

2021 – 2022

COUNTY BOARD PROCEEDINGS

COUNTY BOARD OF SUPERVISORS OF MANITOWOC COUNTY



Manitowoc County Clerk's Office

(L-R) Administrative Assistant Laurie Heier, County Clerk Jessica Backus, Deputy Clerk Linda Herman.

Sessions: April 27, 2021 - March 15, 2022

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2021/2022 OFFICIAL PROCEEDINGS
MANITOWOC COUNTY BOARD OF SUPERVISORS

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MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, April 27, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 27th day of April 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 20 members present: Aulik, Behnke, Brey, Cavanaugh, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Maresh, Martell, Metzger, Muench, Neils, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams, and Zimmer. Supervisors Baumann, Dyzak, Engelbrecht, Linsmeier, and Nickels were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Aulik, the March 16, 2021 meeting minutes were approved on a unanimous vote.

The County Clerk announced the addition to the agenda: Under XII. Reports of County Supervisors, Offices and Department Directors, Item 2. Manitowoc County Emergency Management Director Travis Waack and Manitowoc County Public Health Director Stephanie Lambert-Report on COVID-19. Supervisor Maresh moved, seconded by Supervisor Sitkiewitz to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming the Month of May as Foster Care Month to Foster Care Coordinators Karen Zahn, Cindy Schley, Tabitha Lecher, and Nancy Randolph. Ms. Zahn informed the board there are 50 foster homes in the County. The program relies on the families of the foster children as well. Ms. Zahn introduced foster parent Jennifer Kracaw. Ms. Kracaw thanked the board for the honor to participate in the meeting. She was a foster parent in Illinois before moving to Wisconsin. She could not believe the difference in assistance she received here. Wisconsin has provided unlimited resources to her and her foster kids. The Manitowoc County Human Services Department has worked hard to make sure the kids have everything they need. She thanked the program coordinators for all the support she and her foster kids have received. She wanted the public to know more foster families are needed.

Public Health Officer Stephanie Lambert and Emergency Management Director Travis Waack reported COVID-19 is on the decline in Manitowoc County. The daily case average used to be 86 per day, now it is down to 7. The four variants are still a concern but Manitowoc County is doing much better than the rest of the state. Since receiving the first set of vaccines on January 5, 2021

the Expo Clinic has held the clinic every week and has given just under 13,000 vaccines. The next phase is moving out of the Emergency Management phase and stepping in to the Public Health phase, in which the Health Department takes over 100%. Both departments mentioned they have learned a lot during the past year that they will be able to carry forward.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:00 p.m.

No one present wished to speak, subsequently Chairperson Brey closed public input at 7:00 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Supervisor Catherine E. Wagner to the Board of Health for a term expiring in April 2023. Supervisor Aulik moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Mason Simmons to the Traffic Safety Commission. Supervisor Falkowski moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

Supervisor Metzger moved, seconded by Supervisor Williams to adopt Resolution 2021/2022-1 Adopting Health Department Fee Schedule (Effective 05/01/2021). Upon vote, the motion carried unanimously.

No. 2021/2022 - 1

RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE (Effective 05/01/2021)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department issues certain licenses and permits
2 as an agent of various departments the State of Wisconsin; and
3

4 WHEREAS, the Manitowoc County Board of Supervisors has authorized the Health
5 Department to charge fees to defray the costs of providing these various licenses and permits; and
6

7 WHEREAS, the State of Wisconsin recently revised Wis. Admin. Code ch. ATCP 75
8 (Retail Food), which included renaming various licensing categories; and
9

10 WHEREAS, the Manitowoc County Code requires that all fees for licenses (other than
11 animal licenses) and permits issued by the Health Department must be set by County Board
12 resolution; and

13
14 WHEREAS, after careful consideration and review, the Board of Health recommends that
15 the Health Department Fee Schedule should be revised to reflect the naming revisions in Wis.
16 Admin. Code ch. ATCP 75 beginning May 1, 2021 and has provided a copy of the proposed Health
17 Department Fee Schedule to the county board of supervisors of the County of Manitowoc for the
18 time period May 1, 2021 to June 30, 2022 reflecting the same; and

19
20 WHEREAS, other than revising the name of various licensing categories, the Board of
21 Health is not recommending any fee increases;

22
23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
24 Supervisors approves the proposed Health Department Fee Schedule, a copy of which is to be
25 included as an appendix to Manitowoc County Code Chapter 7, Public Health.

Dated this 27th day of April 2021.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

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

Finance Committee: Supervisor Hansen gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

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

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

Public Safety Committee: Supervisor Falkowski gave a brief report.

Supervisor Falkowski moved, seconded by Supervisor Henrickson to enact Ordinance 2021/2022-
2 Amending Manitowoc County Code §3.06(4) (Sponsorship of Hazardous Waste & Material
Response). Upon vote, the motion carried unanimously.

No. 2021/2022 - 2

**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 3.06(4)
(SPONSORSHIP OF HAZARDOUS WASTE & MATERIALS RESPONSE)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Section 3.06(4) of the Manitowoc County Code provides that hazardous
2 materials response services for the residents in Manitowoc County shall be delivered through the
3 sponsorship of the Hazardous Materials Response Team of Manitowoc County; and
4

5 WHEREAS, increasing technical requirements and declining membership threaten the long-
6 term sustainability of the Hazardous Materials Response Team of Manitowoc County; and
7

8 WHEREAS, a contracted hazardous materials response service would provide the same
9 services and response times to local fire departments and residents of Manitowoc County in the
10 event of a hazardous materials incident with a reduction in overall annual costs; and
11

12 WHEREAS, staff of the Emergency Services Department have recommended contracting
13 hazardous materials response services with the Appleton Fire Department to ensure long-term
14 sustainability of effective, cost efficient hazardous materials response services; and
15

16 WHEREAS, Manitowoc County and the City of Appleton have agreed in principle to the
17 contract terms and conditions for the City of Appleton Fire Department to provide hazardous
18 materials response services in the County; and
19

20 WHEREAS, after careful consideration and review, the Public Safety Committee
21 recommends that the Manitowoc County Code be amended to remove § 3.06(4) in its entirety so
22 as to eliminate the Hazardous Materials Response Team of Manitowoc County and provide the
23 Emergency Services Department with the discretion to determine the best method of providing
24 hazardous materials response services for the residents in Manitowoc County;
25

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

29 Manitowoc County Code § 3.06(4) is hereby amended to repeal the subsection in its entirety
30 as follows:
31

32 ~~(4) — Sponsorship of Hazardous Waste & Materials Response. Pursuant to Wis. Stat. §~~
33 ~~166.03 (8), Manitowoc County hereby elects to sponsor the Hazardous Materials~~
34 ~~Response Team of Manitowoc County, which shall consist of firefighting and other~~
35 ~~emergency response personnel from or designated by the various municipalities in~~
36 ~~Manitowoc County. The County shall sponsor all team members whose names have~~
37 ~~been approved by the hazardous materials team leader and filed in writing with the~~
38 ~~emergency management director. The team leader may designate persons to be~~
39 ~~members for specific types of incidents.~~
40

41 and
42

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

Dated this 27th day of April 2021.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Zimmer gave a brief report.

Supervisor Zimmer moved, seconded by Supervisor Sitkiewitz to adopt Resolution 2021/2022-3 Granting Easement to Wisconsin Public Service (Cato Falls County Park). Upon vote, the motion carried unanimously.

