of the County as may be
23 required.

Dated this 15th day of August 2006.

Respectfully submitted by the Natural Resources & Education Committee.

FISCAL IMPACT: No tax levy impact. Five days out of the office.

APPROVED: Bob Ziegelbauer, County Executive

Personnel Committee: Supervisor Vogt reported they have had extensive meetings between Unions, the Health Insurance Advisor and the Insurance Representative related to 2007 Health Insurance Plans. The State rates will be available on August 20 and Blue Cross/Blue Shield will deliver their report on August 24. We must hear from the unions by September 12 to make changes in the Health Insurance Program or we will be locked into Blue Cross/Blue Shield for 2007. Vehicle allowances for 2007 will be at the IRS rate which will be announced in December. A new Community Wellness Challenge Program will be implemented to promote wellness among Manitowoc County employees and 18 other businesses.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact

Ordinance 3 (2006/2007-47) Amending Zoning Map for John Behrens II, and Ordinance 4 (2006/2007-48) Amending Zoning Map for Mark Spatchek. Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Schneider and Rappe voted no; all other supervisors voted aye.

No. 2006/2007 - 47

ORDINANCE AMENDING ZONING MAP (John Behrens II)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, July 24, 2006 at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice;
3 and
4

5 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
6 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
7 for the reasons stated 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 the SW¼, NW¼, Section 33, T17N-R22E, Town of Meeme,
13 commencing at the NW Corner of said Section 33; thence southerly along the centerline of CTH
14 M approximately 1200 feet; thence easterly approximately 33 feet to the east r/w of CTH M
15 which is the point of real beginning; thence continue easterly approximately 475 feet; thence
16 southerly approximately 475 feet; thence westerly approximately 475 feet; thence northerly along
17 the east r/w of CTH M approximately 475 feet to the point of real beginning, said parcel
18 containing approximately 5.18 acres of land, shall be and is hereby rezoned from A3 Agriculture
19 to A2 Agriculture.

Dated this 15th day of August 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 48

ORDINANCE AMENDING ZONING MAP (Mark Spatchek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, July 24, 2006 at 10:00 a.m. at the Manitowoc
2 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice;
3 and
4

5 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
6 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
7 for the reasons stated 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 the NE¼, NE¼, Section 30, T20N-R21E, Town of Maple Grove,
13 commencing at the NE Corner of said Section 30; thence southerly along the centerline of
14 Oakwood Road approximately 750 feet; thence westerly approximately 33 feet to the west r/w
15 of Oakwood Road which is the point of real beginning; thence continue westerly approximately
16 280 feet; thence southerly approximately 280 feet; thence easterly approximately 280 feet; thence
17 northerly along the east r/w of Oakwood Road approximately 280 feet to the point of real
18 beginning, said parcel containing approximately 1.80 acres of land, shall be and is hereby
19 rezoned from A3 Agriculture to A1 Agriculture.

Dated this 15th day of August 2006.
Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Muench moved, seconded by Supervisor Zigmunt, to adopt Resolution 5 (2006/2007-49) Authorizing Grant Funds for Purchase of Ballistic Helmets. Upon vote, the motion carried unanimously.

No. 2006/2007- 49

RESOLUTION AUTHORIZING GRANT FUNDING FOR BALLISTIC HELMETS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Manitowoc County Sheriff's Department is committed to officer safety through
2 training and properly equipping officers so they can protect themselves during the course of their duties; and
3

4 WHEREAS, sheriff's deputies are often called to high-risk, life-threatening situations that are extremely
5 dangerous for the officer, suspect, or general public; and
6

7 WHEREAS, it has been determined that the quality of the Pro-Tech Delta LT Ballistic helmet is superior
8 to the current helmet assigned; and
9

10 WHEREAS, a grant has been received to fund the replacement of ballistic helmets for the Sheriff's
11 Department SOS Team.
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
14 the Manitowoc County Sheriff's Department to accept up to \$10,800 in grant funding to purchase the helmets;
15 and
16

17 BE IT FURTHER RESOLVED that upon receipt of the grant funds, appropriate revenue and
18 expenditure line items in the 2006 budget will be amended by the amount of the grant and that the
19 Comptroller/Auditor is directed to record such information in the official books of the County for the year
20 ending December 31, 2006 as may be required.

Dated this 15th day of August 2006.
Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts of up to \$10,800.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Muench moved, seconded by Supervisor Tittl, to adopt Resolution 6 (2006/2007-50) Authorizing Out-of-State Travel for Nancy H Crowley. Upon vote, the motion carried with 22 ayes and 1

no. Supervisor Graunke voted no; all other supervisors voted aye.

No. 2006/2007 - 50

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, the Steering Committee is meeting at the site of the 2007 NREP Conference in Newport
5 Beach, California on November 1-3, 2006; and
6

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

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
11 Nancy H. Crowley to attend the National Radiological Emergency Preparedness Conference Steering
12 Committee meeting in Newport Beach, California on November 1-3, 2006.

Dated this 15th day of August 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Meeting expenses will be fully reimbursed to County by the
Nuclear Management Company.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke expressed condolences to Roger Ploederl's family. Roger
worked in maintenance at the Highway Department.

Supervisor Behnke moved, seconded by Supervisor Vogt, to enact Ordinance 7 (2006/2007-51) Amending
Manitowoc County Code Sec. 2.04(12) (Ice Center Board). Upon discussion and vote, the motion carried
unanimously.

No. 2006/2007 - 51

**ORDINANCE AMENDING MANITOWOC COUNTY CODE SEC. 2.04(12)
(Ice Center Board)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Ice Center, Inc. (ICE CENTER) has leased property on the Manitowoc
2 County Expo Grounds and operated the Manitowoc County Ice Center (Ice Center) since the mid-1990's; and
3

4 WHEREAS, the increased cost of insurance and other uncontrollable factors prevent ICE CENTER
5 from continuing to manage and operate the Ice Center and have prompted ICE CENTER to consider dissolving
6 Manitowoc County Ice Center, Inc.; and
7

8 WHEREAS, the Public Works Committee has reviewed the matter and concluded that the best means
9 to assure the continued operation of the Ice Center is to place responsibility for the management and daily
10 operation of the Ice Center in the Public Works Department and to create a Manitowoc County Ice Center
11 Board to manage and operate the Ice Center, coordinate other activities with the Public Works Department,
12 and report to the Public Works Committee in an advisory capacity on budget and policy matters related to the
13 Ice Center; and
14

15 WHEREAS, the Public Works Committee has concluded that creation of a Manitowoc County Ice
16 Center Board and the assignment of responsibility for day-to-day operation of the Ice Center to the Public
17 Works Department will permit the continued operation of the Ice Center without an increase in the number
18 of county employees and without an increase in the tax levy needed to support operation of the Ice Center,
19 while retaining and benefitting from the experience gained over the years by the people associated with the
20 Ice Center; and

21
22 WHEREAS, creation of an Ice Center Board would be contingent upon ICE CENTER satisfying any
23 and all outstanding liabilities and obligations, turning over all remaining assets, and formally dissolving
24 Manitowoc County Ice Center, Inc.; and

25
26 WHEREAS, the Public Works Committee recognizes that the comptroller/auditor will need to establish
27 such accounts and activities as are necessary for the Public Works Department to operate the Ice Center;

28
29 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as
30 follows:

31
32 MCC § 2.04(12) is amended as follows:

33
34 ~~(12) Manitowoc County Ice Center, Inc. Liaison Members. Two persons, one being a county board~~
35 ~~supervisor appointed by the county board chair and the other being the Public Works Director or the directors's~~
36 ~~designee, will act as liaison to the Manitowoc County Ice Center, Inc. in its operation of the Manitowoc County~~
37 ~~Ice Center and are entitled to be paid mileage.~~ Ice Center Board. (a) 1. There is hereby created an Ice
38 Center Board consisting of 11 members appointed by the County Executive, subject to confirmation
39 by the County Board. One member must be a County Board Supervisor who is a member of the
40 Public Works Committee and who will be appointed to a term that is concurrent with the supervisor's
41 term of office. The County Executive will appoint 5 citizen members to an initial term ending
42 December 31, 2007 and will appoint the remaining members to an initial term ending December 31,
43 2008. All subsequent citizen appointments will be for two-year terms.

44
45 2. The Ice Center Board is responsible for providing budgetary and policy advice to the Public
46 Works Committee on matters related to the Ice Center.

47
48 3. The Ice Center Board will report to the Public Works Director on operational matters related
49 to the Ice Center, and the Public Works Department will be responsible for the day-to-day operation
50 of the Ice Center.

51
52 4. The Ice Center Board may negotiate contracts related to the operation of the Ice Center,
53 subject to the limits of funds appropriated by the County Board, but all contracts must be approved
54 by the Public Works Committee and signed on behalf of the County by the Public Works Director
55 or a designee.

Dated this 15th day of August 2006.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous: Supervisor Vogt moved, seconded by Supervisor Zigmunt, to adopt Resolution 8 (2006/2007-52) Authorizing Payment of Attorney Fees for Thomas Kocourek. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 52

**RESOLUTION AUTHORIZING PAYMENT OF
ATTORNEY FEES FOR THOMAS KOCOUREK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County employees, officers, and officials may be named in their official
2 capacity and as individuals as defendants in lawsuits resulting from acts performed in the course of their
3 official duties; and
4

5 WHEREAS, Manitowoc County provides a defense for its employees, officers, and officials who are
6 named as defendants in lawsuits for actions taken in their official capacity, but does not automatically provide
7 a defense for its employees, officers, and officials who are named as individuals for actions taken in their
8 official capacity; and
9

10 WHEREAS, Wisconsin Stat. § 895.35 provides that a county may pay “all reasonable expenses
11 necessarily expended by a county officer who is named as a defendant or who is subject to personal liability
12 growing out of the performance of official duties when the action is discontinued, dismissed, or determined
13 favorably to the officer or if the officer is subjected to personal liability without fault on the officer’s part; and
14

15 WHEREAS, former Sheriff Thomas Kocourek was named as a defendant in both his official capacity
16 and as an individual in *Steven A. Avery v. Manitowoc County, Thomas H. Kocourek, and Denis R. Vogel*, Case
17 No. 04-C-986, filed in the United States District Court for the Eastern District of Wisconsin (Green Bay
18 Division); and
19

20 WHEREAS, Manitowoc County provided legal counsel to represent Mr. Kocourek against the claims
21 brought against him in his official capacity, but did not provide legal counsel with respect to any personal
22 liability growing out of his performance of official duties; and
23

24 WHEREAS, Mr. Kocourek retained private legal counsel to represent him to protect his interests with
25 respect to personal liability growing out of the performance of his official duties; incurred legal expenses of
26 \$6,744.35; and has asked that Manitowoc County pay these expenses; and
27

28 WHEREAS, the Corporation Counsel has reviewed detail billing records from Mr. Kocourek’s legal
29 counsel which identifies each attorney providing legal services, the nature of the legal services provided, and
30 the amount of time expended; has concluded that the expenses incurred were both reasonable and necessary;
31 and recommends that Manitowoc County pay these legal expenses; and
32

33 WHEREAS, the Corporation Counsel has met with the Personnel and Finance Committees and those
34 committees recommend that Manitowoc County pay these legal expenses;
35

36 NOW, THEREFORE, BE IT RESOLVED that Manitowoc County authorizes the payment of \$6,744.35
37 in legal expenses on behalf of former Sheriff Thomas Kocourek in connection with the claims brought against
38 him in *Steven A. Avery v. Manitowoc County, Thomas H. Kocourek, and Denis R. Vogel*, Case No. 04-C-986
39 (E.D. Wis.) as an individual for actions he performed in the course of his official duties as the Manitowoc
40 County Sheriff.

Dated this 15th day of August 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Expends \$6,744.35 from the WMMIC/Liability Insurance Fund (Account No.
19310.54110 Legal Expenses).

APPROVED: Bob Ziegelbauer, County Executive.

Other Business: Corporation Counsel explained the current status of Emerging Energies request for a conditional use permit stating the 30 day time period for an appeal has not expired. He cautioned discussion on the Board of Adjustment as it relates to Emerging Energies be deferred until the period of appeal has passed. Supervisors discussed the possibility of organizing a workshop between the two wind farms and EMS to address potential issues that could arise. Supervisor Heyroth was concerned the wind towers may cause communication interferences between the Saxonburg Communication Tower, EMS, and even cell phones in the area. He also wanted to know what protocol would be followed if an individual would get hurt on the tower. He stressed the need for a written plan and workshop so local fire and police know what to do in an emergency. Chairperson Brey suggested a resolution be brought through the Public Safety Committee to setup the workshop.

Chairperson Brey announced the next meeting will be September 26, 2006.

Supervisor Markwardt moved to adjourn. Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:10 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

September 26, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 26th day of September, 2006, for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:03 P.M.

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

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

On a motion by Supervisor Behnke and seconded by Supervisor Markwardt, the August 15, 2006 meeting minutes were approved on a unanimous vote.

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

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

Dr. Daniel Campagna, UW-Manitowoc Dean, invited everyone to visit the campus to see what they have to offer the community. He noted there is a close relationship with the community that provides a mutual benefit.

Maureen O-Brien, Manitowoc, asked the County Board to impose accountability standards on the County Executive position and requested the Board and news media to monitor the County Executive's time. She also expressed concern that the Health Care Center may be privatized and stated Manitowoc County has an aging population that will need the services of this facility.

Cindy Satori, Manitowoc, who works at the Health Care Center, spoke about the residents who became very upset when they heard a discussion on the radio regarding the possible sale of the Health Care Center. They were concerned about who was going to care for them. She stated Manitowoc County residents deserve the best of care and that is why the Health Care Center should remain in the hands of the County.

Barb McCredie, President of Local 1288 and employed at the Health Care Center for 32 years, addressed the Board regarding her concern for the residents. She spoke on the negatives of privatization and talked about the good job Administrator Michael Thomas and Nursing Director Julie Place are doing at the Health Care Center. She has called County Board Supervisors to let them know we need to keep the Health Care Center.

Joe Goethals, Manitowoc, works at the Health Care Center and talked about his extended family of 125 residents who consider the Health Care Center their home. He stated the Health Care Center is not just a safety net; it is an entity of Manitowoc County, and it is about aiding and protecting the members of the home.

Cindy Hutchison, Manitowoc, addressed the Board stating she does not understand the problem with the Health Care Center Budget and noted that the issue is not just the Health Care Center or health insurance. She felt one should not spend beyond their means.

No one else present wished to speak and public input was closed at 7:26 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Kevin Palmer, UW-Extension 4-H Youth Development Educator, reported Manitowoc County has over 600 youths learning leadership skills. Members of various 4-H Clubs talked about their travel experiences to

Space Camp, Washington D.C., New York City, and the State Capital in Madison. Alyona Zhuk, an exchange youth through the Future Leaders Exchange Program from the Ukraine, expressed appreciation for the opportunity to learn about Wisconsin.

Chairperson Brey read certificates of appreciation for retiring Manitowoc County employees Phillip Gauthier, Steve Graff, and Janice Spaeth.

Chairperson Brey spoke on the WCA Conference he attended and noted he has a copy of the 2006 WCA resolutions for anyone interested. He stated the WCA dues will remain the same for 2007. Supervisor Vogt reported he attended WCA sessions on the downsizing of County Boards; promoting government employment; controlling health care costs; beyond line item budgets; and understanding arbitration. Supervisor Schneider reported he found the WCA event very informative regarding a supervisor's responsibilities to citizens and encouraged other supervisors to attend in the future. Supervisor Markwardt stated he attended AFSCME Council 40 President' presentation which led to a good discussion. He appreciated his opportunity to attend the WCA conference and recommended it to all supervisors.

Supervisor Markwardt reported on the W-2 Steering Committee meeting noting Manitowoc County has a two year contract at the Job Center. Ruth Wichlacz reported there is no one on W-2 at this time. They discussed heating assistance; extended bus service; and the "Money Smart Week" educational program for people to learn how to budget their money.

County Executive Bob Ziegelbauer addressed the Board on items related to the 2007 budget. He stated the private onsite wastewater treatment systems ordinance before the Board will add the final half of septic systems to the Program. This will protect groundwater in Manitowoc County. He discussed the resolution removed from the agenda this evening that could move the County to the State Health Insurance Plan on January 1, 2007. The cost of health insurance is the most important challenge in the budget and noted work will continue on this issue. This would not have been a final solution, but it would have been a step in the right direction. On October 10, he will present the proposed 2007 budget and the annual meeting will be October 30 with final action being taken on the budget in November. He spoke about a report that was mailed to supervisors aimed at describing the fiscal effect of the Health Care Center. Selling the Health Care Center is the last thing he wants to consider and there is not a current proposal to move to privatization. He stated we need to understand the implications of all alternatives and answered supervisors' questions.

Chairperson Brey stated the County Board is willing to reconvene in an emergency session Thursday evening if the unions wished to vote on the State Health Insurance Plan.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Debra Cadle to the Long Term Support Planning Committee to complete a vacancy expiring April 30, 2008. Supervisor Bauknecht moved, seconded by Supervisor Zigmunt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Supervisor David Gauger to the Ice Center Board for a term expiring April 2008. Supervisor Hansen moved, seconded by Supervisor Muench, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Michelle Hoffman, Joe McLafferty, Bruce Smith, Carol Steinbrecher, and Dave Pawlowski to the Ice Center Board for a term expiring December 31, 2007. Supervisor Behnke moved, seconded by Supervisor Tittl, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Mike Jagemann, Kathy Palmer, Dick Pollen, and Mark Smoter to the Ice Center Board for a term expiring December 31, 2008. Supervisor Mueller moved, seconded by Supervisor Konen, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski reported they met on September 14 and discussed seven cases of e-coli in Manitowoc County which included one death; temporary restaurant licensing has increased which draws concern for health safety; and pandemic influenza preparedness funds were used for protective equipment,

a table top exercise and public education materials. Their next meeting will be October 12.

Economic Development Corporation: Supervisor Maresh reported the EDC has sent information to local and state developers regarding the upcoming sale of 367 acres of farmland adjacent to Valders; 17 prospective developers were sent information packets; three existing local manufacturers being assisted by EDC staff are planning expansions; they are working with several area manufacturers seeking worker training funds; a business summit is planned for November 14 and the New North Annual Summit will be held in Manitowoc on December 14; 21 persons attended the "Starting a Business in Manitowoc County" session; the committee reviewed a business plan for a new non-woven fabrics business; the Revolving Loan Fund Committee adopted updated bylaws; and they met with a representative from the state Milk Volume Program to discuss ways to improve the program.

Expo Board: Supervisor Behnke reported they are creating a list of items to improve the County Fair in 2007 and the early numbers coming in from the 2006 County Fair are on the positive side. He answered supervisors' questions.

Finance Committee: Supervisor Kozlowski reported the County Executive provided an update on the budget when they met on September 11.

Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 1 (2006/2007-53) Denying Claim (Karrie Anderson). Upon vote, the motion carried unanimously.

No. 2006/2007 - 53

RESOLUTION DENYING CLAIM (Karrie Anderson)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Karrie Anderson of Cleveland, Wisconsin filed a claim dated August 24, 2006 seeking
2 \$6,108.74 in damages as the result of her single-vehicle motorcycle accident on Rockville Road between
3 Cleveland and Kiel on August 2, 2006; and
4

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

8 WHEREAS, the insurance carrier has reviewed the claim and relevant records and recommends that
9 the claim be denied; and
10

11 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and
12 recommends that the claim be denied;
13

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

Dated this 26th day of September 2006.

Respectfully submitted by the Finance Committee

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to adopt Resolution 2 (2006/2007-54) Denying Claim (Jay Dondlinger). Upon vote, the motion carried unanimously.

No. 2006/2007 - 54

RESOLUTION DENYING CLAIM (Jay Dondlinger)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Jay Dondlinger of Manitowoc, Wisconsin filed a claim dated June 12, 2006 seeking
2 \$50,000 in damages for loss of consortium because of injuries suffered by Michelle Dondlinger in an accident
3 involving a Manitowoc County Highway Department truck; and
4

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

8 WHEREAS, the insurance carrier has investigated the claim, referred the matter to outside legal
9 counsel for review, and recommends that the claim be denied; and
10

11 WHEREAS, the Finance Committee has reviewed the matter with the Corporation Counsel and
12 recommends that the claim be denied;
13

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

Dated this 26th day of September 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski reported their next meeting will be October 9 and he will be attending the Wisconsin Counties Utility Tax Association meeting this Friday in Madison.

Highway Committee: Supervisor Bundy reported the airport runway was completed on September 7 and the waterline project continues with some road closures but they are projected to be open by October 3. Their next meeting will be October 10.

Human Services Board: Supervisor Rappe reported finances are running on track except for assignments to Lincoln Hills which are expensive; they continue with contracted psychiatrist services while searching for an in-house psychiatrist; Human Services and the Manitowoc Public School District are discussing an alternative school; Hmong refugees being served by W-2 are now employed; the number of children living in extreme poverty has doubled in the last four years; and teen pregnancy numbers have decreased.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 3 (2006/2007-55) Proclaiming National 4-H Week. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 55

RESOLUTION PROCLAIMING NATIONAL 4-H WEEK

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, 4-H is one of the largest youth organizations in the United States, with nearly seven
2 million youth involved in 4-H nationwide, more than 240,000 youth members and 20,000 adult volunteers
3 in Wisconsin, and 632 members and 197 volunteers in Manitowoc County; and
4

5 WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for more than one
6 hundred years and provides a community where young people learn leadership, citizenship, and life skills;
7 and
8

9 WHEREAS, Manitowoc County youth are able to learn individually and together by participating in
10 all kinds of 4-H activities, events, and projects through Manitowoc County University of Wisconsin
11 Extension programs;
12

1 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors declares
2 October 1-7, 2006 as National 4-H Week in Manitowoc County; and
3

4 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors urges the people of
5 this community to become more aware of this special program and to join in recognizing the unique
6 partnership between Manitowoc County and the University of Wisconsin System.

Dated this 26th day of September 2006.

Respectfully submitted by the Natural Resources & Education Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt reported the Family Court Commissioner requested additional security in her courtroom and she was referred to the Public Safety Committee; four positions at the Highway Department will remain open; a Corrections Officer position in the Sheriff Department will be restructured to create two .75 FTE people rather than one FTE.

Supervisor Vogt moved, seconded by Supervisor Rasmussen, to adopt Resolution 4 (2006/2007-56) Ratifying 2006-2007 Collective Bargaining with Sheriff's Department Employees Represented by WPPA. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 56

RESOLUTION RATIFYING 2006-2007 COLLECTIVE BARGAINING WITH SHERIFF'S DEPARTMENT EMPLOYEES REPRESENTED BY WPPA

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Personnel Committee has reached a tentative agreement with Sheriff's Department
2 employees represented by WPPA for a 2006-2007 collective bargaining agreement; and
3

4 WHEREAS, the Sheriff's Department employees represented by Wisconsin Professional Police
5 Association (WPPA) have agreed to move to the State health insurance plan as soon as Manitowoc County
6 achieves the participation required by the Department of Employee Trust Funds; and
7

8 WHEREAS, the wage schedules for 2006 and 2007 will be increased by 3.0% effective January 1 of
9 each year; and
10

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

14 WHEREAS, a summary of the changes in hours, wages, and working conditions for the Sheriff's
15 Department employees represented by WPPA has been provided to the County Board of Supervisors;
16

17 NOW, THEREFORE, BE IT RESOLVED that settlement of the 2006-2007 collective bargaining
18 agreement negotiated between the Personnel Committee and the Sheriff's Department employees represented
19 by WPPA is ratified, confirmed, and approved with the pay schedules, benefits, and terms set forth; and
20

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

Dated this 26th day of September 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	2006	2007
Wages	\$43,571.97	\$60,966.63
FICA	\$ 3,333.26	\$ 4,663.95

WRS	\$ 6,840.80	\$ 9,571.76
Increased Insurance Cost		\$12,204.00
Total Cost	\$53,746.03	\$87,406.34

Moving to the State health insurance plan will save an estimated \$63,484 in 2008 and \$167,932 in 2009.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Dobbs, to adopt Resolution 6 (2006/2007-57) Authorizing Applications for Multi-Jurisdictional Comprehensive Plan Grant. Upon vote, the motion carried unanimously.

No. 2006/2007 - 57

**RESOLUTION AUTHORIZING APPLICATION FOR
MULTI-JURISDICTIONAL COMPREHENSIVE PLAN GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, counties may prepare, adopt, or amend a county development plan under Wis. Stats.
2 §59.69(2) or (3), and Wis. Stat. § 66.1001 requires the adoption of a comprehensive plan; and
3

4 WHEREAS, Manitowoc County recognizes the benefits of comprehensive planning, understands that
5 funding is available from the Wisconsin Department of Administration to assist in the preparation of a
6 comprehensive plan, and wants to prepare a multi-jurisdictional comprehensive plan in cooperation with other
7 municipalities in order to provide for coordinated and harmonious development within the county; and
8

9 WHEREAS, development of a multi-jurisdictional comprehensive plan will cost a maximum of
10 \$760,000 spread over three years and would include state grants of up to \$441,000, contributions from other
11 municipalities of up to \$244,000, and a county share consisting principally of in-kind services, of up to
12 \$75,000; and
13

14 WHEREAS, the Planning and Park Commission recommends that Manitowoc County apply for a grant
15 and participate in the preparation of a multi-jurisdictional comprehensive plan in order to meet the
16 requirements of Wisconsin’s comprehensive planning legislation;
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors accepts
19 and approves the Planning and Park Commission’s recommendation to submit an application for a
20 comprehensive planning grant; and
21

22 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors agrees to participate
23 in the development of a multi-jurisdictional comprehensive plan in cooperation with other eligible applicants
24 pursuant to Wisconsin Statute § 66.1001; and
25

26 BE IT FURTHER RESOLVED that the County Board Executive, the County Clerk, and the Director
27 of the Planning and Park Department are authorized to execute such papers and to take such other action as
28 may be necessary to apply for and accept a grant for the project and to undertake, direct, and complete the
29 project upon receipt of the grant; and
30

31 BE IT FURTHER RESOLVED that the 2006 budget is amended by the amount of any grant received,
32 that the amount received will be incorporated into subsequent budgets as necessary, and that the
33 Comptroller/Auditor is directed to record such information in the official books of the County as may be
34 required.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: The plan will cost a maximum of \$760,000 over a three-year period, with up to \$441,00 coming from grants, up to \$244,000 coming from participating

municipalities, and up to \$75,000 coming from the county, principally through in-kind services. Revenues and expenditures may be less depending on the number of participating municipalities.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 7 (2006/2007-58) Amending Zoning Map for Mark Berge, Ordinance 8 (2006/2007-59) Amending Zoning Map for Patrick Gonia, Ordinance 9 (2006/2007-60) Amending Zoning Map for Joseph Kilgas, Ordinance 10 (2006/2007-61) Amending Zoning Map for Timm Lefebber, Ordinance 11 (2006/2007-62) Amending Zoning Map for Edward Peterik, and Ordinance 12 (2006/2007-63) Amending Zoning Map for Jerry Pravechik. Upon vote, the motion carried with 22 ayes and 2 noes. Supervisors Schneider and Rappe voted no; all other supervisors voted aye.

No. 2006/2007 - 58

ORDINANCE AMENDING ZONING MAP (Mark Berge)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex,
2 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NE¼, SE¼, Section 25, T19N-R21E, Town of Rockland,
12 commencing at the E¼ Corner of said Section 25; thence southerly approximately 33 feet;
13 thence westerly approximately 33 feet which is the point of real beginning; thence continue
14 westerly along the south r/w of Quarry Road approximately 300 feet; thence southerly
15 approximately 435 feet; thence easterly approximately 300 feet; thence northerly along the west
16 r/w of Einberger Road approximately 435 feet to the point of real beginning, said parcel
17 containing approximately 3.0 acres of land, shall be and is hereby rezoned from A3 Agriculture
18 to SE Small Estate.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 59

ORDINANCE AMENDING ZONING MAP (Patrick Gonia)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex,
2 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

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A parcel of land located in the SE¼, SE¼, Section 24, T21N-R23E, Town of Gibson, commencing at the SE Corner of said Section 24; thence northerly along the centerline of CTH B approximately 800 feet; thence westerly approximately 33 feet to the west r/w of CTH B which is the point of real beginning; thence continue westerly approximately 600 feet; thence northerly approximately 400 feet; thence easterly approximately 600 feet; thence southerly along the west r/w of CTH B approximately 400 feet to the point of real beginning, said parcel containing approximately 5.50 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2 Agriculture.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 60

ORDINANCE AMENDING ZONING MAP (Joseph Kilgas)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

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

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

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A parcel of land located in the SE¼, SW¼, Section 1, T19N-R21E, Town of Rockland, commencing at the S¼ Corner of said Section 1; thence northerly approximately 300 feet which is the point of real beginning; thence continue northerly approximately 1500 feet; thence southwesterly approximately 550 feet; thence southerly approximately 1200 feet; thence easterly approximately 425 feet to the point of real beginning, said parcel containing approximately 14.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to GA General Agriculture.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 61

ORDINANCE AMENDING ZONING MAP (Tim Lefeber)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

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

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

10 A parcel of land located in the SW¼, SW¼, Section 7, T17N-R22E, Town of Meeme,
11 commencing at the SW Corner of said Section 7; thence northerly approximately 950 feet along
12 the centerline of CTH A; thence easterly approximately 33 feet to the east r/w of CTH A which
13 is the point of real beginning; thence continue easterly approximately 660 feet; thence northerly
14 approximately 330 feet; thence westerly approximately 660 feet; thence southerly along the east
15 r/w of CTH A approximately 330 feet to the point of real beginning, said parcel containing
16 approximately 5.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2
17 Agriculture.
18

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 62

ORDINANCE AMENDING ZONING MAP (Edward Peterik)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex,
2 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful
5 consideration of testimony and an examination of the facts attendant with the petition, recommends
6 the petition be approved for the reasons stated in the attached report;
7

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

10 A parcel of land located in the SW¼, Section 25, T21N-R23E, Town of Gibson, commencing
11 at the S¼ Corner of said Section 25; thence northerly approximately 1320 feet; thence westerly
12 approximately 500 feet which is the point of real beginning; thence westerly approximately 830
13 feet; thence northerly approximately 570 feet; thence southeasterly along the south r/w of
14 Rockledge Road approximately 950 feet to the point of real beginning, said parcel containing
15 approximately 5.28 acres of land, shall be and is hereby rezoned from A3 Agriculture to A2
16 Agriculture.
17

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 63

ORDINANCE AMENDING ZONING MAP (Jerry Pravechek)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on August 28, 2006 at the Manitowoc County Office Complex,
2 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and

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

6
7 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
8 ordain as follows:
9

10 A parcel of land located in the SE¼, SW¼, Section 32, T21N-R24E, Town of Mishicot,
11 commencing at the SW¼ Corner of said Section 32; thence easterly approximately 1320 feet;
12 thence continue easterly approximately 33 feet to the east r/w of Saxonburg Road which is the
13 point of real beginning; thence continue easterly approximately 350 feet; thence northerly
14 approximately 425 feet; thence westerly approximately 350 feet; thence southerly approximately
15 425 feet to the point of real beginning, said parcel containing approximately 3.50 acres of land,
16 shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Rasmussen, to enact Ordinance 12a Amending Manitowoc County Code § 13.09 (POWTS Maintenance Program). Discussion followed. Supervisor Janowski moved, seconded by Rappe, to table the ordinance until October 10. Upon discussion and vote, the motion carried with 20 ayes and 4 noes. Supervisors Kozlowski, Muench, Mueller and Rasmussen vote no; all other supervisors voted aye.

Supervisor Mueller moved, seconded by Supervisor Rasmussen, to enact Ordinance 12b (2006/2007-64) Amending Manitowoc County Code § 23.02 (Well Location Permits). Upon vote, the motion carried with 23 ayes and 1 abstention. Supervisor Hansen abstained; all other supervisors voted aye.

No. 2006/2007 - 64

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 23.02
(Well Location Permits)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on September 25, 2006 on a
2 petition to amend Manitowoc County Code sec. 23.02 pertaining to well location permits; and
3

4 WHEREAS, after careful consideration of testimony and an examination of the facts attendant with
5 the petition, the Planning and Park Commission recommends that the petition be approved and that
6 Manitowoc County Code sec. 23.02 be amended;
7

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

11 Manitowoc County Code sec. 23.02 is amended as follows:
12

13 **23.02 Well Location Permit.** ~~(1)~~No person may construct a private well or reconstruct or rehabilitate
14 an existing private well unless the owner of the property where the well is or will be located holds a valid well
15 location permit issued by the county, ~~has provided notice of an emergency installation as required in sub. (6),~~
16 ~~or is part of a private water system that requires written plan approval from the DNR, the Wisconsin~~
17 Department of Natural Resources. Any private well that is constructed, reconstructed, or rehabilitated must
18 comply with all applicable state and local laws, ordinances, and regulations.
19

20 Manitowoc County Code subsecs. 23.02(2) through (10) are repealed.

Dated this 26th day of September 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Henrickson reported a Structured Safety Workshop will be formed to address safety concerns relating to wind towers; the District Attorney's office will have increased transcript expenses for the Avery case; and overtime has declined in some departments but increased in other areas. Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 13 (2006/2007-65) Accepting Grant Funds for Purchase of Digital Recording Equipment. Upon vote, the motion carried unanimously.

Supervisor Konen noted videos are mandated in juvenile interrogations as of May 2006.

No. 2006/2007 - 65

**RESOLUTION ACCEPTING GRANT FUNDS FOR
PURCHASE OF DIGITAL RECORDING EQUIPMENT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Manitowoc County is required to establish a custodial interview room with audio and
2 visual capabilities to comply with requirements established by 2005 Wisconsin Act 60, and a custodial
3 interview room will be established at the Manitowoc County Sheriff's Department to provide for the digital
4 recording of custodial interrogations; and
5

6 WHEREAS, the Wisconsin Office of Justice has approved a grant award in the amount of \$7,900 to
7 support the program, and the grant will provide partial funding to equip officers with personal, compact
8 digital audio recorders for custodial interviews conducted away from the department;
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
11 the Manitowoc County Sheriff's Department to accept \$7,900 in grant funding to purchase digital recording
12 equipment; and
13

14 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the 2006 budget
15 are amended by the amount of the grant funds received and that the Comptroller/Auditor is directed to record
16 such information in the official books of the County for the year ending December 31, 2006 as may be
17 required.

Dated this 26th day of September 2006.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases revenues (21200.43601) and expenditures (21200.58100)
by \$7,900. Remaining equipment costs of \$1,907.59 will be paid from currently
budgeted funds.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Behnke reported they visited the Maribel Caves and anyone interested
in a tour should contact Jeff Beyer.

Transportation Coordinating Committee: Supervisor Mueller reported specialized transportation was rebid
and awarded to "Assist to Transport" effective January 1, 2007; the Bay Lakes Regional Planning
Commission Assessment Report has been returned and an ad hoc committee will be established to address
concerns contained within the report.

Announcements: Chairperson Brey announced the 2007 proposed budget will be presented at the October 10 meeting and the annual meeting and public hearing on the budget will be October 30.

Supervisor Bauknecht moved to adjourn. Supervisor Maresh seconded, and the motion was adopted by acclamation. The meeting adjourned at 9:03 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

October 10, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 10th day of October, 2006 for the purpose of transacting business as a Board of Supervisors.

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

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

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

On a motion by Supervisor Gauger and seconded by Supervisor Henrickson, the September 26, 2006 meeting minutes were approved on a unanimous vote.

Chairperson Brey declared public input open at 7:03 p.m. There was no one present who wished to speak and public input was closed.

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

The Board discussed the tabled Ordinance (2006/2007-66) Amending Manitowoc County Code § 13.09 (POWTS Maintenance Program) from September 26th and returned for action. Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Janowski voted no; all other supervisors voted yes.

No. 2006/2007 - 66

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 13.09
(POWTS Maintenance Program)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission held a public hearing on September 25, 2006 on a
2 petition to amend Manitowoc County Code sec. 13.09 pertaining to the maintenance program for private
3 onsite wastewater treatment systems; and
4

5 WHEREAS, after careful consideration of testimony and an examination of the facts attendant with
6 the petition, the Planning and Park Commission recommends that the petition be approved and that
7 Manitowoc County Code sec. 13.09 be amended;
8

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

12 Manitowoc County Code Sec. 13.09(1) is amended as follows:
13

14 (1) A maintenance program for all private onsite wastewater treatment systems (POWTS) that are
15 located in unincorporated areas of Manitowoc County and outside of any sanitary district is hereby created.

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Manitowoc County Code sec. 13.09(2) is amended as follows:

~~(2) The following POWTS are included in the maintenance program: A complete inspection of a POWTS is required:~~

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

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

~~(b) when a maintenance inspection required by sub. (4) reveals that the the POWTS is not in compliance.~~

Manitowoc County Code sec. 13.09(3) is amended as follows:

~~(3) An initial inspection must be made of any existing POWTS when it is placed into the maintenance program. The initial A complete inspection of an existing POWTS must include:~~

Manitowoc County Code sec. 13.09(3)(c) is amended as follows:

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

Manitowoc County Code sec. 13.09(3)(d) is amended as follows:

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

Manitowoc County Code sec. 13.09(3)(e) is amended as follows:

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

Manitowoc County Code sec. 13.09(5) is amended as follows:

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

Dated this 10th day of October 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Projected revenues and expenses of approximately \$30,000 will be included in the 2007 budget.

