

## CHAPTER 2

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### COUNTY DEPARTMENTS AND AGENCIES

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#### 2.01 Administrative Structure of the County.

- (1) The principal administrative unit of Manitowoc County government shall be the department.
  - (a) Each department shall be headed by a department director who, unless otherwise provided by law, shall be appointed by the county executive, subject to confirmation by the Manitowoc County Board of Supervisors.
  - (b) Each department director shall be under the supervision of the county executive and shall be responsible for the management of the department subject to the requirements of federal law, state law, and county ordinances and policies.
  - (c) Each department director shall organize the department so that it can carry out its duties in the most effective and efficient manner possible within the limits and consistent with the requirements of the budget, policies, and positions authorized by the county board.
  - (d) Each department director shall be responsible for the development of a proposed department budget for use in preparing the county's annual budget.

#### 2.02 County Departments.

There are established the following county departments, named as stated herein and with the powers and duties described herein and in the applicable provisions of the Wisconsin Statutes.

- (1) **Aging and Disability Resource Center.** The Aging and Disability Resource Center (ADRC) is responsible for the operation of programs and providing outreach and aging and disability resource center services to the general public, persons who are elderly, and adults with developmental disabilities, mental illness, or physical

disabilities in Kewaunee and Manitowoc Counties with respect to matters related to aging and disability.

- (3) Soil and Water Conservation. The Soil and Water Conservation Department, under the authority granted pursuant to Wis. Stat. chs. 59, 91, 92, and 281, is responsible for promoting the public health, safety, and general welfare by encouraging sound conservation methods that protect the soil, water, and related natural resources of Manitowoc County.
- (4) Child Support. The Child Support Department is responsible for administering Title IV-D of the Federal Social Security Act [42 U.S.C. §§ 651 - 665] in Manitowoc County to maximize the well-being of children and families dependent on parental support.
- (5) Clerk of Circuit Court. The Office of the Clerk of Circuit Court is responsible for the administration of and record keeping for the Circuit Courts of Manitowoc County as well as performing such other duties and responsibilities as set forth in Wis. Stat. §§ 59.40 - 59.41.
- (6) Finance Director. The Finance Department is responsible for overseeing Manitowoc County's financial accounting, reporting, and management systems; monitoring the overall financial condition and operation of Manitowoc County and its subunits; coordinating the external audit; preparing budget recommendations and proposals; operating and issuing the payroll; supervising the payment of all bills and claims; coordinating insurance coverage other than insurance provided as an employee benefit; serving as liaison to federal and state agencies with respect to all fiscal matters; and performing such other duties and responsibilities as set forth in Wis. Stat. § 59.47.
- (7) Coroner. The Office of the Coroner is responsible for performing the duties assigned to the office by Wis. Stat. ch. 979 related to the investigation of deaths as well as performing such other duties and responsibilities as set forth in Wis. Stat. §§ 59.34 - 59.39.
- (8) Corporation Counsel. The Office of the Corporation Counsel is responsible for providing civil legal counsel to all county departments and officers pursuant to Wis. Stat. § 59.42; coordinating legal representation of Manitowoc County by outside counsel; representing the County Child Support Department in enforcement of child support orders; representing the interests of the public in guardianship cases under Wis. Stat. ch. 54, protective services and placements under Wis. Stat. ch. 55, child protection and services cases under Wis. Stat. ch. 48, and mental health, alcohol, and drug civil commitments under Wis. Stat. ch. 51; and when the interests of Manitowoc County require, allows or disallows claims made against Manitowoc County which do not exceed five hundred dollars (\$500.00).
- (9) County Clerk. The Office of the County Clerk is responsible for providing administrative and clerical services to the Manitowoc County Board of Supervisors;

administering elections; issuing marriage licenses; and performing such other duties and responsibilities as set forth in Wis. Stat. § 59.23.

- (10) Treasurer. The Office of the Treasurer is responsible for receiving and investing all funds belonging to Manitowoc County; disbursing funds in payment of Manitowoc County's time sensitive obligations as directed by the Finance Director, Clerk of Court, and Register of Deeds; collecting and conducting settlements on postponed real estate taxes; collecting and maintaining accounts on delinquent real estate taxes; receipting and depositing all Manitowoc County monies; conducting In Rem tax foreclosure process; conducting unclaimed funds process; and performing such other duties and responsibilities as set forth in Wis. Stat. § 59.25.
- (11) District Attorney. The Office of the District Attorney is responsible for prosecuting criminal traffic, misdemeanor, and felony matters in Manitowoc County and performing such other duties and responsibilities as set forth in Wis. Stat. ch. 978.
- (12) Emergency Services. The Emergency Services Department is responsible for conducting the planning necessary to ensure the adequate protection of Manitowoc County citizens in the event of radiological or other disaster; assisting in implementation of the Superfund Amendments and Reauthorization Act (SARA), P.L. 99-499; providing standards for effective inter-agency coordination and communications between police, fire, rescue, emergency medical, and emergency management services; providing user authorizations, encryption authorization, and usage policies for the county-wide public safety radio network; providing a reliable and responsive, cost effective county-wide communications link for the public to police, fire, rescue, emergency medical, and emergency management services through operation of a Joint Dispatch Center; providing dispatch services for Manitowoc County and any municipality that enters into a Joint Dispatch Agreement with Manitowoc County; and performing such other duties and responsibilities as set forth in Wis. Stat. ch. 323.
- (12m) Family Court Commissioner. The Office of the Family Court Commissioner is responsible for performing those functions assigned to the Family Court Commissioner by the Manitowoc County Circuit Court pursuant to Wis. Stat. § 757.69; adjudicating actions affecting the family under Wis. Stat. ch. 767; and providing child support services under contract to the Manitowoc County Child Support Department.
- (15) Highway. The Highway Department is responsible for:
  - (a) Providing for the convenient and safe transportation of people and goods within Manitowoc County by constructing and maintaining highways of suitable standards and specifications. Pursuant to Wis. Stat. § 83.035, the highway commissioner or the highway commissioner's designee is authorized to enter into contracts with cities, villages, and towns within the county to construct and maintain highways; and