No. 2021/2022 - 3

**RESOLUTION GRANTING EASEMENT TO WISCONSIN PUBLIC
SERVICE
(Cato Falls County Park)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns the 84 acre Lower Cato Falls County Park located
2 in the west central part of Manitowoc County; and
3

4 WHEREAS, Manitowoc County will be constructing a park pavilion in this park to serve
5 all citizens of Manitowoc County; and
6

7 WHEREAS, there is currently no electrical service located in the park and the proposed
8 pavilion will require electricity for lighting, power, and security systems; and
9

10 WHEREAS, Wisconsin Public Service (“WPS”) is the electric utility in this region of
11 Manitowoc County and requires an easement to extend electrical service into the park; and
12

13 WHEREAS, Manitowoc County and WPS desire to work cooperatively to properly
14 document this easement; and
15

16 WHEREAS, the Manitowoc County Public Works Committee, after careful consideration
17 of the matter and an examination of the facts, recommends that Manitowoc County grant WPS a
18 utility easement to extend electrical service into Lower Cato Falls County Park to the location of
19 the new park pavilion;
20

21 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
22 County of Manitowoc grants WPS a utility easement in Lower Cato Falls County Park in
23 substantially the same form in the attached easement and authorizes the County Executive, County
24 Board Chair, County Clerk, Corporation Counsel, and any such other county officials as may be
25 necessary to finalize and execute the easement; and
26

27 BE IT FURTHER RESOLVED that the easement will be recorded in the Manitowoc
28 County Register of Deeds office with any costs associated with the filing to be borne by WPS.

Dated this 27th day of April 2021.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Hagan to adopt Resolution 2021/2022-4 Granting Utility Easement to WE Energies (Walla Hi County Park). Upon vote, the motion carried unanimously.

No. 2021/2022 - 4

RESOLUTION GRANTING UTILITY EASEMENT TO WE ENERGIES
(Walla Hi County Park)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County owns the 160 acre Walla Hi County Park located in the
2 southwest part of Manitowoc County; and
3

4 WHEREAS, Manitowoc County will be constructing a park pavilion in this park to serve
5 all citizens of Manitowoc County; and
6

7 WHEREAS, there is currently no electrical service located in the park and the proposed
8 pavilion will require electricity for lighting, power, and security systems; and
9

10 WHEREAS, WE Energies is the electric utility in this region of Manitowoc County and
11 requires an easement to extend electrical service into the park; and
12

13 WHEREAS, Manitowoc County and WE Energies desire to work cooperatively to properly
14 document this easement; and
15

16 WHEREAS, the Manitowoc County Public Works Committee, after careful consideration
17 of the matter and an examination of the facts, recommends that Manitowoc County grant WE
18 Energies a utility easement to extend electrical service into Walla Hi County Park to the location
19 of the new park pavilion;
20

21 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
22 County of Manitowoc grants WE Energies a utility easement in Walla Hi County Park in
23 substantially the same form in the attached easement and authorizes the County Executive, County
24 Board Chair, County Clerk, Corporation Counsel, and any such other county officials as may be
25 necessary to finalize and execute the easement; and
26

27 BE IT FURTHER RESOLVED that the easement will be recorded in the Manitowoc
28 County Register of Deeds office with any costs associated with the filing to be borne by WE
29 Energies.

Dated this 27th day of April 2021.

Respectfully submitted by the Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ANNOUNCEMENTS

Chairperson Brey invited the board to the Peace Officer Memorial Service on Friday, May 14, 2021 at 2:45 p.m. to be held at the memorial between the courthouse and jail.

Supervisor Henrickson invited the board to the historical marker unveiling at 4815 Memorial Dr., Two Rivers on June 12, 2021 from 12:00 p.m. to 3:00 p.m.

ADJOURNMENT

Supervisor Maresh moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted by acclamation. The meeting adjourned at 7:23 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=fnp-98jjidg>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, May 18, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 18th day of May 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Aulik, Behnke, Brey, Cavanaugh, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams, and Zimmer. Supervisors Baumann, Dyzak, and Neils were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Aulik, the April 27, 2021 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Proclaiming June Dairy Month to the 2021 Manitowoc County Breakfast on the Farm Hosts Vogel Family Farms. Amanda Linsmeier represented the family and thanked the board for the proclamation. She invited everyone to stop out for Breakfast on the Farm and see the family-run operation on June 13 from 8:00 a.m. to 12:00 p.m.

Sheriff Dan Hartwig, Mike Strauss and Fran Jorasz, Past Aerie Presidents and Leonard Meyer, Current Aerie President of Manitowoc Eagle Aerie #706 presented the Manitowoc County Sheriff's Office Law Enforcement Officers of the Year to Deputy Jon Schwede and Detective Bret Oswald and the Manitowoc County Correctional Officer of the Year to Corrections Officer Dean Greenwood. Sheriff Hartwig spoke very highly of the character and accomplishments of all three gentlemen and of their significant value to the sheriff's department. Mike Strauss also presented the Sheriff's Department with a donation towards the K9 Unit on behalf of the Manitowoc Eagle Aerie #706.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:58 p.m.

Margaret Pauwles, Town of Franklin, spoke on systemic racism in the Manitowoc Public Library. She mentioned the library staff received training from the LUV. She questioned if this organization

was contracted and paid to provide this training, and why do the library workers need to be trained on this issue. She requested the County audit the library on what the training was about, who conducted the training, if the organization conducting the training received compensation, and did the employees receive compensation for this training.

Maura Jost, Town of Centerville, spoke in favor of implementing a half cent sales tax because she does not want the future taxpayers of Manitowoc County to pay for the borrowing taking place now. She mentioned that with the influx of funding the County will receive from the federal government it is important to plan for expenditures.

A concerned Manitowoc County resident recited Paul Harvey's 'If I was the Devil' as a reference to the war of good and evil that has been taking place in our library and schools regarding critical race theory, transgender education, and face coverings. She felt the library and the school district are on a path of destruction if they continue to provide this type of education and these requirements. She wanted the County Board to do the right thing and support the constitution. She felt allowing the library to continue teaching these items would be a failure.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:10 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Chad Bennin, Karl Puestow, Robert Wenger and Alternate) Bob Mayer to the Local Emergency Planning Committee for a two-year term expiring June 2023. Supervisor Aulik moved, seconded by Supervisor Hagen to approve the appointments. Upon voice vote, the motion carried unanimously.

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

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

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution 2021/2022-5 Denying Claim (Oscar Rodriguez and Nicholas Vetter). Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Williams voted no.

No. 2021/2022 - 5

RESOLUTION DENYING CLAIM (Oscar Rodriguez and Nicholas Vetter)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

- 1 WHEREAS, Oscar Rodriguez and Nicholas Vetter filed a claim with Manitowoc County
- 2 on April 9, 2021 seeking reimbursement for loss or freedom, extreme emotional distress, and loss

3 of personal property purportedly caused as a result of an arrest and subsequent release on
4 December 11, 2020; and
5

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

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

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

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

Dated this 18th day of May 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

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

Supervisor Zimmer moved, seconded by Supervisor Hagen to enact Ordinance 2021/2022-6
Amending Zoning Map (Robert Boerger). Upon vote, the motion carried unanimously.

No. 2021/2022 - 6

ORDINANCE AMENDING ZONING MAP

(Robert Boerger)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 26, 2021; and
3

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

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

10
11 A tract of land being part of Lot 1 of Certified Survey Map recorded in Volume 24 of
12 Certified Survey Maps, on Page 287, being a part of Government Lot 2 of Section 23, Township
13 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, described as
14 follows:

15
16 Commencing at the Southeast Corner of said Section 23; thence N89°-50'-35"W along the
17 South line of the SE1/4 of said Section 23, a distance of 1891.70 feet; thence N00°-09'-
18 25"E 611.64 feet to the Centerline of Louis Corners Road and being the point of beginning;
19 thence Northwesterly 135.08 feet along said Centerline and the arc of curve to the left,
20 having a radius of 1145.72 feet, and a chord of which bears N50°-29'-11"W 135.00 feet;
21 thence N07°-17'-05"E 321.10 feet; thence S60°-49'-36"E 236.35 feet; thence S26°-18'-
22 01"W 322.59 feet to the point of beginning, said tract containing approximately 56,229
23 square feet (1.29 acres) of land and is hereby rezoned from Small Estate (SE) District to
24 Lake Residential (LR) District.