APPROVED: Bob Ziegelbauer, County Executive.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer presented the 2007 Executive's Proposed Annual Budget. He explained the budget calls for a tax levy which results in a moderate property tax decrease. However, the exploding cost of fringe benefits continues to be a challenge. This proposed budget eliminates nearly 21 FTE positions and unless we slow the rate of growth, we will be forced to continue to shed employees as their costs become unaffordable. This budget proposal does not contain a recommendation to sell or lease the Health Care Center. But unless we make substantial progress on controlling employee costs, the 2008 proposed budget will address this issue. He noted the proposed budget does not contain borrowing to prop up operational spending and the County complies with current tax levy limitations included in state law. He commended the employees of Manitowoc County for the quality of effort and dedication they bring to their work.

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

Board of Health: Supervisor Janowski reported their next meeting will be October 12.

Finance Committee: Supervisor Kozlowski reported they are preparing to take a closer look at departmental budgets after the public hearing on October 30. Their next meeting will be on October 31 in Room B-15 at the Courthouse. He attended the Wisconsin Counties Utility Tax Association meeting in Madison where they discussed a plan to lobby State Legislators in hopes of obtaining an increase in the amount of shared revenue to the counties who host power plants. The Finance Committee will be preparing a resolution seeking legislative support for modifying the utility portion of the shared revenue formula.

Health Care Center Committee: Supervisor Graunke reported they are reviewing financial information and they will have a resolution addressing health care rate increases for the next meeting.

Highway Committee: Supervisor Bundy reported they accepted an agreement with the Manitowoc Company to renew their Airport Hangar Lease and they reached a settlement agreement with the Central Brown County Water Authority. Their next meeting will be November 14.

Human Services Board: Supervisor Rappe reported the head of the Child Welfare Department discussed concerns regarding new court rulings that has shifted rights from the social worker and child to the parents. The position of a staff psychiatrist remains unfilled; the contracted nurse practitioner will be leaving in October; the Long Term Care Department will be re-designed; and Manitowoc Public Schools will be looking at two initiatives for alternative schools.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported the Silver Lake 4-H Club will be organizing a "Haunted Camp" at Camp Tapawingo on October 27 and 28.

Personnel Committee: Supervisor Vogt reported they approved a request from Clerk of Court to hire a temporary employee to assist in the Criminal unit for the Avery case; the advertising requirement for a Social Worker position was waived and posted internally; the health insurance for 2007 will be Blue Cross/Blue Shield with an increase of 7.42% in premiums; they are requesting arbitration with the AFSCME units; and the Veterans Service Office will be relocated to the Office Complex.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to adopt Resolution 1 (2006/2007-67) Adopting Planning and Park Commission Report Denying Zoning Amendment Petition (Roger Wagner). Upon vote, the motion carried unanimously.

No. 2006/2007 - 67

**RESOLUTION ADOPTING PLANNING AND PARK COMMISSION REPORT
DENYING ZONING AMENDMENT PETITION (Roger Wagner)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Roger Wagner on June 5, 1998, to rezone approximately
2 24.68 acres of land located in the SE¼, SW¼, Section 34, T20N-R23E, Town of Kossuth, from A1
3 Agriculture to B2 Business, and the petition was referred to the Manitowoc County Planning and Park
4 Commission for a recommendation and report; and
5

6 WHEREAS, a public hearing was held on July 27, 1998, at which time the request was postponed in
7 order to allow the applicant an opportunity to acquire access to this landlocked parcel; and
8

9 WHEREAS, the hearing was reopened on August 28, 2006 at 10:00 a.m. at the Manitowoc County
10 Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
11

12 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration of
13 testimony at the hearing and an examination of the facts attendant with the petition, has recommended the
14 petition be denied for the reasons stated in the report attached to this ordinance;

15
16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors adopts
17 the report of the Manitowoc County Planning and Park Commission denying the attached petition for
18 amendment submitted by Roger Wagner.

Dated this 10th day of October 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Heyroth, to adopt Resolution 2 (2006/2007-68) Authorizing Application for Wisconsin Urban Forestry Grant. Upon vote, the motion carried unanimously.

No. 2006/2007 - 68

RESOLUTION AUTHORIZING APPLICATION FOR WISCONSIN URBAN FORESTRY GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Park and Planning Commission is interested in participating in the Silver Lake Park
2 Arboretum Design and Development Project in cooperation with the Silver Lake County Park Oversight
3 Committee in order to obtain a Wisconsin urban forestry grant; and
4

5 WHEREAS, the cost of the project is estimated to be \$9,533, and the Silver Lake County Park
6 Oversight Committee will provide the 50% local match required to secure grant funding; and
7

8 NOW, THEREFORE, BE IT RESOLVED that the Planning and Park Department is authorized to
9 apply for and accept a Wisconsin urban forestry grant of \$4,766.50 and to accept an equal contribution from
10 the Silver Lake County Park Oversight Committee as the local match; and
11

12 BE IT FURTHER RESOLVED that the Planning and Park Department Director is authorized to sign
13 documents and take the actions necessary to undertake, direct, and complete the project authorized in the
14 urban forestry grant; and
15

16 BE IT FURTHER RESOLVED that Manitowoc County will comply with federal and state rules for
17 the urban forestry grant program; will be responsible for updating plans and monitoring ongoing operations;
18 will obtain written approval from the Wisconsin Department of Natural Resources before making changes
19 in the project; and will maintain a record of expenditures; and
20

21 BE IT FURTHER RESOLVED that the amount of the grant, contributions, and expenditures are to be
22 included in the budget for the Planning and Park Department and that the Comptroller/Auditor is directed to
23 record such information in the official books of the County as may be required.

Dated this 10th day of October 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: No tax level impact. Grant proceeds and contributions will equal project expenditures.

APPROVED: Bob Ziegelbauer, County Executive.

Transportation Coordinating Committee: Supervisor Mueller reported they will be meeting on October 19.

Chairperson Brey announced the annual meeting and public hearing on the proposed 2007 budget will be October 30 and the budget will be adopted at the November 21 meeting.

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

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

October 30, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 30th day of October, 2006 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:02 P.M.

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

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

On a motion by Supervisor Behnke and seconded by Supervisor Bauknecht, the October 10, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open on the 2007 Executive's Proposed Annual Budget at 7:05 p.m.

County Executive Bob Ziegelbauer provided an overview on the 2007 Executive's Proposed Annual Budget and asked for supervisors' support. He explained the proposal shows respect for taxpayers by cutting taxes and holding the line on spending; fosters accountability by focusing on the exploding cost of fringe benefits; and contains initiatives to maintain quality customer service to the people of Manitowoc County.

Maureen O'Brien, Manitowoc, addressed the Board regarding the 2007 Proposed Annual Budget. She stated the proposed budget lacks vision and the County Executive should focus on attracting better jobs to Manitowoc County instead of the tax levy. She also expressed concern the County Executive may be in violation of County Code with outside employment as State Representative and requested the County Board look into the Executive's leave time.

Bill Stiefvater, Manitowoc, stated he had a concern with a potential staff reduction in the Veteran Service Office and the County Executive has now addressed the issue with the Veterans organization. He also sees no problem with the relocation of the Veteran's Service Office to the County Office Complex and supports the County Executive's proposed 2007 budget.

Chairperson Brey declared public input on the budget closed at 7:19 p.m. and opened public input on non-budget issues.

Supervisor Hansen stated he is concerned with accusations made on the County Executive since there are no facts to back it up.

No one else present wished to speak and public input was closed at 7:21 p.m.

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

Board of Health: Supervisor Janowski reported they discussed temporary restaurant licensing for non-profit organizations serving food that will include food safety classes and a required permit; fifty e-coli samples were taken from show and dairy barns at the fairgrounds and two samples matched results of four attendees; and e-coli samples taken from beach water continue to be tested. Their next meeting will be November 9.

Economic Development Corporation: Supervisor Maresh reported they are reviewing the viability of business plans from two manufacturing entrepreneurs seeking investors; an eleven week Business Plan Class is currently underway; the EDC is looking at ways to finance a Basic Welding Class to address the severe shortage of welders; a \$40,000 grant will be administered to finance process improvements and training for manufacturing companies; they are assisting two local companies in pursuing the Foreign Trade Zone program; and the Business Summit is scheduled for November 14 and the New North Summit will be December 14.

Expo Board: Supervisor Behnke reported they met with an entertainment promoter for next year's County Fair. Their next meeting will be on November 1.

Finance Committee: Supervisor Kozlowski reported they will be meeting on October 31 with Department Directors to discuss the 2007 budget.

Health Care Center Committee: Supervisor Graunke moved, seconded by Supervisor Henrickson, to adopt Resolution 1 (2006/2007-69) Increasing Health Care Center Rates. Upon discussion and vote, the motion carried with 22 ayes, 1 no and 1 abstention. Supervisor Behnke voted no; Supervisor Dufek abstained; and all other supervisors voted yes.

No. 2006/2007 - 69

RESOLUTION INCREASING HEALTH CARE CENTER RATES

TO MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc Health Care Center is charged with the responsibility of providing a
2 quality nursing home service to the people of Manitowoc County; and
3

4 WHEREAS, the rates charged for the services provided by the Manitowoc Health Care Center must
5 be reviewed and approved by the Manitowoc County Board of Supervisors, but these rates have not been
6 reviewed or revised by the County Board since September 2005; and
7

8 WHEREAS, the Manitowoc County Health Care Center Committee has reviewed the current rate
9 structure and has found it to be in need of modification to more accurately reflect the cost of providing
10 services;
11

12 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
13 authorizes the following changes in the rates at the Manitowoc Health Care Center effective December 1,
14 2006:
15

16 Super Skilled (ISN)	From \$200 per day to \$211 per day
17 Skilled Nursing Care	From \$190 per day to \$201 per day
18 Intermediate Care Levels 1&2	From \$178 per day to \$181 per day
19 Developmentally Disabled	From \$181 per day to \$191 per day
20 Special Care Dementia Sur Charge	\$9 per day (unchanged).

Dated this 30th day of October 2006.

Respectfully submitted by the Health Care Center Committee.

FISCAL IMPACT: Increases revenue by an estimated \$72,270 for 2007, which is incorporated in the proposed 2007 budget.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe reported they met with the Strategic Planning Committee; they will be applying for a grant from the Wisconsin Medical College for the mentally ill; the WCA is forming a consortium of 12 counties for long term care to keep people in their homes which could result in a \$452

savings per person per month; the position for a psychiatrist and a Registered nurse remain open; and the Long Term Support Group received a stellar report as a result of their state audit.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Maresh, to adopt Resolution 2 (2006/2007-70) Supporting State Ban on Sale and Use of Lawn Fertilizers that Contain Phosphorus. Upon vote, the motion carried unanimously.

No. 2006/2007 - 70

**RESOLUTION SUPPORTING STATE BAN ON SALE
AND USE OF LAWN FERTILIZERS THAT CONTAIN PHOSPHORUS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, it is vital for the State of Wisconsin to protect the quality of its groundwater and surface
2 water, including all of its lakes, rivers, streams, and the adjacent Great Lakes; and
3

4 WHEREAS, the application of commercial fertilizer on parks, residential properties, and other non-
5 agricultural areas causes excess phosphorus runoff into Wisconsin's lakes, rivers, and streams; and
6

7 WHEREAS, runoff from a lawn can carry up to eight times more phosphorus than runoff from a
8 similarly-sized wooded area; and
9

10 WHEREAS, a single pound of phosphorus in runoff can cause up to 500 pounds of algae growth, and
11 the accelerated growth of weeds and algae causes a deterioration in water quality; and
12

13 WHEREAS, the Lake Michigan beaches and shoreline in Manitowoc and other counties have been
14 plagued with algae washing ashore; and
15

16 WHEREAS, Manitowoc County has over 100 lakes where the introduction of excess phosphorus can
17 adversely affect water quality; and
18

19 WHEREAS, elimination of phosphorus from lawn fertilizer will reduce the presence of algae in
20 Wisconsin's waters and help to improve water quality; and
21

22 WHEREAS, reliance on local ordinances to ban the sale and use of lawn fertilizers that contain
23 phosphorus will be ineffective in addressing this matter of statewide concern because landowners can
24 purchase and import products from outside of the municipality;
25

26 NOW, THEREFORE BE IT RESOLVED that the Manitowoc County Board of Supervisors supports
27 the adoption of a statewide ban prohibiting the sale and use of lawn fertilizers containing phosphorus that will
28 preempt and eliminate the need for local ordinances; and
29

30 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to
31 Governor Jim Doyle; Wisconsin Department of Natural Resources Secretary Scott Hassett; Wisconsin
32 Department of Agriculture, Trade, and Consumer Protection Secretary Rod Nilsestuen; Senator Roger Breske;
33 State Representatives Dan Meyer and Don Friske; and to each legislator in the Wisconsin Senate and
34 Assembly who represent constituents from Manitowoc County.

Dated this 30th day of October 2006.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller reported they will meet on November 6.

Public Works Committee: Supervisor Behnke reported a Free Drug Disposal for unused medication will take place at UW-Manitowoc on November 3. Public Works Director Jeff Beyer answered supervisors' questions and explained unused prescription drugs cannot be redistributed unless they are wrapped individually.

Transportation Coordinating Committee: Aging Disability and Resource Center Director Judy Rank reported a public hearing is scheduled for the 85.21 Transportation Program on November 14.

Miscellaneous: Chairperson Brey moved to adopt Resolution 3 (2006/2007-71) Commemorating Glen Skubal. Supervisors unanimously consented by standing in a moment of silence.

No. 2006/2007 - 71

RESOLUTION COMMEMORATING GLEN SKUBAL

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Glen Skubal was born on the homestead farm in the Town of Mishicot on August 7, 1927;
2 was a graduate of the Dairy Herd Improvement Course at the University of Wisconsin-Madison; was a fourth-
3 generation dairy farmer on Skubal Century Acres; and was employed at the Mirro Corporation for 27 years
4 until his retirement in 1989; and
5

6 WHEREAS, Glen Skubal, passed away on Friday, October 20, 2006, at the age of 79 after a
7 courageous, nine-year battle with cancer; and
8

9 WHEREAS, Glen Skubal was very active in local and county government; served on the Manitowoc
10 County Board from April 1992 to April 2006; was a member of the Chairperson's Advisory Committee,
11 Executive Committee, Finance Committee, Highway Committee, Local Emergency Planning Committee,
12 Natural Resources and Education Committee, Wind Energy Systems Advisory Committee, and Wisconsin
13 Counties Utility Tax Association; and served as the Chair of the Planning and Park Commission and Vice-
14 Chair of the County Board; and
15

16 WHEREAS, Glen Skubal was the Chairperson for the Town of Mishicot for 30 years; was president
17 of the Mishicot Pleasant View Gun Club for 42 years; was a founding member and served as the president
18 of the Mishicot Ambulance Service; and was a director of the Eastern Mutual Insurance Company; and
19

20 WHEREAS, Glen Skubal was a strong leader who served and led the citizens of Manitowoc County
21 in many capacities and contributed countless hours to improve the quality of life for all; and
22

23 WHEREAS, the Manitowoc County Board of Supervisors shares in the loss of Glen Skubal with his
24 family and friends;
25

26 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
27 commemorates the life of Glen Skubal and expresses its condolences to his wife, Lorna Skubal, and family.

Dated this 30th day of October 2006.

Respectfully submitted by the Manitowoc County Board of Supervisors.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Rasmussen moved to adjourn. Supervisor Zigmunt seconded, and the motion was adopted by acclamation. The meeting adjourned at 7:54 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

November 21, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 21st day of November, 2006 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:01 P.M.

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

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

On a motion by Supervisor Zigmunt and seconded by Supervisor Behnke, the October 30, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open at 7:05 p.m.

Patricia Neuenfeldt, Manitowoc, spoke in opposition to cutting the funding for the Work Service Program at Holiday House. This program is a positive experience that teaches work skills and builds self-esteem to approximately 14 people.

Keith Hartlaub, Newton, asked the Board why the county is buying a communication system from a business outside of the county when a local communication business, which has been here for twenty-five years, placed a lower bid. Supervisor Behnke, Chairperson of the Public Works Committee, responded that four bids were considered and the approved bid met fourteen of the fifteen necessary criteria and the bid Mr. Hartlaub referred to did not meet the required specifications.

No one else present wished to speak and public input was closed at 7:15 p.m.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer provided a summary on the 2007 Executive's Proposed Annual Budget and asked for supervisors' support. He explained the budget is a management plan for providing \$85 million for county activities. The budget cuts taxes, holds the line on spending, improves customer services and helps set our focus on the most important problems ahead of us. He will continue to be accountable to the Board and to the people of Manitowoc County.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Louis Hovda, Dave DeRosier and Supervisor Norb Vogt to the Ethics Board for three year terms expiring December 2009. Supervisor Bauknecht moved, seconded by Supervisor Rasmussen, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Scott Ohlrogge, Vic Voigt, Rob Voss, Jody Beyer, and Mike Plate to the Expo Board for three year terms expiring December 31, 2009. Supervisor Muench moved, seconded by Supervisor Markwardt, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Ryan Gilbert and alternates Tim Barber and Bill Riesterer to the Joint Dispatch Board for two year terms expiring December 2008. Supervisor Gauger moved, seconded by Supervisor Konen , to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of David Ferry to the Veterans Service Commission for a three year term expiring December 2009. Supervisor Maresh moved, seconded by Supervisor Markwardt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Kent Reeves to the Veterans Service Commission to fill a vacant seat expiring December 2008. Supervisor Muench moved, seconded by Supervisor Zigmunt, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Mischelle Bowman, Ruth Wichlacz, Brigid Bailey and Kathy Zucchi to the W-2 Steering Committee for three year terms expiring December 31, 2009. Supervisor Markwardt moved, seconded by Supervisor Muench, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Travis Waack to the Local Emergency Planning Committee to complete John Kost's term expiring June 2007. Supervisor Gauger moved, seconded by Supervisor Bauknecht, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski moved, seconded by Supervisor Tittl, to adopt Resolution 1 (2006/2007-72) Amending 2006 Health Department Budget. Upon vote, the motion carried unanimously.

No. 2006/2007 - 72

RESOLUTION AMENDING 2006 HEALTH DEPARTMENT BUDGET

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department provides numerous public health services to
2 the residents of Manitowoc County that are funded by the return of our federal and state tax dollars through
3 grants; and
4

5 WHEREAS, the Health Department can only include grant funds that it has been scheduled or
6 contracted to receive during the calendar year when it prepares its annual budget and learns of changes in
7 grant funding after the budget has been approved because various grants are administered on a fiscal year
8 basis; and
9

10 WHEREAS, the following changes in grant funding have taken place since the 2006 budget was
11 approved:
12

13	WIC	\$14,864	
14	Prevention Block Grant		(\$567)
15	Pandemic Influenza		\$13,197
16	DNR Beach Testing		\$7,200
17	Tobacco Control		\$4999; and

18
19 WHEREAS, the Board of Health recommends that the Manitowoc County Board of Supervisors amend
20 the 2006 Annual Budget to incorporate these changes;
21

22 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors that the
23 appropriate revenue and expense line items in the 2006 Budget are amended to incorporate the changes shown
24 above and that the Comptroller/Auditor is directed to record such information in the official books of the
25 County for the year ending December 31, 2006 as may be required.