- (b) Operating the Manitowoc County Airport.
- (16) Human Services. The Human Services Department is responsible for providing services to mentally ill individuals, developmentally disabled minors, alcohol and drug dependent individuals, and brain injured minors of Manitowoc County in the least restrictive setting and in the most cost-effective manner possible pursuant to Wis. Stat. §§ 51.42 and 51.437; providing income maintenance to dependent and needy persons pursuant to Wis. Stat. §§ 49.02 and 49.19 - 49.90; helping children, adults, and families to deal with personal and family problems by providing social and protective services pursuant to Wis. Stat. chs. 46, 48, 54, and 55; and assisting the courts in adjudication of juvenile cases under Wis. Stat. ch. 48 to promote rehabilitation of youth while protecting the public.
- (16v) Personnel. The Personnel Department is responsible for maintaining the Employee Policy Manual, which includes the proposal of new policies and revision of existing policies; monitoring and recommending changes to the employee benefit and compensation plans; overseeing the administration of the self-funded worker's compensation program; assisting departments with respect to all personnel-related plans, policies, and procedures, and programs including, but not limited to, classification, collective bargaining, compensation, departmental organization, employee assistance, employee benefits, employee development and training, family and medical leave, grievance processing, job classification, recruitment and hiring, performance planning and review, personnel and medical records, and safety programs; assisting other departments in complying with applicable federal and state laws, regulations, and rules relating to personnel activities, such as ADA compliance, affirmative action programs, civil rights laws, family and medical leave acts, and OSHA regulations; and performing such other personnel related duties and responsibilities as the county board, personnel committee, or county executive may assign.
- (17) Planning and Zoning. The Planning and Zoning Department is responsible for:
- (a) Providing the professional planning and zoning services necessary to promote the public health, safety, convenience, and general welfare of Manitowoc County and to encourage the planned and orderly land use development, and to achieve the purposes for which planning and zoning authority has been granted to Manitowoc County pursuant to Wis. Stat. § 59.69(1) and other applicable statutes;
  - (b) Performing property listing functions, including providing maps, legal descriptions, and parcel information to public agencies and the general public as well as coordinating with local municipalities to enable the preparation of real and personal property assessment and tax rolls;
  - (c) Operating the Manitowoc County park system; and

- (d) Acting as the Land Information Office pursuant to Wis. Stat. § 59.72(3) to coordinate land information projects within Manitowoc County and between Manitowoc County and other local units of government; develop and secure approval for a countywide plan for land records modernization; and review and recommend grant projects from local governmental units to the state department of administration.
- (18) Health Department. The Health Department, which is created pursuant to Wis. Stat. § 251.02(1), is responsible for promoting the health and physical well-being of the County's residents and visitors by providing services required of a local health department under Wis. Stat. § 251.05(1)(a) as well as providing such additional duties and responsibilities as set forth in applicable statutes, codes, and ordinances.
- (19) Public Works. The Public Works Department is responsible for:
- (a) Providing for the management, maintenance, and improvement of all county buildings and lands except lands under the jurisdiction of the Planning and Zoning Department or the Highway Department, as well as supervising the construction of facilities for county departments other than the Highway Department;
  - (b) Providing for the management, maintenance, and improvement of the County-wide public safety radio network infrastructure, including support for the Joint Dispatch Center radio consoles and E911 and call recording systems;
  - (c) Operating a Material Recycling Facility to assist with the sanitary disposal of solid waste in Manitowoc County in compliance with Wis. Stat. chs. 287 and 289;
  - (d) Operating the Manitowoc County Expo Center; and
  - (e) Providing information services to all units of Manitowoc County government including the development and management of databases to support data collection, storage, access, retention, and retrieval (data services); the design, installation, maintenance, and support of computer networks (networking services); the identification and evaluation of emerging technologies, the creation of a county-wide technology plan, the implementation of security policies and procedures, and the supervision of the design, development, testing, implementation, maintenance, and support of information systems (systems development); and the installation, maintenance, and support of hardware and software and the coordination of such technical services with outside vendors (technical services).
- (20) Register of Deeds. The Office of the Register of Deeds is responsible for maintaining accurate and reliable records of all documents lawfully submitted for

recording; furnishing copies of vital records; and performing such other duties and responsibilities as set forth in the Wisconsin Statutes.

- (21) Register in Probate. The Office of the Register in Probate, under the supervision of the Manitowoc County Circuit Court, is responsible for maintaining court records of formal and informal estates, step-parent, private and agency adoptions, guardianships, conservatorships, protective placements and minor guardianships, mental health, alcoholic and drug dependency civil commitments; performing the duties and responsibilities of a circuit court commissioner pursuant to Wis. Stat. §§ 757.69 and 757.70 when so appointed pursuant to Wis. Stat. §§ 757.68; and performing such other duties and responsibilities as set forth in Wis. Stat. §§ 851.71-75.
- (22) Sheriff. The Office of the Manitowoc County Sheriff is responsible for maintaining the peace; protecting the public from violations of state and county laws and ordinances; operating the Manitowoc County jail; attending to the courts as requested by the judges thereof; serving process in Manitowoc County as required by the Wisconsin Statutes; and performing such other duties and responsibilities set forth in the Wisconsin statutes.
- (23) University of Wisconsin Extension. The University of Wisconsin Extension is responsible for enhancing the quality of life of Manitowoc County residents by bringing the knowledge and education base of the University of Wisconsin System to the citizens of Manitowoc County through agents and support personnel, pursuant to Wis. Stat. § 59.56(3).
- (24) Veteran's Services. The Office of Veteran's Services is responsible for assisting veterans of the armed forces of the United States and their dependents with their personal needs as regards to state and federal VA benefits as provided by Wis. Stat. ch. 45.