Dated this 18 day of May 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Falkowski to enact Ordinance 2021/2022-7
Amending Zoning Map (Judith Budnik). Upon vote, the motion carried unanimously.

No. 2021/2022 – 7

ORDINANCE AMENDING ZONING MAP
(Judith Budnik)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 26, 2021; and
3

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

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

10
11 A tract of land located in the NW ¼ of the NE ¼ of Section 22, T.19N. R.23E., Town of
12 Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:

13
14 Commencing at the North ¼ corner of said Section 22, thence N89°50'48"E (recorded as
15 N88°11'36"E) along the section line 1322.52 feet to the east line of said NW ¼ of the
16 NE ¼, thence S00°11'42"E along said east line 163.67 feet to the north right of way of
17 Michigan Avenue, the point of real beginning, thence continue S00°11'42"E along said
18 east line 1146.24 feet to the south line of said NW ¼ of the NE ¼, thence S89°55'51"W
19 along said south line 1054.12 feet to the easterly right of way of I-43, thence N01°34'57"E
20 (recorded as N00°05'22"W) along said right of way 694.25 feet, thence N11°39'19"E
21 (N09°59'00"E) along said right of way 422.93 feet, thence N53°29'05"E (recorded as
22 N51°48'46"E) along said right of way 163.56 feet, thence S81°17'11"E (recorded as
23 S82°56'23"E) along said right of way 200.00 feet, thence N08°42'49"E (recorded as
24 N07°03'37"E) along said right of way 66.00 feet to said north right of way of Michigan
25 Avenue, thence S81°17'11"E (recorded as S82°56'23"E) along said right of way 613.53
26 feet to the point of real beginning, said tract containing approximately 27.75 acres
27 (1,208,785 square feet) of land and is hereby rezoned from Commercial Business (CB)
28 District to Industrial (ID) District.

Dated this 18th day of May 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Aulik to refer Ordinance Amending Manitowoc County Code Chapter 8 (Shipping Containers) back to the Planning and Park Commission for corrections. Upon vote, the motion carried unanimously.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous - Human Services Board and Personnel Committee: Supervisor Henrickson moved, seconded by Supervisor Hansen to adopt Resolution 2021/2022-8 Authorizing Addition of 1.0 Full-Time Equivalent Human Services Employee (Children Long Term Support Waiver Specialist). Upon vote, the motion carried unanimously.

**RESOLUTION AUTHORIZING ADDITIONAL 1.0 FULL-TIME
EQUIVALENT HUMAN SERVICES EMPLOYEE
(Children Long Term Support Waiver Specialist)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, participation in the Children's Long-Term Support Services program allows
2 children to remain in their home, which provides better outcomes and avoids costly out of home
3 placements; and
4

5 WHEREAS, participation in the Children's Long-Term Support program continues to
6 increase; and
7

8 WHEREAS, under state law, there cannot be a wait list for children in need of and eligible
9 for long term support waiver services; and
10

11 WHEREAS, the addition of a 1.0 full-time Children's Long-Term Support Waiver
12 Specialist is estimated to cost \$74,382.50 on an annualized basis; and
13

14 WHEREAS, the additional Children's Long-Term Support Waiver Specialist will not
15 impact the tax levy and will be fully funded by state and federal reimbursement; and
16

17 WHEREAS, after careful consideration and review, the Human Services Board and
18 Personnel Committee recommends the creation of 1.0 full-time equivalent Children's Long-Term
19 Support Waiver Specialist;
20

21 NOW, THEREFORE, BE IT RESOLVED that the number of authorized full-time Human
22 Services Department positions is increased by 1.0 full-time equivalent positions; and
23

24 BE IT FURTHER RESOLVED that the 2021 Full-Time Equivalent Report (FTE) by
25 Department included in the 2021 Adopted Annual Budget Book is amended accordingly and that
26 the Finance Director is directed to record such information in the official books of the County for
27 the year ending December 31, 2021 as may be required.

Dated this 18th day of May 2021.

Respectfully submitted by the Human Services Board and the Personnel Committee.

FISCAL IMPACT: No levy impact as revenues and expenses offset. Total annual cost of the position is estimated to be \$74,382.50, which is to be funded through funded by state and federal reimbursement.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board, Personnel Committee, and Finance Committee: Supervisor Henrickson moved, seconded by Supervisor Maresh to adopt Resolution 2021/2022-9 Authorizing Addition of 1.0 Full-Time Equivalent Human Services Employee (Adult Protective Services Ongoing Social Worker). Upon vote, the motion carried unanimously.

No. 2021/2022 - 9

**RESOLUTION AUTHORIZING ADDITIONAL 1.0 FULL-TIME
EQUIVALENT HUMAN SERVICE EMPLOYEE
(Adult Protective Services Ongoing Social Worker)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

4 WHEREAS, the addition of a 1.0 full-time Adult Protective Services Ongoing Social
5 Worker is estimated to cost \$85,239.50 on an annualized basis; and
6

7 WHEREAS, the Human Services Department has analyzed the cost of the additional Adult
8 Protective Services Ongoing Social Worker and has concluded that the cost of the additional
9 position can be paid out of the Human Services fund balance along with certain state and federal
10 funding sources; and
11

12 WHEREAS, after careful consideration and review, the Human Services Board and
13 Personnel Committee recommends the creation of 1.0 full-time equivalent Adult Protective
14 Services Ongoing Social Worker; and
15

16 WHEREAS, after careful consideration and review, the Finance Committee recommends
17 transferring an as yet undetermined amount from the Human Services fund balance to pay for any
18 portion of the position that is unfunded by state and/or federal monies for 2021;
19

20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc authorizes the creation of a 1.0 full-time equivalent Adult Protective
22 Services Ongoing Social Worker in the Human Services Department; and
23

24 BE IT FURTHER RESOLVED that the 2021 Full-Time Equivalent Report (FTE) by
25 Department included in the 2021 Adopted Annual Budget Book is amended accordingly and that
26 the Finance Director is directed to record such information in the official books of the County for
27 the year ending December 31, 2021 as may be required.

Dated this 18th day of May 2021.

Respectfully submitted by the Human Services Board, Personnel Committee and Finance Committee.

FISCAL IMPACT: This position will increase the future tax levy by an undetermined amount. This position will also decrease the Human Services fund balance in 2021 by an undetermined amount. Total annual cost of the position is estimated to be \$85,239.50.

APPROVED: Bob Ziegelbauer, County Executive.

Personnel Committee and Public Works Committee: Supervisor Maresh moved, seconded by Supervisor Metzger to adopt Resolution 2021/2022-10 Amending Employee Policy Manual §23.05 (Security of Computer Resources). Upon vote, the motion carried unanimously.