Dated this 21st day of November 2006.

Respectfully submitted by the Board of Health .

FISCAL IMPACT: No Tax Levy Impact.
APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Janowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 2 (2006/20070-73) Adopting Health Department Fee Schedule. Upon vote, the motion carried with 22 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors vote aye.

No. 2006/2007 - 73

RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than animal licenses)
2 and permits issued by the Health Department must be set by County Board resolution; and
3

4 WHEREAS, the Board of Health believes that the Health Department Fee Schedule should be revised
5 and has provided a copy of the proposed Health Department Fee Schedule (07/01/2007 - 06/30/2008) to the
6 County Board;
7

8 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves
9 the proposed Health Department Fee Schedule (07/01/2007 - 06/30/2008), which is to be included in
10 Manitowoc County Code Chapter 7 as Appendix A.

Dated this 21st day of November, 2006.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.
APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Janowski reported they continue to discuss the handling of food for temporary restaurant licensing and their next meeting will be December 14.

Economic Development Corporation: Supervisor Maresh reported the Revolving Loan Fund Committee approved a \$40,000 loan request for the Al Corso Restaurant in Collins; they are looking for business plans to be submitted for the Regional Business Plan Contest; the New North Annual Summit will be held at the Manitowoc Capitol Civic Centre on December 14; and they are currently tracking 170 projects.

Finance Committee: Supervisor Kozlowski reported on the budget process and recommended the Board approve the proposed 2007 budget.

Supervisor Kozlowski moved, seconded by Supervisor Hansen to adopt Resolution 3 (2006/2007-74) Adopting 2007 Budget and Property Tax Levy.

No. 2006/2007 - 74

RESOLUTION ADOPTING 2007 BUDGET AND PROPERTY TAX LEVY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Executive’s proposed 2007 annual budget was presented to the County Board
2 at its meeting on October 10, 2006; and
3

4 WHEREAS, a detailed copy of the proposed 2007 annual budget has been made available to each
5 county supervisor and to the general public; and
6

7 WHEREAS, formal publication of a budget summary and an announcement of a public hearing were
8 made in the Manitowoc Herald Times Reporter on October 15, 2006 in accordance with Wis. Stat. § 65.90
9 and Wis. Stat. Ch. 985; and
10

11 WHEREAS, a public hearing on the proposed 2007 annual budget was held on October 30, 2006 for
12 purposes of public input; and
13

14 WHEREAS, the proposed 2007 annual budget was reviewed at the County Board’s Annual Meeting
15 on October 30, 2006; and
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
18 adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year
19 beginning January 1, 2007, as indicated in the attached 2007 Annual Budget for Manitowoc County and any
20 attachments or addenda thereto; and
21

22 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby authorizes
23 that the following sums of money be raised for the ensuing year:
24

25 State Special Charges – Charitable & Penal	\$1,237.50
26 County Aid Bridges (Wis. Stat. § 82.08)	\$218,129.55
27 Illegal Real Estate Taxes Charged Back (Prior Year)	\$5,093.83
28 All Other County Taxes	\$26,696,080.50
29 Gross County Tax Levy	\$26,920,541.38;

30 and
31

32 BE IT FURTHER RESOLVED that the County shall apportion the tax for bridges under Wis. Stat. §
33 82.08 on the taxable property of the participating districts; and
34

35 BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment, State Taxes for
36 Forestry Mill Tax, Wis. Stat. § 70.58, the amount of \$854,770.93; and
37

38 BE IT FURTHER RESOLVED that the County shall enter in the Tax Apportionment, State Special
39 Charges for Charitable and Penal Purposes, the amount of \$1,237.50 (County Mental Hospitals - Fond du Lac
40 Co. Proceeding) for a total State Special Charge of \$1,237.50; and
41

42 BE IT FURTHER RESOLVED that the appropriate county officials are hereby directed to reapportion
43 the illegal real estate taxes charged back in the amount of \$5,093.83; and
44

45 BE IT FURTHER RESOLVED that the budget attached hereto in detail shall be made a part of the tax
46 levy; and
47

48 BE IT FURTHER RESOLVED that the Comptroller/Auditor is authorized to make any technical
49 corrections to the budget that may be necessary.

Dated this 21st day of November 2006.

Respectfully submitted by the Finance Committee.

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

Tax Levy of \$26,920,541.38
Composite Tax Rate of \$5.758919 per \$1,000 of equalized value.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Graunke moved, seconded by Supervisor Vogt , to divide the question so the Health Department portion of the budget is considered separately. Upon vote, the motion carried unanimously.

Supervisor Zigmunt moved, seconded by Supervisor Hansen, to divide the question so the Clerk of Circuit Court portion of the budget is considered separately. Upon vote, the motion carried with 22 ayes and 1 abstention. Supervisor Zigmunt abstained; all other supervisors voted aye.

Supervisors voted on the Clerk of Circuit Court portion of the budget. Upon vote, the motion carried with 22 ayes and 1 abstention. Supervisor Zigmunt abstained; all other supervisors voted aye.

Supervisors voted on the Health Department portion of the budget. Upon vote, the motion carried with 22 ayes and 1 abstention. Supervisor Graunke abstained; all other supervisors voted aye. Discussion followed.

Amendment #1: Supervisor Tittl moved, seconded by Supervisor Dobbs, to amend Page 31 to include the position of Deputy Veteran Service Officer and page 33 strike the elimination of Deputy Veteran Service Officer and keep funding as budgeted. Upon discussion and vote, the motion failed with 21 noes and 2 ayes. Supervisors Tittle and Konen voted aye; all other supervisors voted no.

Supervisors voted to adopt the remainder of the 2007 Budget and Property Tax Levy. Upon vote, the motion carried with 20 ayes and 3 noes. Supervisors Tittl, Behnke and Dobbs voted no; all others supervisors voted aye.

Aging and Disability Resource Center Board: Supervisor Wagner moved, seconded by Supervisor Schneider, to adopt Resolution 4 (2006/2007-75) Adopting 2007 Plan for Older People. Upon vote, the motion carried unanimously.

No. 2006/2007 - 75

RESOLUTION ADOPTING 2007 PLAN FOR OLDER PEOPLE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has prepared its 2007 Plan for Older People in order to obtain
2 certain Federal and State funds and the Plan has been reviewed by the Aging and Disability Resource Center
3 Board; and
4

5 WHEREAS, the ADRC Board finds the Plan to be fair and equitable, believes that providing the
6 services contained in the Plan will improve and promote the maintenance of human dignity and self-
7 sufficiency of elderly persons in the county, has provided a copy of the Plan to the county board, and
8 recommends that the Plan be adopted; and
9

10 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby
11 adopts the 2007 Plan For Older People.

Dated this 21st day of November 2006.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: None. The following intergovernmental grant and aid requests are included in the 2007 Aging and Disability Resource Center budget request:

Alzheimer's Caregiver Sup.	\$ 36,420
Elder Abuse	35,687
IIIB	87,316
IIC1	220,369
IIC2	57,782
IID	6,971
IIIE	43,515
NSIP (Other Federal)	50,492
Senior Community Services	11,481
State Benefit Specialist	28,215
<u>TOTAL</u>	<u>\$578,248</u>

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 5 (2006/2007-76) Authorizing Supplemental Transportation Rural Assistance Program Grant Application. Upon vote, the motion carried unanimously.

No. 2006/2007 - 76

**RESOLUTION AUTHORIZING SUPPLEMENTAL TRANSPORTATION
RURAL ASSISTANCE PROGRAM GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Transportation has received funds under the federal Safe,
2 Accountable, Flexible, and Efficient Transportation Equity Act to supplement or expand existing rural and
3 special public transportation services in Wisconsin; and
4

5 WHEREAS, a supplemental transportation rural assistance program grant would cover approximately
6 80% of the cost of providing additional transit and mobility services and coordinating specialized and public
7 transportation services in non-urbanized areas; and
8

9 WHEREAS, the Natural Resources and Education Committee recommends that the Aging and
10 Disability Resource Center be authorized to apply for a grant to assist with out-of-county medical
11 transportation; to expand transportation services beyond medical, nutritional, and employment transportation
12 needs; and to purchase software to coordinate specialized and public transportation;
13

14 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
15 authorizes the Aging and Disability Resource Center to apply for supplemental transportation rural assistance
16 program grant funds in the amount of \$44,500; to accept the grant funds if awarded; and to provide a cash
17 match of up to \$10,500 from the Aging Services Fund Balance; and
18

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

Dated this 21th day of November 2006.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: None. Increases expenses by \$60,000 and revenues by \$49,500, with the remaining \$10,500 drawn from the Aging Services Fund Balance.

APPROVED: Bob Ziegelbauer, County Executive.

Health Care Center Committee: Supervisor Graunke reported the Medicaid flat rate increased to \$5.33 per day which will bring in additional IGT funds. Administrator Michael Thomas has been talking with local

orthopedic physicians regarding the new Silver Lake Rehab Unit where therapy will be located. She invited everyone to the annual Tree Lighting Ceremony at the Health Care Center on December 4.

Highway Committee: Supervisor Bundy reported the waterline project is in its final stage and the I-43 satellite shop will be ready for occupancy the week of December 4. Their next meeting will be December 12.

Human Services Board: Supervisor Rappe reported they met with foster parents; with the closing of the psychiatric unit at Holy Family Memorial patients will have to be transported to Brown County; and they are continuing the search for an in-house psychiatrist.

Supervisor Rappe moved, seconded by Supervisor Rappe, to adopt Resolution 6 (2006/2007-77) Designating Adult-At-Risk and Elder-Adult-At-Risk Agencies. Upon vote, the motion carried unanimously.

No. 2006/2007 - 77

**RESOLUTION DESIGNATING ADULT-AT-RISK
AND ELDER-ADULT-AT-RISK AGENCIES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors has designated the Manitowoc County
2 Human Services Department as the agency to develop and implement the elder abuse reporting system for
3 Manitowoc County; and
4

5 WHEREAS, 2005 Wisconsin Act 388 requires that the county board designate an agency for the
6 purposes of Wis. Stat. § 55.043 as the agency to serve the population of adults-at-risk; and
7

8 WHEREAS, 2005 Wisconsin Act 388 requires that the county board designate an agency for the
9 purposes of Wis. Stat. § 46.90 as the agency to serve the population of elder-adults-at-risk; and
10

11 WHEREAS, the adult-at-risk agency and the elder-adult-at-risk agency will be required to:
12

- 13 1. Develop a policy for notifying other investigative agencies, including law
14 enforcement officials, in appropriate cases;
- 15 2. Establish an abuse reporting system to carry out the purposes of Wis. Stats. §§ 46.90
16 and 55.043;
- 17 3. Enter into a memorandum of understanding regarding the operation of the system with
18 the county department under Wis. Stats. § 46.215 or 46.22 and with any private or
19 public agency, including a county department under Wis. Stat. § 51.42 or 51.437,
20 within the county that is participating in the reporting system which will, at a minimum,
21 identify the agencies that are responsible for the investigation of reports of abuse,
22 financial exploitation, neglect, or self-neglect of adults-at risk and elder-adults-at-risk,
23 as well as for the provision of specific direct services.
- 24 4. Receive reports of abuse, financial exploitation, neglect, or self-neglect of adults- a t-
25 risk and elder-adults at risk; and
26
- 27 5. Publicize the existence of the reporting system in the county and provide and publicize
28 a telephone number or numbers that can be used by persons wishing to report suspected
29 cases of abuse, financial exploitation, neglect, or self-neglect, both during and outside
30 the agency's regular business hours.
31
32
33
34

35 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
36 designates the Manitowoc County Human Services Department, Long Term Support Unit, Adult Protective
37 Services Section as Manitowoc County's Adult-at-Risk Agency pursuant to Wis. Stat. ch. 55 and as
38 Manitowoc County's Elder-Adult-at-Risk Agency pursuant to Wis. Stat. ch. 46 to perform the duties
39 described above; and
40

41 BE IT FURTHER RESOLVED that this designation is effective December 1, 2006.

Dated this 21st day of November 2006.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Zigmunt, to enact Ordinance 7 (2006/2007-78) Creating Manitowoc County Code Chapter 28 (Livestock Facility Licensing Ordinance). Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 78

**ORDINANCE CREATING MANITOWOC COUNTY CODE CHAPTER 28
(Livestock Facility Licensing Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wis. Stat. § 93.90 was enacted for the purpose of providing uniform regulation of
2 livestock facilities throughout the State of Wisconsin; and
3

4 WHEREAS, Wis. Stat. § 93.90 permits political subdivisions to provide for local approval of
5 livestock facility siting and authorizes the Wisconsin Department of Agriculture, Trade and Consumer
6 Protection to promulgate rules governing the local approval process; and
7

8 WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection has adopted
9 Wis. Admin. Code § ATCP 51 pertaining to livestock facility; and
10

11 WHEREAS, the Land Conservation Committee recommends that Manitowoc County adopt a
12 livestock facility licensing ordinance that is consistent with the requirements of Wis. Stat. § 93.90 and Wis.
13 Admin. Code § ATCP 51;
14

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

18 Manitowoc County Code Chapter 28, Livestock Facility Licensing Ordinance is created to read as
19 follows:
20

21 CHAPTER 28
22 LIVESTOCK FACILITY LICENSING ORDINANCE
23

24 28.01. Introduction. (1) Title. This ordinance may be referred to as the Livestock Facility Licensing
25 Ordinance.
26

27 (2) Authority. This ordinance is adopted pursuant to authority granted by Wis. Stat. secs. 92.15 and
28 93.90.
29

30 (3) Purpose. The purpose of this ordinance is to protect the public health and safety of the people
31 of Manitowoc County by establishing standards and procedures for the issuance of licenses for new and
32 expanded livestock and waste storage facilities.
33

34 (4) Applicability. This ordinance applies to all lands within the boundaries of Manitowoc County
35 lying outside the limits of incorporated cities and villages.
36

37 (5) Construction. This ordinance is to be interpreted liberally to effect the purposes of the ordinance.
38 This ordinance does not abrogate, annul, impair, interfere with, limit, or repeal any existing ordinance or any
39 other power granted by the Wisconsin Statutes.

40 (6) Severability. The provisions of this ordinance are severable and the invalidity of any section,
41 subsection, paragraph, or subdivision will not affect the validity or effectiveness of the remainder of the
42 ordinance.
43

44 28.02. Definitions. (1) In this ordinance:
45

46 “Aggrieved person” means a person who applied to a political subdivision for approval of a livestock
47 facility siting or expansion, a person who lives within 2 miles of a livestock facility that is proposed to be
48 sited or expanded, or a person who owns land within 2 miles of a livestock facility that is proposed to be sited
49 or expanded.
50

51 “Committee” means the Land Conservation Committee.
52

53 “Director” means the director of the Soil and Water Conservation Department or his or her designee.
54

55 “Department” means the Wisconsin Department of Agriculture, Trade and Consumer Protection.
56

57 “Owner” means any person with an ownership interest in a livestock facility or the land on which a
58 livestock facility is located.
59

60 “Pre-existing livestock facility” means a livestock facility that existed before the effective date of this
61 ordinance.
62

63 “Previously approved livestock facility” means either a livestock facility that was issued a conditional
64 use permit, license, or other local approval before the effective date of this ordinance or a livestock facility
65 that has been issued a license under this ordinance.
66

67 “Review Board” means the livestock facility siting review board defined in Wis. Stat. sec.
68 93.30(1)(b).
69

70 “SWCD” means the Soil and Water Conservation Department.
71

72 (2) The definitions contained in Wis. Admin. Code Ch. ATCP 51 are incorporated by reference and
73 adopted by this ordinance.
74

75 28.03. License Requirements. (1) A license is required for any new livestock facility with 750 or
76 more animal units.
77

78 (2) A license is required for an expanded livestock facility if the number of animal units at the
79 expanded livestock facility will exceed 750 and the number of animal units will exceed the maximum number
80 previously approved or, if no maximum number was previously approved, will exceed a number that is 20%
81 higher than the number kept on the effective date of this ordinance.
82

83 (3) A license is not required for a pre-existing or previously approved livestock facility except as
84 provided in sub. (2).
85

86 28.04. License Conditions. (1) General Condition. A license issued under this ordinance is
87 conditioned on compliance with the terms of this ordinance.
88

89 (2) Implementation. An operator must begin to construct, expand, or populate a livestock facility
90 within two years of the issuance of a license. If the operator begins to construct, expand, or populate a
91 livestock facility within two years, the license will continue in effect regardless of the rate at which the
92 operator constructs, expands, or populates the facility and regardless of whether the operator exercises the
93 full authority granted by the license.
94

95 (3) Modification. An operator must provide written notice to SWCD and obtain written approval
96 from SWCD before making changes, other than minor alterations, to a licensed facility or deviating from any
97 commitment made in an approved license application.
98

99 (4) Transfer. A license is transferable to a new owner or operator. The new owner or operator must
100 provide SWCD with the new owner or operator's name and address within 30 days of the date of any change
101 in the owner or operator.
102

103 (5) Recording. The owner or operator of a livestock facility may, at the owner or operator's expense,
104 record the approved copy of the license application with the register of deeds.
105

106 28.05. Licensing Standards. (1) State Standards Adopted. The livestock facility siting standards
107 established in Wis. Admin. Code Ch. ATCP 51, including all appendixes, worksheets, and any future
108 amendments to that chapter, are incorporated by reference and adopted by this ordinance.
109

110 (2) Property Line Setbacks. (a) A livestock structure may not be located within 100 feet of a property
111 line if the livestock facility will have 750 or more, but less than 1,000, animal units.
112

113 (b) A livestock structure may not be located within 200 feet of a property line if the livestock facility
114 will have 1,000 or more animal units.
115

116 (c) The property line setback requirement does not prevent the use of a livestock structure that was
117 located within the setback area prior to the effective date of the setback requirement.
118

119 (d) The property line setback requirement does not prevent the expansion of a livestock structure that
120 was located within the setback area prior to the effective date of the setback requirement, except that the
121 structure may not be expanded toward a property line in such a way as to reduce any prior nonconforming
122 setback.
123

124 (3) Public Road Right-of-Way Setbacks. (a) A livestock structure may not be located within 100 feet
125 of a public road right-of-way if the livestock facility will have 750 or more, but less than 1,000, animal units.
126

127 (b) A livestock structure may not be located within 150 feet of a public road right-of-way if the
128 livestock facility will have 1,000 or more animal units.
129

130 (c) The public road right-of-way setback requirement does not prevent the use of a livestock structure
131 that was located within the setback area prior to the effective date of the setback requirement.
132

133 (d) The public road right-of-way setback requirement does not prevent the expansion of a livestock
134 structure that was located within the setback area prior to the effective date of the setback requirement, except
135 that the structure may not be expanded toward a public road right-of-way in such a way as to reduce any prior
136 nonconforming setback.
137

138 (4) Waste Storage Structure Setbacks. (a) Except as provided in par. (b), a new waste storage
139 structure may not be located within 350 feet of a property line or a public road right-of-way.
140

141 (b) A single new waste storage structure may be constructed within the setback area if it is
142 constructed on the same tax parcel as a waste storage structure that existed prior to May 1, 2006, provided
143 that it is constructed no closer to a property line or public road right-of-way in such a way as to reduce any
144 prior nonconforming setback, is no larger than the existing structure, and is located within 50 feet of the
145 existing structure.
146

147 (c) The waste storage structure setback requirement does not prevent the use of a waste storage
148 structure that was located within the setback area prior to the effective date of the setback requirement.
149

150 (d) The waste storage structure setback requirement does not prevent the expansion of a waste storage
151 structure that was located within the setback area prior to the effective date of the setback requirement, except
152 that the structure may not be expanded toward a property line in such a way as to reduce any prior
153 nonconforming setback.
154

155 28.06. Application Procedure. (1) General. An operator must complete the application form and
156 worksheets prescribed by Wis. Admin. Code Ch. ATCP 51.
157

158 (2) Additional Copies. The operator must file 4 duplicate copies of the application form, including
159 worksheets, maps, and other documents included with the application, with SWCD.