### **2.03 Department Funds, Property, and Operations.**

- (1) Every Department shall be funded by the appropriations included in its departmental budget. Where a department budget includes activity areas, the funds for an activity area shall fund the departmental division, section, or unit which is related to that program activity.
- (2) Property that has previously been acquired by a department or that is acquired in the future shall be considered county property which is in use by a particular department. Property, not donated and required to be held for a special purpose, that is no longer needed by a department may be declared surplus by the department's oversight committee. The Public Works Department shall act as manager of surplus county property.

(3) Disposal of Surplus Property.

- (a) Manitowoc County may dispose of surplus property by any means determined to be in the best interest of the county. The Public Works Committee may authorize the disposal of such property by any of the following means: sale at public auction; sale through an auction service; acceptance of an offer to purchase in response to a request for competitive bids or proposals; private sale; donation to a county agency, board, commission, department, or office; donation or sale to a city, town, or village located within Manitowoc County; donation to a charitable organization; or destruction of the property where appropriate. Except for tax foreclosed real estate, no real estate owned by the county may be sold unless the sale is first authorized by majority vote of the Manitowoc County Board of Supervisors.
- (b) If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of conducting the sale, shall be paid into the county treasury.
- (c) If the property is not disposed of in a sale open to the public, the Public Works Department shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.
- (d) If the property is allocated to another county agency, board, commission, department, or office, the Public Works Committee may determine that the department receiving the surplus property shall compensate the department that declared the property to be surplus, and the Public Works Committee shall determine the amount of such compensation.

(4) Public Works Projects.

- (a) Subject to approval by the County Executive, any public works project undertaken by Manitowoc County or any agency thereof, including any contract for the construction, repair, remodeling, or improvement of any public work, building, or furnishing of supplies or materials of any kind may be done directly by the County without submitting the same for bids.
- (b) Pursuant to Wis. Stat. § 59.52(29), the Manitowoc County Board of Supervisors has authorized this Section 2.03(4) by a three-fourths  $\frac{3}{4}$  vote of all the members entitled to a seat on the County Board.

## 2.035 Abandoned Personal Property.

- (1) Authority. This section is enacted pursuant to authority granted under Wis. Stat. § 66.28.
- (2) Disposal of Personal Property. The Public Works Department shall act as the manager of abandoned or unclaimed personal property. Manitowoc County may, by any means determined to be in the best interest of the county, dispose of any personal property other than cash that has been abandoned or remains unclaimed for a period of 30 days after the county has taken possession of the property. The Public Works Committee may authorize the disposal of such property by any of the following means: sale at public auction; sale through an auction service; acceptance of an offer to purchase in response to a request for competitive bids or proposals; private sale; donation to a county agency, board, commission, department, or office; donation or sale to a city, town, or village located within Manitowoc County; donation to a charitable organization; or destruction of the property where appropriate. If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the county treasury. If the property is not disposed of in a sale open to the public, the Public Works Department shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.
- (3) Disposal of Cash.
  - (a) Except as provided in sub. (b), personal property consisting of cash which has been abandoned or which remains unclaimed for a period of 30 days after the county takes possession of the property shall be turned over to the county treasurer and credited to the miscellaneous general revenues account general fund. If the property appears to be or is reported stolen, the county shall attempt to return it to the rightful owner.
  - (b) Abandoned or unclaimed personal property consisting of cash which was seized by a county-wide multi-jurisdictional task force during an investigation or arrest relating to illegal gambling or the purchase and sale of controlled substances or which has been found to be contraband in a judicial proceeding shall be turned over to the county treasurer and placed in the sheriff's department contraband account to be used for the multi-jurisdictional task force.
- (4) Disposal of Abandoned or Unclaimed Flammable, Explosive, or Incendiary Substances, Materials, or Devices. Any county officer may safely dispose of abandoned or unclaimed flammable, explosive, or incendiary substances, materials, or devices posing a danger to life of property in their storage, transportation, or use



immediately after taking possession of the substances, materials or devices without a public auction. If the substance, material, or device appears to be or is reported stolen, the county officer shall attempt to return it to the rightful owner if it has a commercial value in the normal course of business usage and does not pose an immediate threat to life or property.

- (5) Abandoned, Unclaimed, or Seized Weapons or Ammunition. The county shall retain or dispose of any abandoned, unclaimed, or seized dangerous weapon or ammunition under Wis. Stat. § 968.20.

## **2.04 Boards, Commissions, and Committees.**

The following boards, commissions, and committees are created as authorized or required by Wisconsin Statute or the Manitowoc County Code.

- (1) Board of Adjustment.
  - (a) A Board of Adjustment is created pursuant to Wis. Stat. § 59.694 to hear matters arising under the Manitowoc County Code that may be brought before the board.
  - (b) The board will consist of 5 members and 2 alternates who will be appointed by the county executive subject to the approval of the county board. Members and alternates will serve staggered 3-year terms beginning on July 1. Members and alternates may be reappointed. The members of the board, including alternate members, must all reside within the county and outside of the limits of incorporated cities and villages; provided, however, that no 2 members may reside in the same town.
  - (c) The board will choose its own chairperson. Annually, the county executive shall designate one of the alternate members as the first alternate and the other as second alternate. The first alternate shall act, with full power, only when a member of the board refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than one member of the board refuses to vote because of a conflict of interest or is absent.
  - (d) The board is subject to any rules adopted by the county board rules, but may adopt further rules as necessary to carry into effect the regulations of the county board. Meetings of the board will be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board will be open to the public, except that the board may confer with legal counsel with respect to litigation in closed session pursuant to Wis. Stat. § 19.85(g)(1). The board will keep minutes of its proceedings,

showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and will keep records of its examinations and other official actions, all of which will be immediately filed in the office of the board and will be a public record.