No. 2021/2022 - 10

RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 23.05
(Security of Computer Resources)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has authorized an Employee Policy Manual (“Employee
2 Policy Manual”) to establish uniform personnel policies and procedures; and

3
4 WHEREAS, Section 23 (Computer Resources) of the Employee Policy Manual establishes
5 the rules and guidelines for security and use of Computer Resources; and

6
7 WHEREAS, amendments must be made to the Employee Policy Manual from time-to-time
8 to keep policies current, reflect current practice, and address new issues and circumstances; and

9
10 WHEREAS, the proposed revision to Section 23 (Computer Resources) increases security
11 for Manitowoc County Computer Resources and ensures uniform practices throughout Manitowoc
12 County by addressing two-factor authentication; and

13
14 WHEREAS, after careful consideration and review, the Public Works Committee and
15 Personnel Committee recommend approval of the following amendment to the Manitowoc County
16 Employee Policy Manual;

17
18 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
19 county of Manitowoc amends Section 23 (Computer Resources) of the Manitowoc County
20 Employee Policy Manual as follows:

21
22 Employee Policy Manual § 23.05 (Security of Computer Resources) is amended to read as follows:

23
24 23.05 Security of Computer Resources

25
26 ...

28 (9) Persons who do not have a County issued smartphone can either install a free
29 authentication application on their personal smartphone or will be issued a
30 hardware authentication device to complete the two-factor authentication process.
31 Each person is responsible for the proper care, safekeeping and use of the hardware
32 authentication device issued to them. If the hardware authentication device is lost
33 or damaged a replacement hardware authentication device will be issued at the cost
34 of materials only. Hardware authentication devices are the property of Manitowoc
35 County and must be returned upon termination of employment, contract, or
36 volunteer status.

Dated this 18th day of May 2021.

Respectfully submitted by the Personnel Committee and Public Works Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Muench moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted by acclamation. The meeting adjourned at 7:40 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

**The County Board meeting was not recorded on YouTube due to technical difficulties.

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, June 15, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 15th day of June 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 23 members present: Aulik, Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Nickels, Shimulunas, Vogt, Wagner, Williams, and Zimmer. Supervisors Neils and Sitkiewitz were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Baumann, the May 18, 2021 meeting minutes were approved on a unanimous vote.

The County Clerk announced the addition to the agenda: Under XII. Reports of County Supervisors, Offices and Department Directors, Item 2. County Executive Bob Ziegelbauer and County Board Chair Jim Brey-Proclamation Honoring the Mishicot Girls' Varsity Basketball Team Division 4 State Champions. Supervisor Aulik moved, seconded by Supervisor Engelbrecht to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Chairperson Brey read the Proclamation Honoring the Mishicot Girls' Varsity Basketball Team Division 4 State Champions.

Public Works Director Gerry Neuser and Expo Facility Manager Jennell Shelton presented an Expo Overview and 2020 Results of Operation Report. Gerry Neuser explained Expo operations is accounted for in a Special Revenue Fund comprised of four activity areas, Expo Activities, County Fair, Expo Maintenance and Improvements, and Ice Center. Jennell Shelton provided highlights and sponsorships of the upcoming Manitowoc County Fair, which will take place August 25-29, 2021 with the theme "Stars, Stripes and Fair Delights". Tonya Dvorak, Expo-Ice Center Board member, who also runs the Wisconsin Fairest of the Fair program informed the board that the fairest of the fair selection will take place at the fair this year. Lydia Luebke, Manitowoc County 2021 Fairest of the Fair introduced herself and spoke on her past experiences with showing at the fair. She provided information about a few events that will be at the fair this year and looks forward to seeing everyone at the fair.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:03 p.m.

Patty Marquardt, City of Manitowoc, expressed her concern as a life-long Manitowoc County resident that she was against the appointment of Margaret Pauwels to the Manitowoc Public Library Board of Trustees because of recent comments Ms. Pauwels had made about the library disfavoring lifelong learning. She does not want to see the library censored and believed if Ms. Pauwels was appointed that would happen.

Mike Check, Town of Manitowoc Rapids, spoke in favor of the board passing ordinance amending the zoning map for Soaring Eagle Dairy LLC.

Maura Jost, Town of Centerville, spoke in favor of implementing a half cent sales tax because it is a fiscally conservative way to raise funds to cover the budget versus the trend of borrowing. She did support the resolution for the \$1,000,000 general obligation note because it is a very modest rate and can be paid off at any time.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:10 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Chuck Hoffman and Ralph Schuh to the Board of Adjustment for a three-year term expiring July 2024. Supervisor Engelbrecht moved, seconded by Supervisor Aulik to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Brian Murphy and David Stoelting to the Kiel Public Library Board of Trustees for a three-year term expiring July 2024. Supervisor Baumann moved, seconded by Supervisor Hagan to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Margaret Pauwels to the Manitowoc Public Library Board of Trustees for a three-year term expiring April 30, 2024. Supervisor Hagen moved, seconded by Supervisor Falkowski to approve the appointment. Upon discussion and roll call vote, the motion carried with 13 ayes and 10 noes. Supervisors Vogt, Baumann, Metzger, Wagner, Linsmeier, Nickels, Aulik, Henrickson, Hansen, and Brey voted no.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Dan Pawlitzke, Alternate) Jamie Zastrow, and Alternate) Adam Tegan to the Northeast Wisconsin Regional Economic Partnership for a one-year term expiring July 2022. Supervisor Aulik moved, seconded by Supervisor Muench to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Don Zimmer to the Planning and Park Commission for a seven-year term expiring July 2028. Supervisor Aulik moved, seconded by Supervisor Dyzak to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Aging & Disability Board: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-11 Authorizing the Issuance and Sale of a \$1,000,000 General Obligation Promissory Note. Upon vote, the motion carried unanimously.

No. 2021/2022 - 11

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A
\$1,000,000 GENERAL OBLIGATION PROMISSORY NOTE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the county board of supervisors of the county of Manitowoc (“County
2 Board”) hereby finds and determines that it is necessary, desirable and in the best interest of
3 Manitowoc County, Wisconsin (the “County”) to raise funds for public purposes, including
4 paying the cost of Highway Department road reconstruction and paving projects (the “Project”);
5 and
6

7 WHEREAS, the County Board hereby finds and determines that the Project is within the
8 County’s power to undertake and therefore serves a “public purpose” as that term is defined in
9 Wis. Stat. § 67.04(1)(b); and
10

11 WHEREAS, the County is authorized by the provisions of Wis. Stat. § 67.12(12) to
12 borrow money and issue general obligation promissory notes for such public purposes; and
13

14 WHEREAS, none of the proceeds of the Note (as defined below) shall be used to fund
15 the operating expenses of the general fund of the County or to fund the operating expenses of
16 any special revenue fund of the County that is supported by the property taxes; and
17

18 WHEREAS, it is the finding of the County Board that it is necessary, desirable and in the
19 best interest of the County to sell such general obligation promissory note (the “Note”) to U.S.
20 Bank National Association (the “Purchaser”), pursuant to the terms and conditions of its note
21 purchase proposal attached hereto as *Exhibit A* and incorporated herein by this reference (the
22 “Proposal”);
23

24 NOW, THEREFORE, BE IT RESOLVED by the county board of supervisors of the
25 county of Manitowoc that:
26

27 Section 1. Authorization and Sale of the Note. For the purpose of paying the cost of the
28 Project, there shall be borrowed pursuant to Wis. Stat. § 67.12(12) the principal sum of ONE

MILLION DOLLARS (\$1,000,000) from the Purchaser in accordance with the terms and conditions of the Proposal and a Loan Agreement in substantially the form attached hereto as **Exhibit B**, which the Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the Note in the principal amount of ONE MILLION DOLLARS (\$1,000,000) for a purchase price equal to the par amount of the Note, plus accrued interest to the date of delivery.

Section 2. Terms of the Note. The Note shall be designated “General Obligation Promissory Note”; shall be issued in the principal amount of \$1,000,000; shall be dated July 1, 2021; shall be in the denomination of \$100,000 or more; shall be numbered R-1; and shall bear interest at the rate of 1.09% per annum and mature in installments of principal due on July 1 of each year and in the years and principal amounts as set forth on the Debt Service Schedule attached hereto as **Exhibit C** and incorporated herein by this reference (the “Schedule”). Interest shall be payable semi-annually on January 1 and July 1 of each year commencing on January 1, 2022. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months. The schedule of principal and interest payments due on the Note is set forth on the Schedule.