160
161 (3) Fee. A non-refundable application fee of \$1,000 must accompany the application.
162

163 (4) Notice of Complete Application. (a) SWCD will notify the applicant within 45 days of receipt
164 of an application whether the application is complete. If the application is not complete, SWCD will specify
165 what additional information is needed. Notice that the application is complete does not constitute approval.
166

167 (b) SWCD will notify the applicant within 14 days of receipt of additional information whether the
168 application is complete. If the application is not complete, SWCD will specify what additional information
169 is needed. Notice that the application is complete does not constitute approval.
170

171 (5) Notice to Town Board and Adjacent Landowners. SWCD will send a copy of the notice of
172 complete application to the town board for the town in which the proposed livestock facility is located and
173 to adjacent landowners by first class mail within 14 days of issuing the notice to the applicant. Failure to
174 notify an adjacent landowner does not invalidate any approval of a proposed livestock facility or create a
175 cause of action by a property owner against the county.
176

177 (6) Timely Action and Extensions. (a) SWCD shall grant or deny an application within 90 days after
178 it issues a notice of complete application.
179

180 (b) SWCD may extend the time in which to grant or deny the application if additional information
181 is needed to act on the application, if the applicant materially modifies the application, or if the applicant
182 agrees to an extension. SWCD shall provide the application with a written notice of any extension that
183 contains the reason for the extension and the date by which it will act on the application.
184

185 (7) Granting or Denying an Application. (a) Except as permitted by par. (b), SWCD shall grant a
186 license if the application complies with the requirements of Wis. Admin. Code § ATCP 51.30 and the
187 application contains sufficient credible information to show, in the absence of clear and convincing evidence
188 to the contrary, that the proposed livestock facility meets or is exempt from the standards contained in
189 subchapter II of Wis. Admin. Code Ch. ATCP 51.
190

191 (b) SWCD may deny an application if it finds that the application fails to meet the standard for
192 approval under par. (a) or finds, based on clear and convincing information in the record, that the proposed
193 livestock facility does not comply with an applicable standard under subchapter II of Wis. Admin. Code Ch.
194 ATCP 51.
195

196 (8) Written Decision. (a) SWCD's decision to grant or deny a license must be made in writing. The
197 decision must be based on written findings of fact that are included in the decision and the findings must be
198 supported by evidence in the record. Findings may be based on presumptions created by Wis. Admin. Code
199 Ch. ATCP 51.
200

201 (b) If SWCD grants the application, it shall provide the applicant with a copy of the application
202 marked "APPROVED." The copy must include the application form and all of the worksheets, maps, and
203 other documents included with the application form, except that the copy does not need to include
204 engineering design specifications.
205

206 (c) SWCD shall, within 30 days of its decision granting or denying an application, provide the
207 Department with a copy of the decision and a copy of the application as approved or denied, including all
208 worksheets, maps, and other documents included with the application, except that the copy does not need to
209 include engineering design specifications.
210

211 28.07. Administration and Enforcement. (1) This ordinance will be administered by the SWCD, and
212 the Director shall:
213

214 (a) Keep an accurate record of all license applications, licenses issued, plans, inspections, and other
215 official actions.
216

217 (b) Review license applications and issue licenses under this ordinance.

218 (c) Investigate complaints relating to compliance with this ordinance.

219
220 (d) Perform any other duties specified in this ordinance.

221
222 (2) Inspection Authority. The Director may, upon notice to the owner or operator, request permission
223 to inspect, at a reasonable time and date, any premises for which a license has been applied for or granted to
224 determine compliance with this ordinance. If permission is not given, entry onto the premises may be gained
225 pursuant to Wis. Stat. sec. 66.0119. Refusal to grant permission to enter is grounds for denial or revocation
226 of a license.

227
228 (3) Notice of Noncompliance. If a licensed facility is found not to be in compliance with any
229 commitment contained in an approved application or any provision of this ordinance, the Director may issue
230 a written notice of noncompliance to the owner or operator stating the conditions of non-compliance,
231 directing the action required to come into compliance, and providing a reasonable amount of time within
232 which compliance is required. The notice of noncompliance may include a stop work order. An owner or
233 operator who disputes that the conditions of the license have not been complied with may, within 30 days of
234 receipt of a notice of noncompliance, appeal the notice of noncompliance and request a hearing before the
235 Committee.

236
237 (4) Citation Authority. The Director may issue a citation for any violation of this ordinance if an
238 owner or operator fails to comply with the action requirement contained in a notice of noncompliance.

239
240 (5) Revocation Authority. The Director may recommend to the Committee that it revoke a license
241 for substantial noncompliance with any provision of this ordinance, substantial noncompliance with any
242 commitment made in an application, violation of a condition contained in a license, refusal to permit
243 inspection of a premises for which a license has been applied for or granted, or failure to comply with the
244 action requirement contained in a notice of noncompliance. The Committee shall hold a hearing on the
245 Director's recommendation.

246
247 (6) Legal Referral. The Director or the Committee may refer a violation of this ordinance to
248 Corporation Counsel for legal action, including an action seeking injunctive relief, if an owner or operator
249 fails to comply with any action requirement contained in a notice of noncompliance.

250
251 (7) Nothing in this section may be construed to prevent the county from using any other lawful means
252 to enforce this ordinance.

253
254 28.08. Hearings and Appeals. (1) The Committee will conduct hearings on any appeals under this
255 ordinance in accordance with Wis. Stat. Ch. 68.

256
257 (2) The Committee is authorized to hear and decide appeals where it is alleged that there is an error
258 in any decision, determination, notice, order, or requirement issued by the Director.

259
260 (3) The Committee is authorized to hear and decide upon any recommendation from the Director to
261 revoke a license. The Committee may revoke a license if, after due notice to the livestock facility owner, a
262 public hearing, and consideration of any extenuating circumstances that may affect an operator's ability to
263 comply, it determines that revocation is appropriate.

264
265 (4) In addition to any other appeal rights, an aggrieved person may request that the Review Board
266 review any decision made by the Director, SWCD, or the Committee in connection with a license application.
267 An appeal under this subsection must be requested within 30 days of the action being appealed and must
268 comply with the requirements of Wis. Stat. § 93.30, Wis. Admin. Code Ch. ATCP 51, and the Review
269 Board's administrative rules.

270
271 28.09. Violations. (1) It is unlawful for any person to own or operate a livestock facility without a
272 license that is required by this ordinance, to violate any provision of this ordinance, to violate any condition
273 contained in a license issued pursuant to this ordinance, or to fail to fulfill any commitment made in an
274 approved license application.

275

276 (2) It is unlawful for any person to knowingly provide false information, make a false statement, or
277 fail to provide or misrepresent any material fact to a county agent, board, commission, committee,
278 department, employee, officer, or official acting in an official capacity under this ordinance
279

280 (3) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or otherwise resist
281 an order issued pursuant to this ordinance.
282

283 (4) A separate offense is deemed committed on each day that a violation occurs or continues.
284

285 (5) The failure of any employee, official, or officer of the County to perform any official duty
286 imposed by this code will not subject the employee, official, or officer to the penalty imposed for violation
287 of this code unless a penalty is specifically provided.
288

289 28.10. Penalties. (1) A person will, upon conviction for a violation of this ordinance, forfeit not less
290 than \$500 nor more than \$1,000 for each offense, together with any applicable assessments, costs, surcharges,
291 and the costs of prosecution for each violation, and may be ordered to take such action as is necessary to abate
292 the offense within a specified time.
293

294 (2) The minimum and maximum forfeitures specified in this section are doubled each time that a
295 person is convicted for the same violation of this ordinance within any 24-month period.
296

297 (3) A person who has the ability to pay a forfeiture entered pursuant to this ordinance, but who fails
298 or refuses to do so may be confined in the county jail until the forfeiture and costs are paid, but the period
299 of confinement may not exceed 30 days for each offense. In determining whether a person has the ability to
300 pay, all items of income and all assets may be considered regardless of whether the income and assets are
301 subject to garnishment, lien, or attachment by creditors.
302

303 (4) In the event an offense is not abated as ordered, Manitowoc County may take such action as is
304 necessary to abate the offense and the cost of such abatement will become a lien upon the person's property
305 and may be collected in the same manner as other taxes.
306

307 28.11. Effective Date. This ordinance is effective on January 1, 2007.

Respectfully submitted by the Land Conservation Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee: Supervisor Vogt reported they waived the advertising requirement for the Maintenance III position being vacated in January to recruit from the pool of applications recently received for another Maintenance III vacancy; the AFSCME union representative has not submitted the final offer to the Mediator which was due October 20; and there is another health insurance option that will be available to non-represented employees where they can choose a high deductible plan combined with a Health Savings Account.

Supervisor Vogt moved, seconded by Supervisor Bundy, to adopt Resolution 8 (2006/2007-79) Amending Non-Represented Employee Policy and Procedure Manual. Upon vote, the motion carried unanimously.

No. 2006/2007 - 79

**RESOLUTION AMENDING NON-REPRESENTED
EMPLOYEE POLICY AND PROCEDURE MANUAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

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

4 WHEREAS, a Post Employment Health Plan was created for non-represented employees to allow
5 Manitowoc County to allow the placement of the retirement payout of unused accumulated sick leave in a
6 tax free account, and Post Employment Health Plan funds can only be used to pay for insurance premiums
7 upon separation from employment; and
8

9 WHEREAS, contributions to a Post Employment Health Plan are exempt from FICA tax and save
10 Manitowoc County 7.65% on the retirement payout that would otherwise have to be paid, and the recent
11 settlement with employees represented by the Wisconsin Professional Police Association (WPPA) reflects
12 this savings by providing for 58% of the retirement payout to be placed in a Post Employment Health Plan;
13 and
14

15 WHEREAS, the Personnel Committee recommends that non-represented employees be granted the
16 same Post Employment Health Plan benefit that is contained in the WPPA settlement;
17

18 NOW, THEREFORE, BE IT RESOLVED that Non-Represented Employee Policy and Procedure
19 Manual Section 12.06(10) is amended to change the retirement payout from 50% to 58%.

Dated this 21st Day of November 2006.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT: Less that \$500 per year (the difference between a retirement payout at 58% and
57.65%).

APPROVED: Bob Ziegelbauer, County Executive.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Kozlowski, to
adopt Resolution 9 (2006/2007-80) Authorizing Acceptance and Disbursement of Funds for Silver Lake
County Park. Upon vote, the motion carried unanimously.

No. 2006/2007 - 80

**RESOLUTION AUTHORIZING ACCEPTANCE AND DISBURSEMENT
OF FUNDS FOR SILVER LAKE COUNTY PARK**

TO MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission has received an anonymous monetary gift of
2 \$40,000 for the restoration and development of Silver Lake County Park; and
3

4 WHEREAS, the Planning and Park Commission recommends that Manitowoc County accept this
5 generous gift and apply it to the Silver Lake County Park Restoration Project;
6

7 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
8 expresses its appreciation for and accepts the generous anonymous gift of \$40,000 for the Silver Lake County
9 Park Restoration Project and authorizes Planning and Park Department Director Mike Demske to execute
10 such papers and to take such other actions as may be necessary to accept and disburse these monies for the
11 Silver Lake County Park Restoration Project; and
12

13 BE IT FURTHER RESOLVED the 2006 budget is amended by the amount stated and that the
14 Comptroller/Auditor is directed to record such information in the official books of the County for the year
15 ending December 31, 2006 as may be required.

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

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

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Mueller moved, seconded by Supervisor Muench, to enact Ordinance 10 (2006/2007-81) Amending Zoning Map (Roger Baetke), Ordinance 11 (2006/2007-82) Amending Zoning Map (Todd Preston), Ordinance 12 (2006/2007-83) Amending Zoning Map (Jason Radandt), Ordinance 13 (2006/2007-84) Amending Zoning Map (River Central LLP), and Ordinance 14 (2006/2007-85) Amending Zoning Map (S&S Management LLC). Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Rappe and Schneider voted no; all other supervisors voted yes.

No. 2006/2007 - 81

ORDINANCE AMENDING ZONING MAP (Roger Baetke)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 6, 2006 at 10:00 a.m. at the
2 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be
6 approved for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NW¼, NW¼, Section 35, T19N-R22E, Town of Cato,
12 commencing at the W¼ Corner of said Section 35; thence easterly along the centerline of
13 Rainbow Court approximately 1320 feet; thence northerly along the centerline of Old Wooden
14 Bridge Road approximately 1450 feet; thence westerly approximately 33 feet to the west r/w
15 of Old Wooden Bridge Road which is the point of real beginning; thence southerly along
16 the north r/w of an existing railroad grade approximately 290 feet; thence northerly
17 approximately 150 feet; thence easterly approximately 290 feet; thence southerly along the west
18 r/w of Old Wooden Bridge Road approximately 150 feet to the point of real beginning, said
19 parcel containing approximately 1.0 acres of land, shall be and is hereby rezoned from A3
20 Agriculture to A1 Agriculture.

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 82

ORDINANCE AMENDING ZONING MAP (Todd Preston)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 6, 2006 at 10:00 a.m. at the
2 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be
6 approved for the reasons stated in the attached report;
7

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

11 A parcel of land located in the NW¼, NE¼, Section 29, T19N-R23E, Town of Manitowoc
12 Rapids, commencing at the N¼ Corner of said Section 29; thence easterly approximately 1320
13 feet; thence southerly approximately 33 feet to the south r/w of Middle Road which is the point
14 of real beginning; thence continue southerly approximately 1320 feet; thence easterly
15 approximately 1320 feet; thence northerly approximately 1320 feet; thence westerly along the
16 south r/w of Middle Road approximately 1320 feet to the point of real beginning, said parcel
17 containing approximately 40.0 acres of land, shall be and is hereby rezoned from A3 Agriculture
18 to PA Agriculture.

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

No. 2006/2007 - 83

ORDINANCE AMENDING ZONING MAP (Jason Radandt)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 6, 2006 at 10:00 a.m. at the
2 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be
6 approved for the reasons stated in the attached report;
7

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

11 Parcel No. 1, located in the SW¼, SE¼, Section 3, T18N-R22E, Town of Liberty and
12 commencing at the S¼ Corner of said Section 3; thence easterly along the centerline of English
13 Lake Road approximately 550 feet; thence northerly approximately 33 feet to the north r/w of
14 English Lake Road which is the point of real beginning; thence continue northerly
15 approximately 1100 feet; thence easterly approximately 800 feet; thence southerly
16 approximately 1100 feet thence westerly along the north r/w of English Lake Road
17 approximately 800 feet to the point of real beginning, said parcel containing approximately
18 20.22 acres of land, shall be and is hereby rezoned from A3 and A2 Agriculture to PA
19 Agriculture;
20

21 and

22 Parcel No. 2, located in the NW¼, SE¼, Section 3, T18N-R22E, Town of Liberty and
23 commencing at the Center of said Section 3; thence easterly approximately 1320 feet; thence
24 southerly approximately 470 feet which is the point of real beginning; thence southwesterly
25 approximately 388 feet; thence southerly approximately 388 feet; thence northeasterly
26 approximately 388 feet; thence northerly approximately 388 feet to the point of real beginning,
27 said parcel containing approximately 3.50 acres of land, shall be and is hereby rezoned from A2
28 Agriculture to A3 Agriculture.

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ORDINANCE AMENDING ZONING MAP (River Central LLP)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 6, 2006 at 10:00 a.m. at the
2 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

10 A parcel of land located in the NE¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc
11 Rapids, commencing at the center of said Section 5; thence northerly along the centerline of
12 Deer Lane approximately 1320 feet; thence continue northerly approximately 700 feet which
13 is the point of real beginning; thence westerly approximately 400 feet; thence northerly
14 approximately 700 feet; thence easterly approximately 300 feet to the OHWM of the Branch
15 River; thence southeasterly along the OHWM of the Branch River approximately 550 feet;
16 thence southwesterly approximately 400 feet to the point of real beginning, said parcel
17 containing approximately 8.0 acres of land, shall be and is hereby rezoned from GA Agriculture
18 to A1 Agriculture.
19

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ORDINANCE AMENDING ZONING MAP (S&S Management LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a public hearing was held on Monday, November 6, 2006 at 10:00 a.m. at the
2 Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
3

4 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful consideration
5 of testimony and an examination of the facts attendant with the petition, recommends the petition be approved
6 for the reasons stated in the attached report;
7

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

10 Parcel No. 1, located in the NE¼, NW¼, Section 22, T19N-R23E, Town of Manitowoc Rapids
11 and commencing at the northwest corner of said Section 22; thence S89°39'16" E along the
12 section line a distance of 706.52 feet to the point of real beginning; thence continue S 89° 39'
13 16" E along said section line a distance of 467.02 feet; thence S 43° 05' 06" E along a purchased
14 right of way line 218.37 feet; thence S 00° 07' 12" W along the 1/16th line a distance of 746.99
15 feet; thence N 89° 52' 48" W a distance of 615.19 feet; thence N 00° 02' 13" E a distance of
16 908.00 feet to the point of real beginning, said parcel containing approximately 12.55 acres of
17 land, shall be and is hereby rezoned from A3 Agriculture to A1 Agriculture;
18

19 and

20

21

22

23

24

25

26

27

Parcel No. 2, located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 22, T19N-R23E, Town of Manitowoc Rapids and commencing at the W $\frac{1}{4}$ Corner of said Section 22; which is the point of real beginning; thence N 00° 02' 46" W along the section line a distance of 660.00 feet; thence N 89° 57' 14" E a distance of 660.00 feet; thence S 00° 02' 46" E a distance of 660.69 feet; thence N 89° 59' 10" W along the $\frac{1}{4}$ section line a distance of 660.00 feet to the said west $\frac{1}{4}$ corner and the point of real beginning, said parcel containing approximately 10.0 acres of land, shall be and is hereby rezoned from A3 Agriculture to GA Agriculture.