- (2) Board of Health. The Board of Health is created pursuant to Wis. Stat. sec. 251.03. The board will consist of 9 members who are appointed by the county executive, subject to confirmation by the county board, and who will served staggered 2-year terms. At least 4, but not more than 5, members must be county board supervisors. The remaining members must be persons who are not elected officials or employees of the county or of any city within the county who have a demonstrated interest or competence in the field of public health or community health. A good faith effort must be made to appoint a registered nurse and at least one physician. Members of the board of health shall reflect the diversity of the community.
- (3) There is hereby created an Aging and Disability Board, which shall act as a combined aging and disability resource center board pursuant to Wis. Stat. § 46.283(6) and commission on aging pursuant to Wis. Stat. § 46.82(4).
  - (a) Composition. The Aging and Disability Board shall be composed of 10 members as follows: two (2) county board supervisors from each of Manitowoc and Kewaunee County; four (4) citizens representing older adults; (1) one citizen representing persons with developmental disabilities, and one (1) citizen representing persons with physical disabilities.
  - (b) Appointment. The county executive shall appoint the Manitowoc County representatives of the Aging and Disability Board, subject to confirmation by the county board. A member of the Board may be removed by the county executive for cause.
  - (c) Terms. Citizen members of the commission on aging shall serve for terms of three (3) years, except that the initial appointments to the board shall be as follows: four (4) of the initial appointments shall be for a three (3) year term; three (3) of the initial appointments shall be for a two (2) year term; and three (3) of the initial appointment shall be for a one (1) year term. Members may serve until a replacement has been confirmed, except that the term of a county board member shall immediately end when that individual is no longer a member of the county board. Vacancies shall be filled in the same manner as the original appointments.
  - (d) Powers and Duties. The Aging and Disability Board shall have those powers and duties as established by state law.
  - (e) Officers. The Aging and Disability Board shall elect a Chair, Vice Chair, and a Secretary at its first meeting following each county's annual meeting. Officers shall serve for a term of one year. The Board may adopt its own

bylaws and rules, except that no bylaw or rule may conflict with Wisconsin law, County ordinance, or County Board rule.

- (f) Compensation and Expense Reimbursement. Each county may compensate the Aging and Disability Board members who are county supervisors in accordance with its respective policies. Citizen members will not receive compensation for their service on the Board, but are eligible for reimbursement of mileage and other approved out-of-pocket expenses incurred as a result of their attendance at Aging and Disability Board or ADRC functions. Funds for the reimbursement of mileage and out-of-pocket expenses for citizen members will be included as part of the ADRC operations budget.
- (g) Limitations. The Aging and Disability Board may not levy taxes, borrow funds, or enter into contracts in its own name or in the name of either county. No member of the Board may profit from ADRC operations or provide services to the Board or either county.

(6) Human Services Board.

- (a) There is created a Human Services Board under Wis. Stat. § 46.23(5m), and which shall function relative to the Manitowoc County Human Services Department in accordance with Wis. Stat. ch. 46.
- (b) The Human Services Board shall consist of nine (9) members, not more than six (6) of whom shall be members of the Manitowoc County Board of Supervisors. The remainder shall be members of the public. All shall have recognized ability and demonstrate interest in human services.
- (c) Members of the Human Services Board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. The term for a county board supervisor shall commence on the 3rd Tuesday in April and the term for all other members shall commence on January 1. A member who was county board supervisor when appointed and who is not reelected to office shall be removed from the Human Services Board at the expiration of the supervisor's term upon due notice in writing, which shall be issued by the County Clerk.
- (d) The Human Services Board shall succeed to all records, responsibilities, duties, and policies of the Manitowoc County Community Programs Board, which existed until January 1, 1989, and the Social Services Committee of the Manitowoc County Board of Supervisors.

(6m) Kiel Public Library Board of Trustees.

- (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of

the Kiel Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.

- (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.
  - (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.
- (7) Land Conservation Committee. The Land Conservation Committee is created pursuant to Wis. Stat. § 92.06, for the purpose of performing policy formulation and program responsibilities authorized by Wis. Stat. ch. 92. The committee will be composed of the UW-Extension Education and Agriculture Committee, the chairperson of the County Farm Service Agency Committee or a member of the County Farm Service Agency Committee designated by the Chairperson of the County Farm Service Agency Committee, and a Conservation Congress Delegate from Manitowoc County. Each committee member's term will begin on the 3rd Tuesday in April in even-numbered years and continue for two years or until a successor is appointed, whichever is longer. Committee members may be reappointed. The County Board will designate a representative of the Planning and Park Commission and the Public Works Committee to serve as advisers to the committee.
- (7m) Land Information Council.
- (a) A Land Information Council is hereby created pursuant to Wis. Stat. § 59.72(3m).
  - (b) The Register of Deeds, the Treasurer, the Director of the Planning and Zoning Department, and the real property lister, or a designee, will be ex officio members of the council. The remaining members of the council will be appointed by the county executive, subject to confirmation by the county board, and will include a member of the county board, a representative of the land information office, a realtor or a member of the Realtors Association employed within the county, a public safety or emergency communications representative employed within the county, and the county surveyor or a registered professional land surveyor employed within the county, and one public representative.
  - (c) Council members who hold county elective office or who are employed by the county will serve on the council for so long as they hold office or are employed by the county. Appointed council members will serve two-year terms.
  - (d) The council may bring matters forward to the county board through the Finance Committee.

- (8) Lester Public Library Board of Trustees.
- (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of the Lester Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.
  - (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.
  - (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.
- (9) Long-Term Support Planning Committee. Pursuant to Wis. Stat. § 46.27(4), there is hereby created a Long-Term Support Planning Committee. The Committee shall be comprised of 15 members who shall be appointed by the county executive and who shall include in their number the following representatives:
- (a) Five persons receiving long-term support services, each of whom represents one of the following groups:
    - 1. Elderly persons;
    - 2. Physically disabled persons;
    - 3. Developmentally disabled persons;
    - 4. Chronically mentally ill persons; and
    - 5. Chemically dependent persons.
  - (b) Two elected county officials.
  - (c) One representative from the County Health Department.
  - (d) Two representatives from the Manitowoc County Human Services Department, one familiar with services to the mentally ill, developmentally disabled, or chemically dependent and the other familiar with income maintenance and social services to people in need of long-term support.
  - (e) One representative of the Commission on Aging.
- (10) Manitowoc-Calumet Library System Board of Trustees.
- (a) Manitowoc County has elected to participate in the Manitowoc-Calumet Library System.