Section 3. Redemption Provisions. The Note is subject to redemption prior to maturity, at the option of the County, on any business day. The Note is redeemable as a whole or in part, and if in part from principal installments selected by the County, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Note. The Note shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as **Exhibit D** and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Note as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2021 through 2025 for the payments due in the years 2022 through 2026 in the amounts set forth on the Schedule.

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

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

78
79 Section 6. Segregated Debt Service Fund Account.
80

81 (A) Creation and Deposits. There be and there hereby is established in the
82 treasury of the County, if one has not already been created, a debt service fund, separate and
83 distinct from every other fund, which shall be maintained in accordance with generally accepted
84 accounting principles. Debt service or sinking funds established for obligations previously
85 issued by the County may be considered as separate and distinct accounts within the debt service
86 fund.
87

88 Within the debt service fund, there hereby is established a separate and distinct account
89 designated as the “Debt Service Fund Account for General Obligation Promissory Note” (the
90 “Debt Service Fund Account”) and such account shall be maintained until the indebtedness
91 evidenced by the Note is fully paid or otherwise extinguished. There shall be deposited into the
92 Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery
93 of and payment for the Note; (ii) any premium which may be received by the County above the
94 par value of the Note and accrued interest thereon; (iii) all money raised by the taxes herein
95 levied and any amounts appropriated for the specific purpose of meeting principal of and interest
96 on the Note when due; (iv) such other sums as may be necessary at any time to pay principal of
97 and interest on the Note when due; (v) surplus monies in the Borrowed Money Fund as specified
98 below; and (vi) such further deposits as may be required by Wis. Stat. § 67.11.
99

100 (B) Use and Investment. No money shall be withdrawn from the Debt Service
101 Fund Account and appropriated for any purpose other than the payment of principal of and
102 interest on the Note until all such principal and interest has been paid in full and the Note
103 canceled; provided (i) the funds to provide for each payment of principal of and interest on the
104 Note prior to the scheduled receipt of taxes from the next succeeding tax collection may be
105 invested in direct obligations of the United States of America maturing in time to make such
106 payments when they are due or in other investments permitted by law; and (ii) any funds over
107 and above the amount of such principal and interest payments on the Note may be used to reduce
108 the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the
109 Note as permitted by and subject to Wis. Stat. § 67.11(2)(a), or in permitted municipal
110 investments under the pertinent provisions of the Wisconsin Statutes (“Permitted Investments”),
111 which investments shall continue to be a part of the Debt Service Fund Account. Any
112 investment of the Debt Service Fund Account shall at all times conform with the provisions of
113 the Internal Revenue Code of 1986, as amended (the “Code”) and any applicable Treasury
114 Regulations (the “Regulations”).
115

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

120
121 Section 7. Proceeds of the Note; Segregated Borrowed Money Fund. The proceeds of
122 the Note (the "Note Proceeds") (other than any premium and accrued interest which must be paid
123 at the time of the delivery of the Note into the Debt Service Fund Account created above) shall
124 be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all
125 other funds of the County and disbursed solely for the purpose or purposes for which borrowed.
126 In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the
127 general fund of the County or of any special revenue fund of the County that is supported by
128 property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted
129 Investments. Any monies, including any income from Permitted Investments, remaining in the
130 Borrowed Money Fund after the purpose or purposes for which the Note has been issued have
131 been accomplished, and, at any time, any monies as are not needed and which obviously
132 thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund
133 Account.
134

135 Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be
136 Permitted Investments, but no such investment shall be made in such a manner as would cause
137 the Note to be "arbitrage bonds" within the meaning of Section 148 of the Code or the
138 Regulations and an officer of the County, charged with the responsibility for issuing the Note,
139 shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the
140 date of delivery of the Note to the Purchaser which will permit the conclusion that the Note is not
141 an "arbitrage bond," within the meaning of the Code or Regulations.
142

143 Section 9. Compliance with Federal Tax Laws. (a) The County represents and
144 covenants that the projects financed by the Note and the ownership, management and use of the
145 projects will not cause the Note to be "private activity bonds" within the meaning of Section 141
146 of the Code. The County further covenants that it shall comply with the provisions of the Code
147 to the extent necessary to maintain the tax-exempt status of the interest on the Note including, if
148 applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants
149 that it will not take any action, omit to take any action or permit the taking or omission of any
150 action within its control (including, without limitation, making or permitting any use of the
151 proceeds of the Note) if taking, permitting or omitting to take such action would cause any of the
152 Note to be an arbitrage bond or a private activity bond within the meaning of the Code or would
153 otherwise cause interest on the Note to be included in the gross income of the recipients thereof
154 for federal income tax purposes. The County Clerk or other officer of the County charged with
155 the responsibility of issuing the Note shall provide an appropriate certificate of the County
156 certifying that the County can and covenanting that it will comply with the provisions of the
157 Code and Regulations.
158

159 (b) The County also covenants to use its best efforts to meet the requirements and
160 restrictions of any different or additional federal legislation which may be made applicable to the
161 Note provided that in meeting such requirements the County will do so only to the extent
162 consistent with the proceedings authorizing the Note and the laws of the State of Wisconsin and
163 to the extent that there is a reasonable period of time in which to comply.
164

165 Section 10. Designation as Qualified Tax-Exempt Obligations. The Note is hereby
166 designated as a “qualified tax-exempt obligation” for purposes of Section 265 of the Code,
167 relating to the ability of financial institutions to deduct from income for federal income tax
168 purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.
169

170 Section 11. Execution of the Note; Closing; Professional Services. The Note shall be
171 issued in printed form, executed on behalf of the County by the manual or facsimile signatures of
172 the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined
173 below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to
174 the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to
175 the date of delivery (the “Closing”). The facsimile signature of either of the officers executing
176 the Note may be imprinted on the Note in lieu of the manual signature of the officer but, unless
177 the County has contracted with a fiscal agent to authenticate the Note, at least one of the
178 signatures appearing on each Note shall be a manual signature. In the event that either of the
179 officers whose signatures appear on the Note shall cease to be such officers before the Closing,
180 such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as
181 if they had remained in office until the Closing. The aforesaid officers are hereby authorized and
182 directed to do all acts and execute and deliver the Note and all such documents, certificates and
183 acknowledgements as may be necessary and convenient to effectuate the Closing. The County
184 hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements
185 and contracts in conjunction with the Note, including but not limited to agreements and contracts
186 for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation
187 services. Any such contract heretofore entered into in conjunction with the issuance of the Note
188 is hereby ratified and approved in all respects.
189

190 Section 12. Payment of the Note; Fiscal Agent. The principal of and interest on the Note
191 shall be paid by the County Clerk or the County Treasurer (the “Fiscal Agent”).
192

193 Section 13. Persons Treated as Owners; Transfer of Note. The County shall cause books
194 for the registration and for the transfer of the Note to be kept by the Fiscal Agent. The person in
195 whose name any Note shall be registered shall be deemed and regarded as the absolute owner
196 thereof for all purposes and payment of either principal or interest on any Note shall be made
197 only to the registered owner thereof. All such payments shall be valid and effectual to satisfy
198 and discharge the liability upon such Note to the extent of the sum or sums so paid.
199

200 Any Note may be transferred by the registered owner thereof by surrender of the Note at
201 the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment
202 duly executed by the registered owner or his attorney duly authorized in writing. Upon such
203 transfer, the Chairperson and County Clerk shall execute and deliver in the name of the
204 transferee or transferees a new Note or Notes of a like aggregate principal amount, series and
205 maturity and the Fiscal Agent shall record the name of each transferee in the registration book.
206 No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for
207 transfer.
208

209 The County shall cooperate in any such transfer, and the Chairperson and County Clerk
210 are authorized to execute any new Note or Notes necessary to effect any such transfer.