Dated this 21st day of November 2006.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Bauknecht moved to adjourn. Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:40 P.M.

Respectfully submitted,
Char Peterson, County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

December 19, 2006

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 19th day of December, 2006 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:03 P.M.

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

Roll call: 22 members present; Bauknecht, Behnke, Brey, Bundy, Dobbs, Dufek, Gauger, Henrickson, Heyroth, Janowski, Konen, Kozlowski, Markwardt, Mueller, Muench, Rappe, Rasmussen, Schneider, Tittl, Vogt, Wagner, and Zigmunt. Supervisors Graunke, Hansen and Maresh were excused.

On a motion by Supervisor Behnke and seconded by Supervisor Vogt, the November 30, 2006 meeting minutes were approved on a unanimous vote.

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

Chairperson Brey declared public input open at 7:10 p.m.

Economic Development Corporation Director Ken Stubbe presented his annual report summarizing the 2006 activities of the EDC. Mr. Stubbe reported there are currently 400-500 skilled-worker jobs available but not enough skilled workers to fill them. The EDC logged 137 projects for 2006 included an EDC Private Investment Committee; a comprehensive website upgrade; a \$40,000 EDA Process Improvement and Training Grant; and Business Plan Writing Class. Mark Ring, Treasurer, presented a summary of the financial information in the annual report and discussed the 2007 proposed operating budget of \$429,000. He also described new fund-raising efforts. They answered supervisors' questions.

No one else present wished to speak and public input was closed at 7:28 p.m.

MISCELLANEOUS

Supervisor Muench moved, seconded by Supervisor Rasmussen, to adopt Resolution 20 (2006/2007-87) Thanking Char Peterson for her Public Service. Chairperson Brey asked for unanimous consent, there was no objection, and the resolution was adopted by unanimous consent.

No. 2006/2007 - 87

**RESOLUTION THANKING CHAR PETERSON
FOR HER PUBLIC SERVICE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Char Peterson began employment with Manitowoc County in the Register of Deeds
2 Office in May 1983; became Deputy County Clerk in September 1991; was appointed as the County Clerk
3 on April 16, 2002; was elected as the County Clerk in November 2002; and was the County Clerk until
4 December 15, 2006; and
5

6 WHEREAS, Char Peterson has been a valued and dedicated public servant for more than 23 years;
7 has shown a genuine regard for the citizens of this county, and has continually strived to control the cost to
8 the taxpayer of providing necessary public services; and
9

10 WHEREAS, Char Peterson has been active within the community and has been a member of the
11 Future Business Leaders of America, the Lakeshore Humane Society Board of Directors, the Manitowoc

12 County Employee Credit Union Board of Directors, the Manitowoc County Historical Society, and the United
13 Way Board of Directors; and

14
15 WHEREAS, the County Board wishes to recognize Char Peterson for her public service, dedication,
16 and commitment to the citizens of Manitowoc County;

17
18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
19 expresses its appreciation to Char Peterson for the public service that she has performed and directs that a
20 copy of this resolution be provided to Char Peterson.

Dated this 19th day of December 2006.

Respectfully submitted by Corporation Counsel.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Mueller, to adopt Resolution 21 (2006/2007-88), Honoring Kenneth Petersen on His Retirement. Chairperson Brey asked for unanimous consent, there was no objection, and the resolution was adopted by unanimous consent.

No. 2006/2007- 88

RESOLUTION HONORING KENNETH J. PETERSEN ON HIS RETIREMENT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Kenneth J. Petersen joined the Manitowoc County Sheriff's Department as a Patrol
2 Officer on May 16, 1975; was promoted to Patrol Sergeant on June 1, 1982; was promoted to Deputy
3 Inspector on January 15, 1998; and was promoted to Inspector/Undersheriff on December 18, 1989; and

4
5 WHEREAS, Kenneth J. Petersen was elected to the Office of Manitowoc County Sheriff effective
6 January 1, 2001; and

7
8 WHEREAS, Kenneth J. Petersen has announced his decision to not run for another term as Sheriff
9 and will complete his elected term and retire on January 2, 2007; and

10
11 WHEREAS, Kenneth J. Petersen has provided more than 31 years of dedicated service as a law
12 enforcement officer in order to protect the citizens of Manitowoc County and their property without regard
13 to his own personal safety; and

14
15 WHEREAS, Kenneth J. Petersen has been an instrumental force in the development of a highly
16 effective Sheriff's Department; and

17
18 WHEREAS, Kenneth J. Petersen has been an active member of the community, as shown by his
19 involvement in the Manitowoc County Traffic Safety Commission, Crime Stoppers, YMCA Board of
20 Directors, Manitowoc Crime Prevention Committee, Capitol Civic Center, Francis Creek Lions Club,
21 Manitowoc County Deputy Sheriff's Association, and Manitowoc County Deputy Sheriff and Constables
22 Association;

23
24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
25 expresses its sincere appreciation to Kenneth J. Petersen for his years of dedicated service and his many
26 important contributions to the county and the community and wishes him well in his retirement and in all his
27 future endeavors.

Dated this 19th day of December 2006.

Respectfully submitted by Corporation Counsel.

APPROVED: Bob Ziegelbauer, County Executive.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Chairperson Brey read a Proclamation thanking Char Peterson for her public service as County Clerk.

Chairperson Brey presented a Proclamation Honoring Outgoing Sheriff Ken Petersen.

Chairperson Brey read a Certificate of Appreciation for retiring Manitowoc County employee Nancy Zinn.

Public Works Director Jeff Beyer presented Certificates of Appreciation to retiring Manitowoc County employees Linda Dueno-Dufek and Robert Webster.

County Executive Bob Ziegelbauer presented a report on the status of health insurance changes. A Health Savings Account that allows substantial cost savings for taxpayers while economically benefitting employees has been made available to some employees of which two thirds of those employees have voluntarily chosen it. AFSCME bargaining groups will have to decide whether they will take advantage of this opportunity which could contain health care costs with incentives for a healthier lifestyle.

Soil and Water Director Tom Ward presented information on the Economic and Environmental Impact and the need for revision to the Manitowoc County Code Chapter 19 relating to Animal Waste Management Ordinance. The ordinance that is used to address runoff problems was adopted in 1998 to set minimum standards with the goal of reducing fish kills and manure incidents to ground water and surface water. There have been focus group meetings, workshops, and emergency planning to prevent spills. A \$15,000 grant has been received from the Wisconsin Department of Agriculture to develop a manure spill prevention plan and a \$40,000 grant to develop a nutrient management plan. He explained the ordinance revision process will include a Class II notice, the Board to conduct a public hearing in January, and a referendum in the townships at the April election. The referendum must pass in each township to be in effect in that municipality. Once the referendum passes at the April election, the ordinance would take effect May 1, 2007. He answered supervisors' questions.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer's appointment of Tom Davis to the Human Services Board for a three-year term expiring December 31, 2009. Supervisor Bauknecht moved, seconded by Supervisor Kozlowski, to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer's appointments of Karyl Rommelfanger, John Thompson, Jacqualine Ungrodt, and Robert C. Vollendorf to the Manitowoc-Calumet Library System Board of Trustees for three-year terms expiring January 2010. Supervisor Muench moved, seconded by Supervisor Markwardt, to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

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

Aging & Disability Resource Center Committee: Supervisor Wagner reported December 31 is the deadline for recipients currently enrolled in the Medicare Part D Program to change to a different plan. Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 1 (2006/2007-89) Authorizing Specialized Transportation Assistance Program Grant Application. Upon vote, the motion carried unanimously.

No. 2006/2007 - 89

**RESOLUTION AUTHORIZING SPECIALIZED
TRANSPORTATION ASSISTANCE PROGRAM GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 85.21 authorizes the Wisconsin Department of Transportation to grant
2 financial aid to counties for the purpose of providing specialized transportation services to persons who are
3 elderly or disabled; and

4
5 WHEREAS, each such grant must be matched with a local share equal to at least 20% of the amount
6 of state aid for which the county applies, and the Natural Resource and Education Committee recommends
7 that Manitowoc County apply for grant funding which will require a local share of \$41,552; and
8

9 WHEREAS, the Manitowoc County Board of Supervisors finds that provision of specialized
10 transportation services would improve and promote the maintenance of human dignity and self-sufficiency
11 of elderly and disabled persons;
12

13 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors authorizes
14 the Aging & Disability Resource Center Director to prepare and submit an application for financial assistance
15 under Wis. Stat. § 85.21 to the Wisconsin Department of Transportation for 2007, provided that the local
16 share required for such assistance does not exceed \$41,552; and
17

18 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes the Aging
19 & Disability Resource Center Director to execute a Wisconsin Department of Transportation state aid contract
20 under Wis. Stat § 85.21 on behalf of Manitowoc County, provided that the local share required by the contract
21 does not exceed \$41,552.

Dated this 19th day of December 2006.

Respectfully submitted by the Aging and Disability Resource Center Board.

FISCAL IMPACT: Tax levy of \$41,552 is included in the 2007 budget.

APPROVED: Bob Ziegelbauer, County Executive.

Board of Health: Supervisor Janowski reported they met on December 14 and discussed the current policy on non-profit food stamps and the need to make dental health care affordable to everyone. An ordinance amendment will be brought before the Board in January regarding permit requirements for food stamps. Their next meeting will be January 11.

Executive Committee: Supervisor Muench moved, seconded by Supervisor Behnke, to adopt Resolution 2 (2006/2007-90) Authorizing Creation of a County Logo. Upon vote, the motion carried unanimously.

No. 2006/2007 - 90

RESOLUTION AUTHORIZING CREATION OF A COUNTY LOGO

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, creating a county logo will give Manitowoc County an opportunity to project a graphical
2 representation of its central mission and vision; and
3

4 WHEREAS, while the county seal is used by the county's officers, officials, and employees in the
5 performance of their official duties, a county logo would be more appropriate for everyday and promotional
6 use; and
7

8 WHEREAS, input and designs for creation of a logo will be reviewed by a committee comprised of
9 citizens, county board supervisors, county employees, and municipal officials who will be selected by the
10 County Executive's Office, which will oversee the project; and
11

12 WHEREAS, the committee's final logo recommendation will be presented to the County Board for
13 its approval;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
16 authorizes the County Executive's office to form a committee and oversee the development of a county logo
17 that will be submitted to the county board for its approval.

Dated this 19th day of December 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable. Cost will depend on the amount of employee time spent on the program. Production and materials costs are unknown.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Markwardt moved, seconded by Supervisor Rasmussen, to adopt Resolution 3 (2006/2007-91) Authorizing County Apparel Program. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007 - 91

RESOLUTION AUTHORIZING COUNTY APPAREL PROGRAM

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a branded apparel program will give Manitowoc County an opportunity to project a
2 graphical representation of its central mission and vision; and
3

4 WHEREAS, apparel will be embroidered with the county logo and will be for sale to both county
5 employees and the public; and
6

7 WHEREAS, items will be priced to cover all costs;
8

9 WHEREAS, the vendor chosen to produce the apparel will be selected by the County Executive's
10 Office; and
11

12 WHEREAS, the County Executive's Office will oversee the program and determine what products
13 will be offered;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
16 authorizes the development and implementation of a county apparel program under the direction of the
17 County Executive's office.

Dated this 19th day of December 2006.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Indeterminable. Cost of the program will depend on the amount of employee time spent on the program. Minimal space requirements are anticipated. Production and materials costs should be recovered from apparel sales.

APPROVED: Bob Ziegelbauer, County Executive.

Their next meeting will be January 8.

Expo Board

Supervisor Behnke reported they continue to secure acts for the 2007 Manitowoc County Fair.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Muench, to adopt Resolution 4 (2006/2007-92) Urging Enactment of Fair Utility Tax-Sharing Laws. Upon vote, the motion carried unanimously.

No. 2006/2007 - 92

**RESOLUTION URGING ENACTMENT OF
FAIR UTILITY TAX-SHARING LAWS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, the state statutes under which the State taxes a utility company's local operations were
5 written in 1929 to improve efficiency and allow state experts to uniformly value all utility property in the
6 state, levy a property tax on the property, and return 83% of the collected tax receipts to the site counties and
7 local units of government as compensation for losing the right to assess local property taxes on those local
8 operations; and
9

10 WHEREAS, the State changed this system some 30 years ago so that the State could "skim-off"
11 additional tax revenues, and now only 19% of these tax collections are returned to counties and municipalities
12 which have local utility company operations; and
13

14 WHEREAS, the State converted the utility tax to a gross receipts tax some 22 years ago, but
15 continues to compensate counties and municipalities which have local utility company operations under the
16 earlier, archaic property value based formula; and
17

18 WHEREAS, the disparity between state-collected utility tax dollars and the watered-down state
19 payments to counties and municipalities which have local utility company operations has stifled the much
20 needed development of new power generation facilities for years; and
21

22 WHEREAS, the Legislature properly recognized the need to revamp this archaic and punitive system,
23 but failed to pass 2003 AB 774 or 2005 AB 818 that would have addressed this problem;
24

25 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors urges
26 the State Legislature to repeal the present outdated statutory system and to enact legislation that fairly
27 compensates counties and local governments for hosting existing power generation sites, and;
28

29 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution
30 to the President of the Wisconsin Senate, the Speaker of the Wisconsin Assembly, and each legislator in the
31 Wisconsin Senate and Assembly who represents constituents from Manitowoc County and request that they
32 take the lead to co-sponsor legislation in the 2007-2009 Legislative session to correct this inequity, and;
33

34 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution
35 to the Wisconsin Counties Utility Tax Association.

Dated this 19th day of December 2006.

Respectfully submitted by the Finance Committee.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Kozlowski moved, seconded by Supervisor Bauknecht, to enact Ordinance 5 (2006/2007-93)
Amending Manitowoc County Code Chs. 2 and 4 Pertaining to the Comptroller/Auditor and County
Clerk. Upon vote, the motion carried unanimously.

No. 2006/2007 - 93

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CHS. 2 AND 4
PERTAINING TO THE COMPTROLLER/AUDITOR AND COUNTY CLERK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the County Clerk is an elected official whose duties are governed by the Wisconsin
2 statutes and the Comptroller/Auditor is an appointed employee whose duties are governed by the Wisconsin
3 statutes and county ordinances; and
4

5 WHEREAS, the duties of the Comptroller/Auditor are described in two different sections of the
6 county code and need to be consolidated into a single section to avoid confusion and the possibility of
7 inconsistent requirements; and
8

9 WHEREAS, it is in the county's interest for all fiscal services to be consolidated into a single office
10 in order to provide for better continuity of key administrative services; and
11

12 WHEREAS, the County Executive recommends that responsibility for the administration of the
13 county's general insurance functions, other than health insurance, be placed under the auspices of the
14 Comptroller/Auditor to assure the continuity of operations;
15

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

19 Manitowoc County Code sec. 2.02(6) is amended as follows:
20

21 (6) Comptroller/Auditor. ~~The Comptroller/Auditor Department shall serve as the chief financial~~
22 ~~officer of Manitowoc County, including administration of financial accounting, reporting and management~~
23 ~~systems; develop budget recommendations and proposals; operate the county payroll; all pursuant to MCC~~
24 ~~Ch. 4. The department shall also serve as Manitowoc County Auditor pursuant to Wis. Stat. § 59.47. The~~
25 ~~Comptroller/Auditor is the county's chief financial officer and his or her department is responsible for the~~
26 ~~county's financial accounting, reporting, and management systems; is empowered to monitor the overall~~
27 ~~financial condition and operation of the county and its subunits; and is granted the authority to inspect the~~
28 ~~books and records of any county department or other subunit at any time. The Comptroller/Auditor is~~
29 ~~responsible for preparing budget recommendations and proposals; operating and issuing the payroll;~~
30 ~~supervising the payment of all bills and claims; coordinating insurance coverage other than insurance~~
31 ~~provided as an employee benefit; serving as liaison to federal and state agencies with respect to all fiscal~~
32 ~~matters; and performing such other duties and responsibilities as may be required pursuant to Wis. Stat. §~~
33 ~~59.47.~~
34

35 Manitowoc County Code sec. 2.02(9) is amended as follows:
36

37 (9) County Clerk. The County Clerk ~~Department~~ shall act as secretary to and records custodian for
38 ~~the county board; of the Manitowoc County Board of Supervisors; coordinate general insurance coverage for~~
39 ~~Manitowoc County departments and officials other than health insurance; act as agent of the State of~~
40 ~~Wisconsin for issuance of marriage licenses and hunting and fishing licenses; hold, as legal custodian, all~~
41 ~~county property; and perform such other duties and responsibilities as defined in may be required pursuant~~
42 ~~to Wis. Stat. § 59.23.~~
43

44 Manitowoc County Code sec. 4.09 pertaining to the Comptroller/Auditor is repealed in its entirety.

Dated this 19th day of December 2006.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Bundy reported the salt shed on I-43 has been completed.

Supervisor Bundy moved, seconded by Supervisor Konen, to adopt Resolution 6 (2006/2007-94)
Authorizing Out-of-State Travel (Gary Kennedy). Upon vote, the motion carried unanimously.

No. 2006/2007 - 94

RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL

(Gary Kennedy)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 _____ WHEREAS, the Transportation Development Association (TDA) is sponsoring a Fly-in to
2 Washington D.C. on March 14 – 16, 2007 for the purpose of direct communication and interaction with
3 members of the United States Senate and House of Representative on topics of importance to Wisconsin
4 transportation; and
5

6 WHEREAS, the Wisconsin Counties Highway Association (WCHA) encourages its Board of
7 Directors and Executive Committee members to attend the TDA meeting and will reimburse all necessary
8 expenses for attending these events; and
9

10 WHEREAS, Manitowoc County Highway Commissioner Gary Kennedy presently serves as
11 WCHA's Past State President, is a member of the WCHA Board of Directors and Executive Committee, and
12 will chair the NACE Conference in Milwaukee, Wisconsin in April 2007; and
13

14 WHEREAS, the Manitowoc County Highway Committee has determined that it would be
15 advantageous to Manitowoc County, the Highway Department, and WCHA for Highway Commissioner
16 Kennedy to attend these events,
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
19 authorizes Gary Kennedy to attend the TDA meeting in Washington D.C. on March 14 – 16, 2007, provided
20 that all expenses are reimbursed by the Wisconsin County Highway Association.