- (b) The county executive shall appoint, subject to the approval of the county board, 11 members to the Manitowoc-Calumet Library System Board of Trustees in accordance with Wis. Stat. § 43.19(b) for a term of 3 years. One county board member may be appointed to the system board. The appointments will be divided into 2 classes of 4 trustees and 1 class of 3 trustees, so that approximately one-third of the appointments expire each year.
- (11) Expo-Ice Center Board.
- (a) Creation. There is hereby created an Expo-Ice Center Board.
  - (b) Membership. The board will consist of 21 members, including one county supervisor from the Public Works Committee, two other county supervisors from any committee, and 18 citizen members. County board members will serve terms concurrent with their term of office. Citizen members will serve staggered 3-year terms. Members will be appointed by the county executive, subject to confirmation by the county board.
  - (c) Advisory Responsibility. The board is responsible for providing budgetary and policy advice to the Public Works Committee on matters related to the operation of the Expo grounds, county fair, and ice center.
  - (d) Operational Responsibility. The board is responsible for organizing and operating the county fair. The board may negotiate contracts related to the operation of the county fair and the ice center, subject to the limit of funds appropriated by the county board. Each contract must be approved by the Public Works Committee and signed on behalf of the county by the Public Works Director or his or her designee.
  - (e) Reporting Responsibility. The board is responsible for reporting operational concerns relating to the Expo grounds, the county fair, and the ice center to the Public Works Director, as the Public Works Department is responsible for the day-to-day operation of the Expo grounds, county fair, and ice center.
  - (f) Finances. All expenses associated with the operation of board will be paid from the Expo Special Revenue Fund.
- (13) Manitowoc County Traffic and Safety Commission.
- (a) Pursuant to Wis. Stat. § 83.013, there is created a Manitowoc County Traffic Safety Commission to promote safer driving conditions on the highways of Manitowoc County.
  - (b) The Commission shall have sixteen (16) appointed members.

- (c) The members shall serve indefinite terms, continuing until they resign and are replaced.
  - (d) The Commission's membership shall include a representative of the Wisconsin Department of Transportation district office; the Highway Commissioner of Manitowoc County; the Manitowoc County Sheriff; the Chiefs of Police of Manitowoc and Two Rivers; the Highway Safety Coordinator of the Manitowoc County Sheriff's Department; and the Chairperson of the Public Safety Committee of the Manitowoc County Board of Supervisors.
  - (e) Each member may designate an alternate to represent him or her in the event that he or she is unable to attend a meeting.
- (14) Manitowoc Public Library Board of Trustees.
- (a) The county executive shall appoint, subject to confirmation by the county board, from among the residents of the county such additional members of the Manitowoc Public Library Board as the county may be eligible to appoint pursuant to Wis. Stat. § 46.30(3) for a term of 3 years from the May 1 following the appointment, and thereafter for a period of 3 years.
  - (b) The county executive may appoint a county supervisor to serve as a member of the library board, but no more than one county supervisor so appointed may serve on the library board at the same time.
  - (c) If the member appointed loses the status upon which the appointment was based, he or she ceases to be a member effective on the following May 1.
- (15) Planning and Park Commission.
- (a) The Planning and Park Commission is created pursuant to Wis. Stat. § 27.02 and is designated as the county zoning agency under Wis. Stat. §§ 59.69 and 59.692 and as the private sewage system regulatory agent under Wis. Stat. § 145.20(1).
  - (b) The commission will consist of 7 commissioners who will be appointed by the county executive subject to the approval of the county board. Commissioners will serve staggered 7-year terms so that one term expires each year.
  - (c) Any or all of the commissioners may be county supervisors, but a county supervisor who ceases to be a member of the county board vacates the office of commissioner and a replacement will be appointed to serve the remainder of the term.
- (16) Veterans Service Commission. Pursuant to Wis. Stat. §§ 45.12(1) and (2), there is created a three-person commission composed of Veterans of the armed forces of

the United States, which shall administer the program of assistance created by Wis. Stat. § 45.14. The members shall serve three-year terms.

- (17) VTAE District II Farm Committee. A County Supervisor shall be appointed to the Farm Committee of Vocational, Technical and Adult Education District II.
- (18) Local Emergency Planning Committee.
  - (a) Pursuant to Wis. Stat. § 59.54, there is created a Local Emergency Planning Committee with the duties, powers, and responsibilities assigned such a committee under Wis. Stat. §§ 166.20 and 166.21, and 42 U.S.C. sec. 11000 to 11050.
  - (c) The Committee shall consist of fifteen (15) regular members or their approved alternates, all of whom shall be appointed for a two (2)-year term. The members shall include representatives from each of the following groups or organizations:
    - 1. Owners and operators of facilities subject to the requirements of Subtitle A of the “Emergency Planning and Community Right-to-Know Act of 1986” (P.L. 99-499).
    - 2. Law Enforcement, Emergency Management (civil defense), firefighting, first aid, health, local environmental, hospital, and transportation personnel;
    - 3. State and Local elected officials;
    - 4. Broadcast and print media;
    - 5. Community groups.
  - (d) The County Board Chair shall be an ex-officio member of the committee.
  - (e) The committee shall by rule provide for public comment and response to public comments by the committee and for the distribution of the plan, and shall establish procedures for receiving and processing requests from the public for information under § 324 of the “Emergency Planning and Community Right-to-Know Act of 1986” (P.L. 99-499) including Tier II information under Section 312 thereof. Such procedures shall include the designation of an official to serve as coordinator for information.
- (20) Transportation Coordinating Committee.
  - (a) Pursuant to Wis. Stat. § 85.21 and Wis. Admin. Code § Trans. 2.10, there is hereby created a Transportation Coordinating Committee which shall be responsible for coordinating Manitowoc County’s specialized transportation programs for the elderly and the disabled.