211
212 Section 14. Record Date. The 15th day of the calendar month next preceding each
213 interest payment date shall be the record date for the Note (the “Record Date”). Payment of
214 interest on the Note on any interest payment date shall be made to the registered owners of the
215 Note as they appear on the registration book of the County at the close of business on the Record
216 Date.

217
218 Section 15. Continuing Disclosure. The continuing disclosure requirements of SEC Rule
219 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and
220 Exchange Act of 1934 (the “Rule”) are not applicable to the Note because the Purchaser will
221 covenant that it will hold and not make a primary offering of the Note, or otherwise will establish
222 an exception to the Rule relating to the Note.

223
224 Section 16. Record Book. The County Clerk shall provide and keep the transcript of
225 proceedings as a separate record book (the “Record Book”) and shall record a full and correct
226 statement of every step or proceeding had or taken in the course of authorizing and issuing the
227 Note in the Record Book.

228
229 Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,
230 rules or other actions of the County Board or any parts thereof in conflict with the provisions
231 hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the
232 event that any one or more provisions hereof shall for any reason be held to be illegal or invalid,
233 such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take
234 effect immediately upon adoption and approval in the manner provided by law.

Dated this 15th day of June 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: See debt service schedule for principal, interest, and tax levy amounts.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

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

Personnel Committee: Supervisor Maresh gave a brief report.

Planning and Park Commission: Supervisor Zimmer gave a brief report.
Supervisor Zimmer moved, seconded by Supervisor Hagen to enact Ordinance 2021/2022-12
Amending Zoning Map (Timothy and Myriam Christel). Upon vote, the motion carried
unanimously.

ORDINANCE AMENDING ZONING MAP
(Timothy and Myriam Christel)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 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 all of the East-Half of the Southeast Quarter of the Southwest
12 Quarter of Section 32 Township 20 North, Range 21 East, Town of Maple Grove, Manitowoc
13 County, Wisconsin, described as follows:
14

15 Beginning at the South Quarter Corner of said Section 32; thence West a distance
16 of 660 feet along the south line of the southwest quarter to the west line of the
17 east-half of the southeast quarter of the southwest quarter; thence North a distance
18 of 1,320 feet along the west line to the north line of the southeast quarter of the
19 southwest quarter; thence East a distance of 660 feet along the north line to the
20 east line of the of the southeast quarter of the southwest quarter; thence South a
21 distance of 1,320 feet along the west line to the point of beginning, said parcel
22 containing approximately 20 acres of land and is hereby rezoned from Exclusive
23 Agriculture (EA) District to General Agriculture (GA) District.

Dated this 15th day of June 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Dyzak to enact Ordinance 2021/2022-13
Amending Zoning Map (Bret Fischer). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Bret Fischer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 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 tract of land located in the NW 1/4 of the SW 1/4 of Section 29, T. 19 N., R. 23 E.,
12 Town of Manitowoc Rapids, Manitowoc County, Wisconsin.
13

14 Commencing at the W 1/4 Corner of said Section 29; thence S. 89°33'18" E. a
15 distance of 30.80 feet, along the 1/4 section line; thence S. 00°05'34" W. a distance
16 of 33.00 feet, to the point of real beginning; thence S. 89°33'18" E. a distance of
17 193.60 feet, along the southerly right of way of Dutch Road; thence S.
18 00°05'34" W. a distance of 450.00 feet; thence N. 89°33'18" W. a distance of
19 193.60 feet; thence N. 00°05'34" E. a distance of 450.00 feet; along the easterly
20 right of way of South Union Road, to the point of real beginning, said tract
21 containing approximately 2.00 acres or 87,120 square feet of land and is hereby
22 rezoned from Exclusive Agriculture (EA) District to Rural Residential (RR)
23 District.

Dated this 15th day of June 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Williams to enact Ordinance 2021/2022-14
Amending Zoning Map (Soaring Eagle Dairy LLC). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Soaring Eagle Dairy LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:
2

3 WHEREAS, the Planning and Park Commission, after providing the required notice, held
4 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
5

6 WHEREAS, the Planning and Park Commission, after a careful consideration of
7 testimony and an examination of the facts, recommends that the petition be approved for the
8 reasons stated in the attached report;
9

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

13 A tract of land located in the NW 1/4 of the NE 1/4 of Section 11, T.19N., R.23E., Town
14 of Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:
15

16 Commencing at the North 1/4 corner of said Section 11, thence N88°07'29"E
17 along the section line 960.40 feet to the point of real beginning, thence continue
18 N88°07'29"E along said section line 359.80 feet to the 1/16 section line, thence
19 S00°43'48"W along said 1/16th section line 1280.46 feet, thence N61°51'28"W
20 413.92 feet, thence N01°09'29"E 1073.57 feet to the point of real beginning, said
21 tract containing approximately 9.83 acres of land and is hereby rezoned from
22 Exclusive Agriculture (EA) District to Large Estate Residential (LE) District.

Dated this 15th day of June 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Falkowski to enact Ordinance 2021/2022-15 Amending Zoning Map (Woodland Dunes Nature Center). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Woodland Dunes Nature Center)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 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 tract of land located in the NW 1/4 of the SW 1/4 of Section 10, Town 19 North,
12 Range 24 East, Town of Two Rivers, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the W 1/4 Corner of said Section 10; Thence S 89°57'33" E,
15 1016.59 feet coincident with the north line of said SW 1/4 to the point of
16 beginning; Thence continuing S 89°57'33" E, 289.00 feet coincident with said
17 north line to the northwest corner of Block 22 of Manitowoc Beach Addition;
18 Thence S 00°50'32" E, 696.28 feet (recorded as 696.84') coincident with the west
19 line of said Block 22 to the northerly right-of-way line of the Fox River Valley
20 Railroad; Thence S 68°14'32" W, 309.35 feet coincident with said right-of-way
21 line; Thence N 00°50'32" W, 811.17 feet to the point of beginning, said parcel
22 containing approximately 217,800 Square Feet (5.000 Acres) of land and is
23 hereby rezoned from Natural Area (NA) District to Industrial (ID) District;
24

25 and
26

27 A tract of land located in part of Block 22 of Manitowoc Beach Addition being located in
28 Government Lot 3 of Section 10, Town 19 North, Range 24 East, Town of Two Rivers,
29 Manitowoc County, Wisconsin, described as follows:
30

31 Commencing at the W 1/4 Corner of said Section 10; Thence S 89°57'33" E,
32 2611.17 feet coincident with the north line of said Government Lot 3 to the
33 Center Corner of said Section 10 being the northeast corner of said Block 22 and
34 the point of beginning; Thence S 00°45'18" E, 177.37 feet (recorded as 178.2')
35 coincident with the east line of said Block 22 to the northerly right-of-way line of
36 the Fox River Valley Railroad; Thence S 68°14'32" W, 740.81 feet coincident
37 with said right-of-way line; Thence N 00°45'18" W, 452.49 feet to said north line
38 of Block 22; Thence S 89°57'33" E, 691.66 feet coincident with said north line to
39 the point of beginning, said parcel containing approximately 217,800 Square Feet

(5.000 Acres) of land and is hereby rezoned from Industrial (ID) District to Natural Area (NA) District.