_____ Dated this 19th day of December 2006.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Rappe reported they met on December 7 where they discussed the anticipated 2006 deficit. A grant in the amount of \$36,000 was received for early intervention for 10 to 16 year-olds.

Supervisor Rappe moved, seconded by Supervisor Henrickson, to adopt Resolution 7 (2006/2007-95) Authorizing Out-of-State Travel for Human Services Department Staff to Transport Children. Upon vote, the motion carried unanimously.

No. 2006/2007 - 95

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL FOR
HUMAN SERVICES DEPARTMENT STAFF TO TRANSPORT CHILDREN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Human Services is responsible under Wisconsin Statutes for
2 children who require special care and treatment; and
3

4 WHEREAS, the Manitowoc County Human Services Department has the responsibility to seek out
5 and arrange for permanent placements for children under its jurisdiction who cannot live with their natural
6 parents; and
7

8 WHEREAS, there are presently two unrelated children in agency foster homes who have the
9 opportunity to live with their relatives in Texas and Florida; and
10

11 WHEREAS, one or both of these children may need to be escorted to their destination by Manitowoc
12 County Human Services Department staff to ensure their safe transport and arrival;
13
14 NOW, THEREFORE, BE IT RESOLVED that staff from the Manitowoc County Human Services
15 Department are authorized to travel out-of-state to assist these children to their destinations in Texas and
16 Florida.

Dated this 19th day of December 2006.

Respectfully submitted by the Human Services Board.

FISCAL IMPACT: Indeterminable because exact travel needs are unknown at this time. Costs will be paid out of the Manitowoc County Human Services Department employee transportation line item.

APPROVED: Bob Ziegelbauer, County Executive.

LandConservation Committee/Natural Resources & Education Committee: Supervisor Wagner reported proposed Ordinance 8 Amending Manitowoc County Code Chapter 19 (Animal Waste Management and Agricultural Shoreland Management), proposed Ordinance 9 Creating Manitowoc County Code Chapter 26 (Animal Waste Storage Ordinance), and proposed Ordinance 10 Creating Manitowoc County Code Chapter 27 (Agricultural Shoreland Management Ordinance) were provided to the Board for informational purposes.

Personnel Committee: The Personnel Committee met on December 12 where they discussed the payout of sick leave earned by a union employee who becomes an elected official; they will be reviewing mileage and per diems paid to Boards and Commissions; and 127 employees elected to participate in the High Deductible Health Plan with the Health Savings Account.

Supervisor Vogt moved, seconded by Supervisor Rasmussen, to adopt Resolution 11 (2006/2007-96) Increasing Regular Non-Represented Employee Compensation. Upon discussion and vote, the motion carried unanimously.

No. 2006/2007- 96

**RESOLUTION INCREASING REGULAR
NON-REPRESENTED EMPLOYEE COMPENSATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1
2 WHEREAS, Manitowoc County Code sec. 5.05 states that it is the policy of Manitowoc County to
3 compensate employees who are not represented by labor unions in a fair, equitable, and consistent manner;
4 and
5

6 WHEREAS, internal equity and the integrity of the non-represented compensation plan are dependent
7 upon maintaining existing differentials between the compensation of supervisory personnel and supervised
8 employees; and
9

10 WHEREAS, an across-the-board wage increase of 3.0% and associated FICA and WRS costs have
11 been incorporated into the 2007 budget;
12

13 NOW, THEREFORE, BE IT RESOLVED that the non-represented wage schedule is increased
14 across-the-board by 3.0% effective January 1, 2007 and that the non-represented positions listed on the
15 attached sheets will receive the 3.0% across-the-board wage increase effective January 1, 2007; and
16

17 BE IT FURTHER RESOLVED that those employees still serving their probationary period on
18 January 1, 2007 will receive the 3.0% across-the-board wage increase upon the successful completion of their
19 probationary period.

Dated this 19th day of December 2006

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:	Wages	\$205,409.82
	FICA	\$ 15,713.85
	WRS	\$ 23,901.96
	<u>Total Cost</u>	<u>\$245,025.63</u>

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Vogt moved, seconded by Supervisor Markwardt, to enact Ordinance 12 (2006/2007-97) Amending Manitowoc County Code Sec. 2.015 (Division of Health and Family Services). Upon vote, the motion carried with 20 ayes and 2 noes. Supervisors Schneider and Rappe voted no; all other supervisors voted aye.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 13 (2006/2007-98) Amending Zoning Map (Allan Cramer), Ordinance 14 (2006/2007-99) Amending Zoning Map (Gerald Ebert), and Ordinance 15 (2006/2007-100) Amending Zoning Map (Michael Weston). Upon discussion and vote, the motion carried with 19 ayes, 2 noes and 1 abstention. Supervisors Rappe and Schneider voted no; Supervisor Heyroth abstained; all other supervisors voted yes.

Public Safety Committee: Supervisor Henrickson reported they met on December 15 and accepted a bid for eight new squad cars.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 16 (2006-2007-101) Accepting Hazardous Materials Emergency Preparedness Planning Subgrant. Upon vote, the motion carried unanimously.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 17 (2006/2007-102) Urging Increased State support for Circuit Court Operations. Upon vote, the motion carried with 21 ayes and 1 abstention. Supervisor Zigmunt abstained; all other supervisors voted yes.

Supervisor Henrickson recognized Emergency Management Director Nancy Crowley for an outstanding job on the Emergency Drill conducted at the nuclear plant on December 5.

Miscellaneous: Supervisor Rappe moved, seconded by Supervisor Henrickson, to adopt Resolution 18 (2006/2007- 103) Amending the 2006 Human Services Budget. Upon vote, the motion carried unanimously.

Supervisor Behnke moved, seconded by Supervisor Mueller, to adopt Resolution 19 (2006/2007-104) Approving Town of Centerville Zoning Ordinance (Chapter 9 Zoning and Land Use). Upon vote, the motion carried with 21 ayes and 1 abstention. Supervisor Heyroth abstained.

Supervisor Bauknecht moved to adjourn. Supervisor Rasmussen seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Lois Kiel, Deputy County Clerk

2006-2007 Proceedings.wpd

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

January 16, 2007

Tuesday, 7:01 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 16th day of January, 2007 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:01 P.M.

Supervisor Dave Gauger gave the invocation, and this was followed by the Pledge of Allegiance to the Flag by the entire assemblage.

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

On a motion by Supervisor Markwardt and seconded by Supervisor Behnke, the December 19, 2006, meeting minutes were approved on a unanimous vote.

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

PUBLIC HEARING ON THE ORDINANCE AMENDING MANITOWOC COUNTY CODE

CHAPTER 19 Chairperson announced the Public Hearing on the Ordinance Amending Manitowoc County Code Chapter 19. Soil and Water Director, Tom Ward, explained Chapter 19 was enacted in 1998 to protect water quality from land-applied animal waste. The amendment addresses runoff of manure through a field tile; requires a 100' setback of manure from exposed bedrock, a well or sink holes; prohibits winter application of liquid manure to slopes steeper than 6% from December 1 through April 15; requires manure applied to steep slopes greater than 12% be incorporated within 48 hours; and restructures the citation schedule. None of the provisions will ban winter application of animal waste or require livestock producers to install expensive waste storage systems.

Chairperson Brey declared public input open on the Ordinance Amending Manitowoc County Code Chapter 19 at 7:09 P.M. There was no one present who wished to speak and public input was closed.

Chairperson Brey declared public input open on other issues at 7:10 p.m. No one present wished to speak and public input was closed.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Julie Place, Healthcare Center Director of Nursing, presented a Certificate of Appreciation to retiring Manitowoc County employee Janice Borgwardt. Supervisor Dufek added Janice Borgwardt was an outstanding county employee.

Chairperson Brey asked for unanimous consent to adopt Resolution 11 (2006/2007-105) commemorating Donald Rehbein, former County Board Chairman, who passed away on January 11, 2007. Supervisors unanimously consented by standing in a moment of silence. Chairperson Brey read a Proclamation that was presented to Donald Rehbein's family.

No. 2006/2007 - 105

RESOLUTION COMMEMORATING DONALD REHBEIN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Donald Rehbein was born on the homestead farm in the Town of Gibson on
2 December 9, 1926; was the Salutatorian of Mishicot High School in 1944; was the first Future
3 Farmer of America member from Manitowoc County to receive the American Farmer Degree;
4 was a lifelong dairy farmer on the farm his ancestors settled in 1867; and passed away on
5 Thursday, January 11, 2007 at the age of 80; and
6

7 WHEREAS, Donald Rehbein was very active in local and county government; served on
8 the Manitowoc County Board for fourteen years from April 1978 to April 1996; was County
9 Board Chair from April 1986 to April 1990; was a member of the Ad Hoc Jail Construction
10 Committee, the Agricultural, Extension Education, and Soil and Water Conservation Committee,
11 the Chairperson's Advisory Committee, the Emergency Government Committee, the Finance
12 Committee, the Handicapped Children's Education Board, the Land Records Board, the Man-
13 Cal Library System Board of Trustees, the Personnel Committee, and the Planning and Park
14 Commission and served as the Chair of the Legislative Study Committee; and
15

16 WHEREAS, Donald Rehbein was the assessor for the Town of Gibson for 36 years;
17 served on the Mishicot School Board for 10 years; was a member of the Manitowoc County
18 Farm Bureau Board; served on the Mishicot Public Cemetery Committee and the St. John's
19 Cemetery Committee; and was a member of the church choir and Wisconsin Czech Singers; and
20

21 WHEREAS, Donald Rehbein was a strong leader who served the citizens of Manitowoc
22 County in many capacities and contributed countless hours to improve the quality of life for all;
23 and

24
25 WHEREAS, the Manitowoc County Board of Supervisors shares in the loss of Donald
26 Rehbein with his family and friends;

27
28 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
29 Supervisors hereby commemorates the life of Donald Rehbein and expresses its condolences to
30 his wife, Wilma Rehbein, and family.

Dated this 16th day of January 2007.

Respectfully submitted by the Manitowoc County Board of Supervisors.

APPROVED: Bob Ziegelbauer, County Executive.

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

Board of Health: Supervisor Janowski moved, seconded by Supervisor Tittl, to enact Ordinance 1 (2006/2007-106) Amending Manitowoc County Code Sec. 7.12 and Appendix A (Non-Profit Food Stands). Upon discussion and vote, the motion carried with 15 ayes and 9 noes. Supervisors Muench, Maresh, Heyroth, Behnke, Henrickson, Hansen, Gauger, Bauknecht, and Mueller voted no; all other supervisors voted yes.

Supervisor Janowski reported they continue to discuss dental health accessibility for Medicaid participants.

Economic Development Corporation: Supervisor Maresh reported they are developing a plan to fund a manufacturing skills training program for county high school; funds are being dispersed to AlCorso Restaurant in Collins from an approved \$40,000 loan; a 12-week business plan writing course is slated to begin in February; and the EDC, the City of Manitowoc, and the WI Dept. Of Commerce continues to assist Tower Tech in accessing financial assistance programs.

Executive Committee: Supervisor Brey moved, seconded by Supervisor Behnke, to adopt Resolution 2 (2006/2007-107) Amending Manitowoc County Board Rule 18(f) (Questions During Public Input). Upon vote, the motion carried unanimously.

Expo Board: Supervisor Behnke reported they continue to work on the Saturday night activity for the 2007 Fair. He attended a Fair Vendor and Entertainment Convention Green Bay.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Zigmunt, to adopt Resolution 3 (2006/2007-108) Authorizing Collections Contract. Upon discussion and vote, the motion carried with 23 ayes and 1 no. Supervisor Dobbs voted no; all others voted yes.

Supervisor Kozlowski reported their next meeting will be February 12.

Health Care Center Committee: Supervisor Graunke reported finances are holding their own due to the success of the increased medicare census in the rehab unit.

Highway Committee: Supervisor Markwardt reported the snow plowing budget is looking good due to the lack of snow.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Muench, to adopt Resolution 4 (2006/2007-109) Authorizing Grant Application (Agricultural Watershed Improvement Network). Upon vote, the motion carried unanimously.

Supervisor Wagner moved, seconded by Supervisor Heyroth, to enact Ordinance 5 (2006/2007-110) Amending Manitowoc County Code Chapter 19 Animal Waste Management and Agricultural Shoreland Management. Upon discussion and vote, the motion carried unanimously.

Supervisor Wagner moved, seconded by Supervisor Zigmunt, to enact Ordinance 6 (2006/2007-111) Creating Manitowoc County Code Chapter 26 Animal Waste Storage Ordinance. Upon vote, the motion carried unanimously.

Supervisor Wagner moved, seconded by Supervisor Maresh, to enact Ordinance 7 (2006/2007-112) Creating Manitowoc County Code Chapter 27 Agricultural Shoreland Management Ordinance. Upon vote, the motion carried unanimously.

Personnel Committee: Supervisor Vogt reported they discussed policies on sick leave payout, mileage, and per diem for boards and commissions. Final offers for the 2006-2007 labor agreements with AFSCME locals have been sent to the mediator.

Supervisor Vogt moved, seconded by Supervisor Kozlowski, to adopt Resolution 8 (2006/2007-113) Authorizing On-site Blood Drive. Upon discussion and vote, the motion carried unanimously.

Planning and Park Commission: Supervisor Mueller reported they are working on the Manitowoc County Planning and Park Commission petition for a text amendment to Manitowoc County Code Chapter 10 (Setback Ordinance) addressing placement of monuments outside of the right-of-way of township roads.

Public Safety Committee: Supervisor Henrickson reported there will be overtime experienced in the Sheriff's Department and the Clerk of Courts Office in the near future due to two major court cases.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 9 (2006/2007-114) Appointing Manitowoc County Highway Safety Coordinator (Todd E. Hermann). Upon discussion and vote, the motion carried unanimously.

Supervisor Henrickson moved, seconded by Supervisor Muench, to adopt Resolution 10 (2006/2007-115) Authorizing Out-of-State Travel (Nancy H. Crowley). Upon vote, the motion carried unanimously.

ANNOUNCEMENTS

Supervisor Brey reminded the Board that the next regular meeting of the Manitowoc County Board will be on Tuesday, February 13 at 7:00 P.M.

ADJOURNMENT

Supervisor Bauknecht moved to adjourn. Supervisor Tittl seconded, and the motion was adopted by acclamation. The meeting adjourned at 8:27 P.M.

Respectfully submitted,
Lois Kiel, Deputy County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

February 13, 2007

Tuesday, 7:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at University of Wisconsin Manitowoc County, in the City of Manitowoc, being the 13th day of February, 2007 for the purpose of transacting business as a Board of Supervisors.

Chairperson James Brey called the meeting to order at 7:01 P.M.

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

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

On a motion by Supervisor Behnke and seconded by Supervisor Henrickson, the January 16, 2007, meeting minutes were approved on a unanimous vote.

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

PUBLIC INPUT

Chairperson Brey declared public input open at 7:04 p.m. No one present wished to speak and public input was closed.

MISCELLANEOUS

Supervisor Gauger moved, seconded by Supervisor Hansen, to adopt Resolution 1 (2006/2007-116) Thanking Frank A. Hlinak for His Service on the Human Services Board. Upon vote, the motion carried unanimously.

REPORTS AND ANNOUNCEMENTS BY COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

Human Services Director Tom Stanton presented a Proclamation to Frank Hlinak thanking him for his service on the Human Services Board.

Chairperson Brey presented a Certificate of Appreciation to retiring Manitowoc County Employee Larry Welnicke.

Supervisor Vogt attended a WCA W-2 Steering meeting on January 25 where they discussed reduction of the size of county boards between censuses and cost of living adjustments for elected officials. Supervisor Markwardt further discussed the issue of reducing county boards and the difficulty of performing this task between censuses.

Supervisor Zigmunt reported he attended a WCA Legislative Exchange meeting on February 6 and 7 where Governor Doyle spoke on his proposed budget. Items included in the discussion were a \$2.7 million increase in shared revenue; \$19 million for circuit court operations; \$500,000 for court interpreters; \$66 million in highway maintenance; and a \$40 million cut to child support, with much of the cut being made up by federal aid. WCA Executive Director Mark McConnell, who also spoke at the meeting discussed ways to change the tax structure.

Supervisor Rappe reported he attended the WCA Legislative Exchange meeting where they discussed Sustainability and the Eco-Municipal Movement. An offer was made by Bay Towel to send four experts to improve our environmental measures. It has been found that employees prefer to work for “green” companies. He also attended a workshop where they discussed the Irish Education Model and how higher education has been affecting the rapid economic growth and improvement in the quality of life in Ireland.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Harold Carlson to the Human Services Board for a three year term expiring December 31, 2009. Supervisor Bauknecht moved, seconded by Supervisor Hansen to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointment of Gary Shavlik and alternate Lee Stadler to the Local Emergency Planning Committee for a two year term expiring March 2009. Supervisor Henrickson moved, seconded by Supervisor Rasmussen to approve the appointment. Upon vote, the appointment was confirmed by unanimous consent.

Chairperson Brey presented County Executive Bob Ziegelbauer’s appointments of Supervisor Jan Graunke, Jay Muchin, Julie Grinde, Cheryl Kjelstrup, Carol Wagner, Supervisor Faye Konen, John Thompson, Karyl Rommelfanger, Kerry Trask, Jacqueline Ungrodt, James Vanden Boom, Robert Vollendorf, Tom Klein, John Wallace, Supervisor Rick Henrickson, Alan Engelbert, Chris Hamburg, Sheridan O’Rourke, Nanette Bulebosh, Robert E. Hafeman, Supervisor Ralph Kozlowski, Julia Davis, Darlene Werdeo, Robert Ziegelbauer, Chairperson Jim Brey, and Todd Reckelberg to create the Manitowoc County Library Planning Committee. Supervisor Maresh moved, seconded by Supervisor Rappe to approve the appointments. Upon vote, the appointments were confirmed by unanimous consent.

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

Board of Health: Supervisor Janowski reported the food stand operator training has begun; they are considering the contracting of beach sampling for 2007; and they are applying for a grant to enable the hiring of four dental hygienists to work with Medicaid patients. Their next meeting will be on March 8.

Economic Development Corporation: Supervisor Maresh reported they provided counseling and assistance to nine entrepreneurs; ozone attainment is being monitored; staff members are drafting a proposal to fund and train county high school students in manufacturing skills; a recruitment program for school graduates is being developed; and discussions have occurred for potential projects in Cleveland and Kellnersville areas. She thanked the board for the flowers and Proclamation honoring her father, former county board chairman Donald Rehbein.

Expo Board: Supervisor Behnke reported the Winter Fest held last weekend was successful. They are currently working on a five-year capital outlay plan for the Expo.

Finance Committee: Supervisor Kozlowski moved, seconded by Supervisor Heyroth, to adopt Resolution 2 (2006/2007-117) Denying Claim (Nicholas Copus by Laura Copus). Upon vote, the motion carried 23-0.