- (b) The Committee shall consist of eleven members and shall, at a minimum, include such representatives as may be specified by the Wisconsin Department of Transportation in the Wisconsin Administrative Code.
- (c) All members shall be appointed by the County Executive, subject to confirmation by the County Board, and shall be persons familiar with the transportation service needs of the elderly and the disabled. The District Office of the Wisconsin Department of Transportation may designate a person on its staff, subject to approval by the County Executive, to attend meetings in an advisory capacity. The appointment of any County Board supervisor to the Committee shall be made at the April reorganization meeting of the County Board. Appointments of all other members shall be made at the regular April County Board meeting.
- (d) Four (4) of the initial appointments to the Committee shall be for a three (3) year term; four (4) of the initial appointments shall be for a two (2) year term; and three (3) of the initial appointments shall be for a one (1) year term. Thereafter, the term of each appointment shall be for three (3) years ending on the third Tuesday in April or as soon thereafter as a successor is appointed and qualified. Any member of the Committee who ceases to meet the qualifications for appointment shall be deemed to have vacated the position and a replacement shall promptly be appointed in the same manner as the original appointment to serve the remainder of the term. Public notice shall be given of any vacancy occurring on the Committee.
- (e) The Committee shall have the following duties:
  - 1. monitor the expenditures of transportation funds being expended on transportation services for the elderly and disabled in service areas;
  - 2. review passenger transportation plans for service areas;
  - 3. review and comment on county aid applications under Wis. Stat. § 85.21;
  - 4. review and comment on capital assistance applications under Wis. Stat. § 85.22;
  - 5. act as an informational resource for local transportation providers regarding the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.; and
  - 6. act on requests by local public bodies to be designated as coordinators of transportation services for elderly and disabled persons for the purpose of becoming eligible for assistance under 49 U.S.C. § 5310.

- (f) The Committee shall elect a Chair, Vice Chair, and a Secretary at its first meeting. Officers shall serve for a term of one (1) year. The Committee may adopt its own bylaws and rules, except that no bylaw or rule may conflict with Wisconsin Statute or County Board Rule.
  - (h) The County Board may provide for the needs of the Committee, including office space, through the budget for the Aging Resource Center and, subject to the availability of resources, all County departments are authorized to assist the Committee in fulfilling its duties.
- (21) Loan Review Board.
- (a) There is hereby created a loan review board to implement the revolving loan fund program, oversee revolving loan fund activities, and provide policy guidance to the revolving loan fund administrator. The board is responsible for the revolving loan fund program in its entirety and has the authority to review, select, and award loans under the program.
  - (b) The board will be comprised of the chair of the finance committee and four members, appointed by the county executive and subject to confirmation by the county board, who have knowledge and experience in one or more of the following fields: banking, business, engineering, law, or municipal government at the city, town, or village level.
  - (c) Two of the initial appointments will be for a term ending in April 2011 and two will be for a term ending in April 2012. Subsequent appointments will be for a term of three years. All terms will end on the third Tuesday in April or as soon thereafter as a successor is appointed and qualified.
  - (d) Any person appointed to the board may be reappointed to the board.
  - (e) Public notice will be given of any vacancy on the board, and a replacement will be appointed to serve the remainder of the vacant term.
  - (f) The board will elect a chair, vice chair, and secretary at its first meeting for a term ending in April 2010. Thereafter, officers will be elected annually and serve for a term of one year.
  - (g) The board may adopt its own bylaws and rules, except that no bylaw or rule may conflict with any county board rule, county ordinance, or Wisconsin statute.
  - (h) The Finance Director and the Corporation Counsel will provide staff support to the board. The Finance Director will serve as the administrator of the revolving loan fund and will make periodic activity reports to the county board.

- (22) Sexually Violent Persons Ad Hoc Committee.
- (a) The Corporation Counsel is authorized to convene a temporary committee to discharge Manitowoc County's statutory mandate when a court orders Manitowoc County to prepare a report pursuant to Wis. Stat. § 980.08.
  - (b) The temporary committee shall consist of the following:
    - 1. Director of the Human Services Department or his or her designee;
    - 2. A representative designated by the Wisconsin Department of Health Services;
    - 3. A local probation or parole officer designated by the local Probation and Parole Field Office;
    - 4. Corporation Counsel; and
    - 5. Director of Planning and Zoning or his or her designee.
  - (c) The Sheriff shall designate a representative to assist the committee by consulting with the law enforcement agency that has jurisdiction over the residential option identified by the committee.

#### **2.045 General Procedure.**

- (1) Each board, commission, and committee has the authority to adopt rules of procedure, elect officers, conduct meetings, keep minutes, and take other actions in accordance with county board rules.
- (2) No employee, official, or officer of Manitowoc County may be appointed as a citizen member of a board, commission, or committee. The foregoing notwithstanding, an employee, official, or officer who is a citizen member of a board, commission, or committee on August 21, 2007 may complete his or her term and may be reappointed one time as a citizen member of that board, commission, or committee.
- (3) Each citizen member of a board, commission, or committee is entitled to receive expense and mileage reimbursement in accordance with the county's travel policy.
- (4) Each citizen member of the Board of Adjustment, the Expo-Ice Center Board, and the Planning and Park Commission is entitled to a per diem for each day or portion of a day on which the member is in attendance at an official meeting of his or her respective board or committee. A \$25 per diem will be paid if the meeting is less than 4 hours long and a \$37.50 per diem will be paid if the meeting is 4 or more hours long.

- (5) Each board, commission, and committee shall meet in open session except as authorized by Wis. Stat. § 19.85(1).