Dated this 15th day of June 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Zimmer moved, seconded by Supervisor Dyzak to enact Ordinance 2021/2022-16 Amending Manitowoc County Code Chapter 8 (Shipping Containers). Upon vote, the motion carried unanimously.

No. 2021/2022 - 16

ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 8
(Shipping Containers)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

WHEREAS, the Manitowoc County Planning and Park Commission has determined that Manitowoc County should have regulations in place to properly control the placement of shipping containers; and

WHEREAS, a public hearing was held on April 26, 2021 at 4:00 p.m. 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 that Chapter 8 of the Manitowoc County Code be amended to address the placement of shipping containers in the County;

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

Manitowoc County Code § 8.07 (Definitions) is amended to add the following definition:

25
26 “Shipping container” means a standardized reusable steel box used for the storage and
27 movement of materials and products within a freight transport system, which was
28 specifically designed or used to store goods or merchandise during shipping or hauling by
29 container upon ships, rail, or other types of transportation and are usually 8’ wide by 8’6’
30 high by either 20’ or 40’ in length.
31

32 Manitowoc County Code § 8.435 is hereby created to read as follows:
33

34 8.435 Shipping Containers. Shipping containers are permitted in all zoning districts,
35 except the Lake Residential (LR) District, provided the shipping container meets all of the
36 following:
37

- 38 (1) A zoning permit is required before placing any shipping container on any
39 parcel;
40
- 41 (2) Shipping containers shall be deemed accessory structures subject to all
42 requirements of Section 8.27 of this Zoning Ordinance;
43
- 44 (3) Shipping containers shall be located in a rear or side yard;
45
- 46 (4) Shipping containers shall not be located in a front yard;
47
- 48 (5) Shipping containers shall not be stacked on each other or on any other
49 structure or building;
50
- 51 (6) A maximum of two (2) shipping containers are allowed in the following
52 zoning districts: Large Estate (LE); Small Estate (SE); Rural Residential
53 (RR); High Density (HD); and Natural Area (NA);
54
- 55 (7) A maximum of four (4) shipping containers are allowed in the following
56 zoning districts: Commercial Business (CB); Industrial (I); General
57 Agriculture (GA); and Exclusive Agriculture (EA) zoning districts;
58
- 59 (8) Shipping containers shall be a neutral earth tone color or the same color as
60 the principal structure;
61
- 62 (9) Shipping containers shall not contain any labels, advertising, designs or
63 graffiti;
64
- 65 (10) Shipping containers shall be used only for personal storage and shall not
66 be rented or used as a mini-warehouse; and
67
- 68 (11) Shipping containers shall meet all setback requirements for the district in
69 which it is located.

70
71 and
72
73

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

Dated this 15th day of June 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Nickels gave a brief report.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Baumann, and the motion was adopted by acclamation. The meeting adjourned at 8:23 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

https://www.youtube.com/watch?v=1L_ciRZuO1I&t=2124s

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, July 20, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 20th day of July 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Aulik, Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Martell, Metzger, Neils, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, and Williams. Supervisors Maresh, Muench, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Aulik, the June 15, 2021 meeting minutes were approved on a unanimous vote.

The County Clerk announced the changes and addition to the agenda: Under XII. Committee Reports, including Petitions, Resolutions, and Ordinances, F. Finance Committee, 1. Resolution 2021/2022-17 Authorizing Courthouse Bathrooms Remodel and Commitment of Undesignated Fund Balance was moved to O. Miscellaneous, Public Works Committee and Finance Committee as Item 5. Also under XII. Committee Reports, including Petitions, Resolutions, Ordinances, O. Miscellaneous, Supervisor Kevin Behnke, Item 6. Resolution 2021/2022-21 Approving Town of Newton Zoning Ordinance Map Amendment (Patrick Jawort and Michael Aprill) was added. Supervisor Henrickson moved, seconded by Supervisor Neils to approve the agenda. Upon voice vote, the motion carried unanimously.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:34 p.m.

Maura Yost, Town of Centerville, advocated for a half cent sales tax because it would be more fiscally conservative compared to the yearly borrowing. She mentioned the county's compounding interest on the principal debt is nearly as much as the percentage of principal debt. She believes a countywide sales tax would help meet our county's apparent continuously growing revenue needs.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:39 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Wendy Hutterer as Aging and Disability Resource Center Director. Supervisor Baumann moved, seconded by Supervisor Wagner to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Elizabeth Runge to the Northeast Wisconsin Regional Economic Partnership for a one-year term expiring July 2022. Supervisor Behnke moved, seconded by Supervisor Sitkiewitz to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Aging & Disability Board: Supervisor Wagner gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

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

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

Supervisor Dyzak moved, seconded by Supervisor Hagen to enact Ordinance 2021/2022-18 Amending Zoning Map (Silver Creek Nurseries). Upon vote, the motion carried unanimously.

No. 2021/2022 - 18

ORDINANCE AMENDING ZONING MAP
(Silver Creek Nurseries)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 28, 2021; and
3

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

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

11 A tract of land located in the NE 1/4 of the NW 1/4 of Section 7, Town 18 North, Range
12 24 East, Town of Manitowoc, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the N 1/4 Corner of said Section 7; Thence N 88°35'41" W,
15 1104.31 feet more or less coincident with the north line of said NW 1/4; Thence
16 S 00°05'49" W, 1040.86 feet more or less coincident with the east right-of-way line
17 of S. 21st Street to the point of beginning; Thence continuing S 00°05'49" W,

18 280.01 feet more or less to the south line of said NE 1/4 of the NW 1/4; Thence S
19 88°06'25" E, 135.71 feet more or less coincident with said south line; Thence
20 N 07°33'27" E, 286.69 feet more or less; Thence N 89°54'11" W, 172.86 feet more
21 or less to the point of beginning, said parcel containing approximately 43,560
22 Square Feet (1.00 Acres) of land and is hereby rezoned from General Agriculture
23 (GA) District to Rural Residential (RR) District.

Dated this 20th day of July 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Cavanaugh to enact Ordinance 2021/2022-19 Amending Zoning Map (Dallmann East River Dairy). Upon vote, the motion carried unanimously.

No. 2021/2022 - 19

ORDINANCE AMENDING ZONING MAP
(Dallmann East River Dairy)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 28, 2021; and
3

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

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

11 A tract of land located in the Southwest Quarter of the Northeast Quarter of Section 18,
12 Township 19 North, Range 21 East, Town of Rockland, Manitowoc County, Wisconsin, being
13 described as follows:
14

15 Commencing at the Northeast Corner of said Section 18; thence South 01°24'30"
16 East a distance of 1,303.73 feet along the east line of the northeast quarter to the
17 north line of the south-half quarter of the northeast quarter; thence North 89°36'38"
18 West a distance of 1465.81 feet to the point of beginning; thence South 01°12'54"
19 East a distance of 33.01 feet; thence North 89°36'38" West a distance of 186.00
20 feet; thence South 01°12'54" East a distance of 209.00 feet; thence North 89°36'38"

21 West a distance of 209.00 feet; thence North 01°12'54" West a distance of 209.00
22 feet; thence South 89°36'38" East a distance of 176.00 feet; thence North 01°12'54"
23 West a distance of 33.01 feet to the north line of the southwest quarter of the
24 northeast quarter; thence South 89°36'38" East a distance of 219.00 feet to the point
25 of beginning, said parcel containing approximately 50,787 square feet or 1.17 acres
26 of land and is hereby rezoned from Exclusive Agriculture (EA) District to Rural
27 Residential (RR) District.

Dated this 20th day of July 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Falkowski to enact Ordinance 2021/2022-20 Amending Zoning Map (Michael and Kathleen Cisler). Upon vote, the motion carried unanimously.