Health Care Center Committee: Supervisor Graunke reported on a lighter note that the Health Care Center's therapy dog had 12 puppies last month and will return to work with her puppies in 6-7 weeks; they are looking for a long term relationship with Dr. Tracy Hoffman who has a clinic at the Health Care Center and specializes in treating people with memory loss and Alzheimer's disease; and the short term rehabilitation unit is doing well.

Highway Committee: Supervisor Bundy reported an agreement has been reached with the Brown County Water Authority for damages that occurred on a county trunk highway during the waterline pipe installation; the Highway Department is finalizing federal and state funding to rebuild County Highway S and County Highway G; and they are working with state and federal officials to secure funding to rebuild taxiways at the airport. She invited everyone to attend the St. Patrick's Day Parade on March 17.

Land Conservation Committee/Natural Resources & Education Committee: Supervisor Wagner moved, seconded by Supervisor Zigmunt, to adopt Resolution 3 (2006/2007-118) Authorizing Aquatic Invasive Species Control Grant Application. Upon discussion and vote, the motion carried unanimously.

Supervisor Wagner moved, seconded by Supervisor Maresh, to enact Ordinance 3a (2006/2007-119) Amending Manitowoc County Code Chapter 28 (Livestock Facility Licensing). Upon discussion and vote, the motion carried unanimously.

Personnel Committee: Supervisor Vogt reported they will bring a resolution forward in March addressing sick leave payout; mileage and per diem for Boards and Commissions will be discussed at an Executive Committee meeting; they are looking at recruitment policies; and a meeting will be held later this week to answer questions as requested by the union negotiator.

Planning and Park Commission: Supervisor Mueller moved, seconded by Supervisor Bauknecht, to enact Ordinance 4 (2006/2007-120) Amending Zoning Map (Steve Lenzer), Ordinance 5 (2006/2007-121) Amending Zoning Map (Troy Neumeyer), and Ordinance 6 (2006/2007-122) Amending Zoning Map (Deanna Zibung). Upon vote, the motion carried with 21 ayes and 2 noes. Supervisors Schneider and Rappe voted no.

Supervisor Mueller moved, seconded by Supervisor Rasmussen, to enact Ordinance 7 (2006/2007-123) Amending Manitowoc County Code Chapters 24 and 25 (Emergency Communications Corridors - Signal Interference). Upon vote, the motion carried unanimously.

Public Safety Committee: Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 8 (2006/2007-124) Authorizing Grant Funds for Purchase of Laptop Computer for Squad Cars. Upon discussion and vote, the motion carried unanimously.

Supervisor Henrickson moved, seconded by Supervisor Konen, to adopt Resolution 9 (2006/2007-125) Accepting Training Award. Upon vote, the motion carried unanimously.

Supervisor Henrickson moved, seconded by Supervisor Tittl, to adopt Resolution 10 (2006/2007-126) Authorizing Out-of-State Travel (Jason M. Jost). Upon vote, the motion carried with 22 ayes and 1 no. Supervisor Graunke voted no.

PUBLIC WORKS COMMITTEE

Supervisor Behnke moved, seconded by Supervisor Bauknecht, to adopt Resolution 11 (2006/2007-127) Supporting Increased State Funding for Clean Sweep Programs. Upon discussion and vote, the motion carried unanimously.

Supervisor Behnke reported the phone system update is on schedule.

MISCELLANEOUS

Supervisor Behnke moved, seconded by Supervisor Graunke, to adopt Resolution 12 (2006/2007-128) Approving Town of Newton Zoning Ordinances (Large Wind Energy System and Small Wind Energy System) Upon discussion and vote, the motion carried with 22 ayes and 1 no. Supervisor Heyroth voted no.

ADJOURNMENT

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

Respectfully submitted,
Lois Kiel, Deputy County Clerk

COUNTY BOARD PROCEEDINGS INDEX

APPOINTMENTS

April 25, 2006 Session:

- ▶ Finance Committee: Ralph Kozlowski, Mary Muench, Jan Graunke, Paul Hansen & Ted Zigmunt.
- ▶ Personnel Committee: Norb Vogt, Joe Janowski, Ed Rappe, Don Markwardt & Bob Rasmussen.
- ▶ Highway Committee: Kathie Bundy, Kevin Behnke, Don Markwardt, Faye Konen & Mike Bauknecht.
- ▶ Public Works Committee: Kevin Behnke, Clyde Mueller, Greg Dufek, Dave Gauger & Norb Vogt.
- ▶ Public Safety Committee: Rick Henrickson, Mike Bauknecht, Mary Muench, Faye Konen & Paul Tittl.
- ▶ Health Care Center Committee: Jan Graunke, Ed Rappe Rick Henrickson, Bob Dobbs & Paul Hansen.
- ▶ Natural Resources & Education Committee/Land Conservation Committee: Cathy Wagner, Susie Maresh, Clyde Mueller, Ted Zigmunt & Tony Heyroth.
- ▶ Board of Health: Bob Rasmussen, Joe Janowski, Bob Dobbs & Paul Tittl.
- ▶ Citizens Participation Committee: Mary Muench.
- ▶ Community Action Program: Bob Dobbs.
- ▶ Economic Development Corporation Board of Directors: Susie Maresh.
- ▶ English Lake Management District: Joe Janowski.
- ▶ Ethics Board: Norb Vogt.

- ▶ Expo Board: Kevin Behnke.
- ▶ Glacierland Resource Conservation & Development Council: Clyde Mueller.
- ▶ Human Services Board: Kathie Bundy, Ed Rappe, Mike Bauknecht, Ralph Kozlowski, Rick Henrickson & Greg Dufek.
- ▶ Ice Center Board: David Gauger.
- ▶ Joint Dispatch Board (Chair of Public Safety): Rick Henrickson.
- ▶ Lester Public Library Board of Trustees: Dave Gauger.
- ▶ Loan Review Board: Ralph Kozlowski.
- ▶ Local Emergency Planning Committee: Joe Janowski & alternate Ed Rappe.
- ▶ Long Term Support Planning Committee: Cathy Wagner & Norb Vogt.
- ▶ Manitowoc-Calumet Library System Board of Trustees: Faye Konen.
- ▶ Manitowoc Public Library Board of Trustees: Jan Graunke.
- ▶ Manitowoc Planning & Park Commission: Bob Rasmussen, Clyde Mueller, Mary Muench & Tony Heyroth.
- ▶ Sergeant-at-Arms: Rick Henrickson.
- ▶ Sheboygan River & Rockville Mill Pond Management District: Clyde Mueller.
- ▶ Transportation Coordinating Committee: Clyde Mueller & Bob Dobbs.
- ▶ VTAE District II Farm Committee: Cathy Wagner.
- ▶ Wisconsin Counties Utility Tax Association: Ralph Kozlowski.

May 16, 2006 Session:

- ▶ County Board Supervisor - District 16: Andrew Schneider.
- ▶ Health Care Center Committee: Andrew Schneider.
- ▶ Commission on Aging: Andrew Schneider.
- ▶ Local Emergency Planning Committee: Eric Storm & alternate Brian Helminger.
- ▶ Lester Library Board of Trustees: Supervisor Rick Henrickson.

APPOINTMENTS cont...

June 20, 2006 Session:

- ▶ Health Care Center Committee: Supervisor Bob Dobbs
- ▶ Board of Adjustment: Marian Schneider and Charles Nate
- ▶ Local Emergency Planning Committee: Bob Ziegelbauer
- ▶ Planning and Park Commission: Melvin Waack
- ▶ Kiel Public Library Board of Trustees: Julia Davis and Darlene Werdeo
- ▶ Manitowoc Public Library Board of Trustees: Jay Muchin

July 18, 2006 Session:

- ▶ Joint Dispatch Board: Mark Busse

August 15, 2006 Session:

- ▶ Aging and Disability Resource Center Board: Anil Chudgar
- ▶ Bay Area Agency on Aging Board of Directors: Supervisor Clyde Mueller

September 26, 2006 Session:

- ▶ Long Term Support Planning Committee: Debra Cadle
- ▶ Ice Center Board: Supervisor David Gauger, Michelle Hoffman, Joe McLafferty, Bruce Smith, Carol Steinbrecher, Dave Pawlowski, Mike Jagemann, Kathy Palmer, Dick Pollen and Mark Smoter

November 21, 2006 Session:

- ▶ Ethics Board: Louis Hovda, Dave DeRosier and Supervisor Norb Vogt
- ▶ Expo Board: Scott Ohlrogge, Vic Voigt, Rob Voss, Jody Beyer and Mike Plate
- ▶ Joint Dispatch Board: Ryan Gilbert and alternates Tim Barber and Bill Riesterer
- ▶ Veterans Service Commission: David Ferry and Kent Reeves
- ▶ W-2 Steering Committee: Mischelle Bowman, Ruth Wichlacz, Brigid Bailey and Kathy Zucchi
- ▶ Local Emergency Planning Committee: Travis Waack

December 19, 2006 Session:

- ▶ Human Services Board: Tom Davis
- ▶ Manitowoc-Calumet Library System Board of Trustees: Karyl Rommelfanger, John Thompson, Jacqueline Ungrodt and Robert C. Vollendorf

February 13, 2007 Session:

- ▶ Human Services Board: Harold Carlson
- ▶ Local Emergency Planning Committee: Gary Shavlik and alternate Lee Stadler
- ▶ Manitowoc County Library Planning Committee: Supervisor Jan Graunke, Jay Muchin, Julie Grinde, Cheryl Kjelstrup, Carol Wagner, Supervisor Faye Konen, John Thompson, Karyl Rommelfanger, Kerry Trask, Jacqueline Ungrodt, James VandenBoom, Robert Volendorf, Tom Klein, John Wallace, Supervisor Rick Henrickson, Alan Engelbert, Chris Hamburg, Sheridan O'Rourke, Nanette Bulebosh, Robert E. Hafeman, Supervisor Ralph Kozlowski, Julia Davis, Darlene Werdeo, Robert Ziegelbauer, Chairperson Jim Brey and Todd Reckelberg.

March 20, 2007 Session:

- ▶ Soil and Water Department Director: Jerry Halverson
- ▶ Board of Health: Shirley Fessler, Frank Rodriguez, Dr. Mary Jo Capodice
- ▶ Human Services Board: Supervisor Michael Bauknecht, Supervisor Kathie Bundy and Supervisor Greg Dufek
- ▶ Long Term Support Planning Committee: Kathleen Rabe and Tricia Zimmerman.

COMMUNICATIONS**April 12, 2006 Session:**

1. Monroe County - Resolution Requesting Independent Audit of Past Sale Tax Calculations and Examination of Current Sales Tax System.
2. Dunn County - Resolution Opposing Wisconsin Taxpayer Protection Amendment.
3. Langlade County - Resolution Supporting AB 857 Relating to Compensation and Fringe Benefits for Municipal Employees.
4. Langlade County - Resolution Requesting Legislative Action to Address Wisconsin Retirement System Liabilities.
5. Langlade County - Resolution Requesting a Change in Laws Governing Use Value Assessments for Agricultural Land by the State of Wisconsin.
6. Sheboygan County - Letter Regarding Proposed Taxpayer Protection Amendment.

April 18, 2006 Session:

1. Senator Joe Leibham - Letter Regarding AB 818 Fair Utility Tax Laws.

April 25, 2006 Session:

1. Green Lake County - Resolution Requesting Legislation to Re-Emphasize Transportation User Fee Concept.
2. Langlade County - Resolution Opposing Assembly Substitute Amendment to SB 1 Relating to Filing Statement of Economic Interests.
3. Representative Bob Ziegelbauer - Letter Regarding Fair Utility Tax Sharing Laws.
4. Waushara County - Resolution Opposing AB 756 Relating to Sheriff's Department Costs being Shifted to Small Municipalities.
5. Juneau County - Resolution Requesting Audit of Sales Tax Distribution.

May 16, 2006 Session:

1. City of Manitowoc - Letter Recommending County Board Appointment to Manitowoc Industrial Development Corporation.
2. City of Manitowoc - Resolution Regarding Proposed Storm Water Management Program.

June 20, 2006 Session:

1. Washburn County - Resolution Opposing AB756 Requiring each County to Establish a Separate Levy for patrol and Investigative Services of its Sheriff's Department.
2. Dodge County, Door County, Polk County and Ozaukee County - Resolution requiring Legislation to Re-emphasize the Transportation User Fee Concept.
3. Waushara County - Resolution Requesting Funds Under the "Aquatic Invasive Species Grant Program."

August 15, 2006 Session:

1. Chippewa County and Dunn County - Resolution Requesting Legislation to Re-Emphasize the Transportation User Fee Concept.

2. Eau Claire County - Resolution Placing Referendum Question Requesting Legislative Action on health Care on the November Ballot.
3. Wood County - Resolution Supporting a Change in Wisconsin Worker's Compensation to Allow Employees to Select a Physician for Work-related Injury from Pool of Physicians.
4. Ozaukee County - Resolution Requesting Reduction in UW-Extension Funding in Reaction to Hiring Kevin Barrett.
5. Chair Jim Brey - Thank you to Supervisors.
6. Russ Steeber - Letter Regarding Car Allowances.

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September 26, 2006 Session:

1. Jackson County - Resolution Requesting November Referendum Regarding Universal Health Care Plan.
2. Town of Mishicot Board - Letter Regarding Enforcement of Chapter 24 Large Wind Energy System Ordinance.
3. Dunn County - Resolution Placing Referendum Question on November Ballot Regarding Health Care Coverage for Wisconsin Families.

October 10, 2006 Session:

1. Pepin County - Resolution Requesting Hazardous Waste Clean Sweep Grant Funding Formula Changed to Per Capita Formula and Streamline Application Process.

October 30, 2006 Session:

1. State Elections Board - Letter Regarding Statewide Voter Registration System with County and Municipal Clerk partners as mandated by HAVA.
2. Marathon County - Resolution Requesting Legislation to Re-emphasize Transportation User Fee Concept.
3. Price County - Resolution Requesting Repeal of Act 100 Relating to the Number of County Board Supervisors.
4. LaCrosse County - Resolution Supporting Increased Medicaid Reimbursement Rate for Dental Care.

November 21, 2006 Session:

1. Glen Skubal Family - Thank You Card for the Honor Guard and Funeral Plant.
2. Representative Frank Lasee - Letter Regarding Statewide Ban on Phosphorus Fertilizers.

December 19, 2006 Session:

1. Sheriff Ken Petersen - Notification of County Clerk Resignation.

February 13, 2007 Session:

1. Oconto County - Resolution Requesting Legislators Review and Amend 2005 Act 100 Regarding Referendum Petitions and Redistricting.
2. Vilas County - Resolutions Regarding Wisconsin Counties Association Committee Members and Voting.
3. Vilas County - Resolution Opposing Further Regulations or Fees on Fishing Tournaments.

March 20, 2007 Session:

1. Ozaukee County - Resolution Requesting Legislators Provide Alternative for Laborated Municipality to Exempt Itself from County Library Tax.
2. Ozaukee County - Resolution Opposing Exemption of County Library Tax from mandated Property Tax Levy Limitations.
3. David Blakeslee - Letter Regarding Zoning Application Issues.
4. Ozaukee County - Resolution Requesting Change to State Formula for Boat Launch Fees.

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April 25, 2006 Session:

1. Kathryn Dewane - Town of Manitowoc Rapids.
2. Town of Kossuth - Zone Amendment - Town of Kossuth.
3. Paul Liermann - Town of Manitowoc Rapids.
4. Steven Muench - Town of Cato.
5. Kevin Ramminger (River Central) - Town of Manitowoc Rapids.
6. Dale Schuh - Town of Manitowoc Rapids.
7. John Stiefvater - Town of Liberty.

June 20, 2006 Session:

1. James Evenson - Town of Liberty
2. Terri Meyer - Town of Meeme
3. Peter Propson - Town of Liberty
4. Glen Riesterer - Town of Eaton
5. Scott & Lisa Schamburek - Town of Cato

July 18, 2006 Session:

1. John Behrens II - Town of Meeme
2. Patrick Gonja - Town of Gibson
3. Mark Spatchek - Town of Maple Grove

September 26, 2006 Session:

1. Mark Berge - Town of Rockland
2. Joseph Kilgas - Town of Rockland
3. Tim Lefeber - Town of Meeme
4. Manitowoc County Planning and Park Commission - Manitowoc County

October 30, 2006 Session:

1. Roger Baetke - Town of Cato
2. Todd Preston - Town of Manitowoc Rapids
3. Jason Radant - Town of Liberty
4. Kevin Ramminger (River Central LLP) - Town of Manitowoc Rapids
5. S&S Management LLC (Steve Ford) - Town of Manitowoc Rapids

November 21, 2006 Session:

1. Allan Cramer - Town of Cato
2. Gerald Ebert - Town of Rockland

December 19, 2006 Session:

1. Town of Centerville - B036-0024 (Point Creek) Bridge
2. Town of Cooperstown - C-36-040 (Kocian Road) Bridge
3. Town of Eaton - B-16-163 Quarry Road Bridge
4. Town of Franklin - Loefer Bridge
5. Town of Franklin - Sheehy Bridge
6. Town of Gibson - B-36-162 (Melnik Road) Bridge
7. Town of Liberty - Leiteritz Bridge
8. Town of Liberty - Stiefvater Bridge
9. Town of Manitowoc - B-36-0165 (Silver Creek) Bridge
10. Town of Manitowoc - Nagle Bridge

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12. Town of Manitowoc Rapids - B-36-0169 (Michigan Avenue) Bridge
13. Town of Manitowoc Rapids - Drumm Bridge
14. Town of Newton - Scheffler Bridge
15. Town of Schleswig - P-36-200 (Steinthal Road) Bridge
1. Manitowoc County Planning and Park Commission - Manitowoc County
2. Manitowoc County Planning and Park Commission - Manitowoc County

3. Manitowoc County Planning and Park Commission - Manitowoc County
4. Allan Cramer - Town of Cato
5. Michael Weston - Town of Kossuth
6. Troy Neumeyer - Town of Kossuth
7. Deanna Zibung - Town of Cato

January 16, 2007 Session:

1. Steve Lenzner - Town of Liberty
2. Manitowoc County Planning and Park Commission - Manitowoc County

February 13, 2007 Session:

1. James Krueger - Town of Cato
2. Randy Pelishek - Town of Cooperstown
3. Douglas Christman - Town of Mishicot
4. Douglas Brennan (Brennan Enterprises LLC) - Town of Manitowoc Rapids

March 20, 2007 Session:

1. David Meyer - Town of Eaton
2. James Nenahlo -Town of Eaton
3. David Walter - Town of Kossuth
4. Manitowoc County Planning & Park Commission - Manitowoc County
5. Lisa Dennis - Town of Mishicot
6. Gerald lesMonde - Town of Gibson
7. Erwin Waack - Town of Eaton

* Denotes an Ordinance.

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