## 2.05 Non-Discrimination.

No Manitowoc County Department, Commission, Board, or Council may discriminate against any person in determining eligibility for county services, providing services, granting accommodations to any person, or awarding any permit, license, authority or privilege, on the basis of race, religion, color, creed, marital, sex, handicapped condition, sexual orientation, or national origin, unless some specific provision of law makes one of these factors a permissible consideration in the decision by a county agency.

## 2.06 Fair Housing.

- (1) The provisions of Wis. Stat. § 106.50 are adopted and incorporated into this code by reference as if fully set forth herein.
- (2) Manitowoc County officials and employees will assist in the orderly prevention and removal of all discrimination in housing within the County by implementing the authority and enforcement procedures set forth in Wis. Stat. § 106.50.
- (3) The Manitowoc County Clerk shall maintain forms for complaints to be filed under Wis. Stat. § 106.50, and shall assist any person alleging a violation thereof in Manitowoc County to file a complaint thereunder with the Wisconsin Department of Workforce Development, Equal Rights Division, for enforcement of Wis. Stat. § 106.50.

### HISTORY

11/15/1988: Chapter 2 codified by Ord. No. 88/89-115 effective November 23, 1988.

02/20/1990: Sec. 2.04(1)(s) created by Ord. No. 89/90-156 effective March 2, 1990.

06/20/1989: Sec. 2.04(1)(p) created by Ord. No. 89/90-50 effective June 26, 1989.

04/21/1992: Sec. 2.04 repealed in part by Ord. No. 92/93-4 effective May 1, 1992.

08/15/1989: Sec. 2.02(20) amended and sec. 2.04 (1)(q) created by Ord. No. 89/90-61 effective August 23, 1989.

06/15/1993: Sec. 2.02(8) amended by Ord. No. 93/94-53 effective June 24, 1993.

12/19/1989: Sec. 2.02(8) and (11) amended and sec. 2.02(15a) created by Ord. No. 89/90-126 effective December 28, 1989.

06/15/1993: Sec. 2.02(15) amended by Ord. No. 93/94-55 effective June 24, 1993.

12/19/1989: Sec. 2.04(1)(q) amended by Ord. No. 89/90-127 effective December 28, 1989.

07/20/1993: Sec. 2.02(4) amended by Ord. No. 93/94-76 effective July 29, 1993.

01/16/1990: Sec. 2.03(4) amended and sec. 2.04(12a) created by Ord. No. 89/90-137 effective February 1, 1990.

12/21/1993: Sec. 2.03(3) created by Ord. No. 93/94-152 effective January 3, 1994.

02/15/1994: Sec. 2.04(1)(l)1 repealed by Ord. No. 93/94-165 effective February 21, 1994.

05/17/1994: Sec. 2.04 (1)(p) amended by Ord. No. 94/95-24 effective May 31, 1994.

09/26/1995: Secs. 2.02(13) and 2.04(1)(d)1-6 repealed by Ord. No. 95/96-86 effective October 6, 1995.

10/10/1995: Sec. 2.04 amended and 2.04(j) created by Ord. No. 95/96-106 effective October 19, 1995.

11/14/1995: Sec. 2.03(4) created by Ord. No. 95/96-117 effective November 27, 1995.

06/18/1996: Sec. 2.02(8) amended by Ord. No. 96/97-54 effective June 26, 1996.

04/21/1998: Sec. 2.04(1)(b)1 amended by Ord. No. 98/99-12 effective April 21, 1998.

05/19/1998: Sec. 2.04(1)(e) amended by Ord. No. 98/99-14 effective May 19, 1998.

02/16/1999: Sec. 2.04(1)(am) created by Ord. No. 98/99-142 effective February 26, 1999.

03/16/1999: Sec. 2.04(1)(r) created by Ord. No. 98/99-156 effective March 26, 1999.

07/20/1999: Sec. 2.04(1)(a) amended by Ord. No. 1999/2000-70 effective July 30, 1999.

08/17/1999: Sec. 2.04(1)(r) amended by Ord. No. 1999/2000-83 effective August 17, 1999.

12/21/1999: Sec. 2.04(1)(fm) created by Ord. No. 1999/2000-124 effective December 21, 1999.

01/18/2000: Sec. 2.02(6) amended and sec. 2.02 (16m) created by Ord. No. 1999/2000-147 effective January 28, 2000.

01/18/2000: Sec. 2.04(1)(f) amended by Ord. No. 1999/2000-155 effective January 28, 2000.

02/20/2001: Sec. 2.04(1)(fm) created by Ord. No. 2000/2001-147 effective March 2, 2001.

06/19/2001: Sec. 2.03(3) amended, sec. 2.03(4) repealed, and sec. 2.035 created by Ord. No. 2001/2002-35 effective June 27, 2001.

03/19/2002: Sec. 2.04(3)(e) amended by Ord. No. 2001/2002-190 effective March 29, 2002.

04/16/2002: Sec. 2.02(2) stricken and sec. 2.02(15) amended by Ord. No. 2001/2002-208 effective May 3, 2002.

04/15/2003: Secs. 2.01 repealed and recreated and sec. 2.015 created by Ord. No. 2003/2004-11 effective April 25, 2003.

06/17/2003: Sec. 2.02(2) amended and sec. 2.03(3) repealed and recreated by Ord. No. 2003/2004-38 effective June 27, 2003.

09/9/2003: Sec. 2.015 amended by Ord. No. 2003/2004-64 effective September 18, 2003.

01/20/2004: Sec. 2.04(1)(g) amended by Ord. No. 2003/2004-99 effective January 29, 2004.

10/12/2004: Secs. 2.015 amended and sec. 2.02(16t) created by Ord. No. 2004/2005-88 effective October 21, 2004.

10/25/2004: Sec. 2.04(1)(i) amended by Ord. No. 2004/2005-99 effective November 4, 2004.

12/21/2004: Sec. 2.04(1)(i)1 amended by Ord. No. 2004/2005-121 effective December 31, 2004.

06/21/2005: Sec. 2.04(1)(j) amended by Ord. No. 2005/2006-53 effective July 1, 2005.

11/07/2005: Sec. 2.04(1)(bm) created effective November 15, 2005, secs. 1.04(3)(f) and 2.02(1) repealed effective June 30, 2006 and recreated effective July 1, 2006, and sec. 2.04(1)(b) repealed effective June 30, 2006 by Ord. No. 2005/2006-109.

11/15/2005: Sec. 2.04(1)(f) amended by Ord. No. 2005/2006-121 effective November 23, 2005.

12/20/2005: Sec. 2.04(1)(am) repealed and recreated, sec. 2.04 amended by striking subsection number (1) and renumbered, and secs. 7.08, 7.09, 7.10, and 7.11 amended by Ord. No. 2005/2006-124 effective December 28, 2005.

05/16/2006: Secs. 2.04(1)(f) and 2.04(15)(d) amended by Ord. No. 2006/2007-5 effective May 24, 2006.

08/15/2006: Sec. 2.04(12) amended by Ord. No. 2006/2007-51 effective August 25, 2006.

12/19/2006: Secs. 2.02(6) and (9) amended by Ord. No. 2006/2007-93 effective December 27, 2006.

12/19/2006: Sec. 2.015(2) amended by Ord. No. 2006/2007-97 effective January 1, 2007.

08/21/2007: Secs. 2.04, 2.04(10)d, (14), (16), (17), and (20)(c) amended; secs. 2.04(1)(f), (6)(e), (11)(d), (15)(d), (16), (18)(b), (19)(c), (20)(g), and (21)(l) repealed; and sec. 2.045 created by Ord. No. 2007/2008-51 effective January 1, 2008.

10/16/2007: Secs. 2.04(1) and (15) amended by Ord. No. 2007/2008-74 effective October 25, 2007.

02/24/2009: Sec. 2.04(21) amended by Ord. No. 2008/2009-107 effective March 5, 2009.

04/21/2009: Secs. 2.02(15), 2.02(17), and 2.02(19) amended by Ord. No. 2009/2010-6 effective May 1, 2009.

05/19/2009: Sec. 2.04(6m) created and secs. 2.04(8), (10), and (14) amended by Ord. No. 2009/2010-25 effective June 1, 2009.

07/20/2010: Sec. 2.02(16u) created, sec. 2.02(20) amended, and sec. 2.04(7m) created by Ord. No. 2010/2011-30 effective August 1, 2010.

08/17/2010: Sec. 2.04(11) amended, sec. 2.04(12) repealed, and sec. 2.045(4) amended by Ord. No. 2010/2011-46 effective September 1, 2010.

12/20/2011: Secs. 2.02(1), 2.04(3), and 2.04(4) amended by Ord. No. 2011/2012-73 effective December 28, 2011.

04/24/2012: Sec. 2.04(11)(b) amended by Ord. No. 2012/2013-5 effective April 30, 2012.

04/22/2014: Sec. 2.02(18) amended by Ord. No. 2014/2015-19 effective June 1, 2014.

12/16/2014: Sec. 2.02(15m) repealed and sec. 2.02(16v) created by Ord. No. 2014/2015-65 effective January 1, 2015.

04/26/2016: Sec. 2.04(11)(b) amended by Ord. No. 2016/2017-2 effective May 4, 2016.

04/24/2018: Sec. 2.03(4) created by Ord. No. 2018/2019-8 effective May 3, 2018.

09/18/2018: Sec. 2.04(22) created by Ord. No. 2018/2019-40 effective September, 21 2018.

03/20/2019: Secs. 2.01(1)(a) and (b), 2.02(3), 2.02(4), 2.02(5), 2.02(6), 2.02(7), 2.02(8), 2.02(9), 2.02(10), 2.02(11), 2.02(12), 2.02(12m), 2.02(15), 2.02(15)(b) and (c), 2.02(16), 2.02(16v), 2.02(17), 2.02(17)(c), 2.02(18), 2.02(19), 2.02(20), 2.02(21), 2.02(22), 2.02(23), 2.02(24), 2.03(3), 2.03(3)(a), 2.03(3)(d), 2.04(3)(b), 2.04(7), 2.04(7m)(b), 2.04(20)(c) amended; secs. 2.01(2), 2.015, 2.02(14), 2.02(15)(a), 2.02(15)(d), 2.02(16)(a) thru (d), 2.02(16m), 2.02(16t), 2.02(16u), 2.02(16v)(a) thru (d), 2.02(17)(a), 2.03(3)(e), 2.04(19) repealed; sec. 2.02(15)(b) amended and renumbered to 2.02(15)(a), sec. 2.02(15)(c) amended and renumbered to 2.02(15)(b), sec. 2.02(17)(b) amended and renumbered to 2.02(17)(a); secs. 2.01(1)(b) and (c) renumbered to 2.01(1)(c) and (d) respectively, secs. 2.02(15)(b) and (c) renumbered to 2.02(15)(a) and (b) respectively; and secs. 2.02(17)(b), 2.02(17)(d), and 2.02(19)(a) thru (e) created by Ord. No. 2018/2019-79 effective March 26, 2019.

04/09/2019: Typographical corrections made to Table of Contents.

11/05/2020: Secs. 2.02(6), 2.02(10), and 2.04(21)(h) amended by Ord. No. 2020/2021-41 effective November 10, 2020.

12/15/2020: Secs. 2.04(3) and (4) repealed and recreated as sec. 2.04(3) by Ord. No. 2020/2021-43 effective January 1, 2021.

12/15/2020: Sec. 2.06 created by Ord. No. 2020/2021-46 effective December 18, 2020.

02/15/2022: Typographical corrections made to Table of Contents and secs. 2.035, 2.04(6)(a), and 2.04(7).