No. 2021/2022 - 20

ORDINANCE AMENDING ZONING MAP
(Michael and Kathleen Cisler)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 28, 2021; and
3

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

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

11 A tract of land located in the NW 1/4 of the SE 1/4 of Section 6, Town 21 North, Range
12 22 East, Town of Cooperstown, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the S 1/4 Corner of said Section 6; Thence N 00°33'27" E, 1309.31
15 feet coincident with the west line of said SE 1/4 to the south line of said NW 1/4 of
16 the SE 1/4; Thence S 89°04'29" E, 33.00 feet coincident with said south line to the
17 east right-of-way line of Zander Road as laid out in the Certified Survey Map
18 recorded in volume 15, page 367 being the point of beginning; Thence continuing

19 S 89°04'29" E, 1288.10 feet to the east line of said NW of the SE 1/4; Thence
20 N 00°09'29" E, 1085.14 feet coincident with said east line; Thence N 89°26'33" W,
21 1280.51 feet to said east right-of-way line of Zander Road; Thence S 00°33'27" W,
22 201.54 feet coincident with said right-of-way line to the north line of an existing
23 parcel recorded in volume 2069, page 599; Thence S 89°26'33" E, 432.42 feet;
24 Thence S 05°26'26" E, 322.10 feet; Thence S 54°03'46" W, 579.76 feet all
25 coincident with the boundary of said existing parcel to said east right-of-way line
26 of Zander Road; Thence S 00°33'27" W, 210.15 feet to the point of beginning, said
27 parcel containing approximately 1,164,011 Square Feet (26.722 Acres) of land and
28 is hereby rezoned from Exclusive Agriculture (EA) District to General Agriculture
29 (GA) District.

Dated this 20th day of July 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous-Public Works and Finance Committee: Supervisor Gerroll moved, seconded by Supervisor Hansen to adopt Resolution 2021/2022-17 Authorizing Courthouse Bathrooms Remodel and Commitment of Undesignated Fund Balance. Upon vote, the motion carried unanimously.

No. 2021/2022 - 17

**RESOLUTION AUTHORIZING COURTHOUSE BATHROOMS
REMODEL AND COMMITMENT OF UNDESIGNATED FUND
BALANCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, several of the public bathrooms in the Manitowoc County courthouse are in
2 need of remodeling to fully comply with the Americans with Disability Act ("Remodeling
3 Project"); and
4
5 WHEREAS, the original estimated cost to complete the Remodeling Project was \$381,600;
6 and
7
8 WHEREAS, the 2021 adopted Manitowoc County Budget, as approved by the county
9 board, included \$381,600 for the Remodeling Project; and
10

11 WHEREAS, when the Remodeling Project was bid, the low bid received was \$489,163;
12 and

13
14 WHEREAS, the Public Works Committee and the County Executive have reviewed the
15 Remodeling Project and determined that it is in the County's best interest to complete the project
16 due to the use of previously authorized Community Development Block Grant Close Grant funds;
17 and

18
19 WHEREAS, a transfer of \$170,000 from the undesignated fund balance is necessary to
20 complete the Remodeling Project; and

21
22 WHEREAS, after careful consideration and review, the Public Works Committee and
23 Finance Committee recommends a fund balance transfer in the amount of \$170,000 to complete
24 the Remodeling Project;

25
26 NOW, THEREFORE, BE IT RESOLVED, that the Finance Director is authorized to
27 complete a fund balance appropriation of \$170,000 for the Remodeling Project; and

28
29 BE IT FURTHER RESOLVED that the Public Works Director is authorized to execute
30 such contracts and perform such other administrative duties as may be necessary to complete the
31 Remodeling Project;

Dated this 20th day of July 2021.

Respectfully submitted by the Public Works Committee and Finance Committee.

FISCAL IMPACT: Directs the Finance Director to appropriate the usage of Fund Balance in
the amount of \$170,000.

APPROVED: Bob Ziegelbauer, County Executive.

Miscellaneous-Supervisor Kevin Behnke: Supervisor Behnke moved, seconded by Supervisor
Williams to adopt Resolution (2020/2021-21) Approving Town of Newton Zoning Ordinance Map
Amendment (Patrick Jawort and Michael Aprill). Upon vote, the motion carried unanimously.

No. 2021/2022 - 21

**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE MAP AMENDMENT**
(Patrick Jawort and Michael Aprill)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

11 WHEREAS, the Town of Newton amended its zoning ordinance on July 14, 2021 by
12 rezoning a 3.00 acre parcel of property owned by Patrick Jawort and Michael Aprill from R-2
13 (Residential) District to A-2 (General Agriculture) District in accordance with Wis. Stat. § 60.62;
14 and
15

16 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
17 Manitowoc County Board of Supervisors for approval, and a copy of the amended zoning
18 ordinance has been provided to each member of the county board for review;
19

20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc approves the Town of Newton's amended zoning ordinance that rezones that
22 certain property a 3.00 acre parcel of property owned by Patrick Jawort and Michael Aprill from
23 R-2 (Residential) District to A-2 (General Agriculture) District and was adopted by the Town
24 Board of Newton on July 14, 2021.

Dated this 20th day of July 2021.

Respectfully submitted by Kevin Behnke, Supervisor, District 12.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Baumann, and the motion was adopted by acclamation. The meeting adjourned at 7:04 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=xkshUZxqfnA>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, August 17, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 17th day of August 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Baumann, Behnke, Brey, Cavanaugh, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Neils, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, and Zimmer. Supervisors Aulik, Dyzak, and Williams were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Sitkiewitz, the July 20, 2021 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring the Mishicot Girls' Varsity Softball Team Division 4 State Champions. Assistant Coach Becky Armbruster, Players Maddie Dokey and Abby Garceau thanked the County Board for the proclamation.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commemorating the Life and Service of Joseph Dworak Jr to Mrs. Dworak.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commemorating the Life and Service of Lester W. Koepfel to Mrs. Koepfel.

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

Leah Lasecki, CLA Manager referenced the Comprehensive Annual Financial Report that laid out the responsibilities of the Auditors and that of County management regarding Financial Statements, internal controls and reporting responsibilities. Ms. Lasecki drew attention to four main points. The first was the unassigned category (amount not earmarked for different purposes) under the General Funds showed a balance of \$2,401,375, which was an increase of \$633,078 from 2019. The second was the Human Services funds under the Special Revenue Funds increased by \$615,588. The increase in funds comes from the State and Federal Government contributing more funds towards the Human Services Department than the County had budgeted for. The third a conservative and well managed budget. The fourth was properly managing the long-term obligation debt. Ms. Lasecki stated that from a debt perspective the

county is in strong financial condition. Overall the county had a very strong financial year with limited finding or issues.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 7:00 p.m.

Natasha Kahn, spoke on behalf of Lakeshore United Visionaries regarding a facebook post by Supervisor Williams. She believes the words within the statement made by Williams were outdated, inflammatory and offensive, and as an elected official there is no excuse for his ignorant choice of words. She hopes the County Board will take time to discuss Williams conduct. She also encouraged the County to develop a code of ethics or conduct to address this type of situation.

Darian Kaderabek, City of Manitowoc, believes an elected official should be a leader and the comments made by Supervisor Williams should not have been made as a leader. She expressed concerns about the outdated terms used in society that effect the kids of color. She works with children and their families in the community. She expressed their fear of going out because they do not want to be called these negative words. She wants the leaders to lead in an ethical manner and show good leadership for the kids in our community.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:07 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of Todd Bergmann, Amy John, and Alternate Debbie Holschbach to the Local Emergency Planning Committee for a two-year term expiring September 2023. Supervisor Falkowski moved, seconded by Supervisor Neils to approve the appointments. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Nickels gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Muench to adopt Resolution 2021/2022-22 Denying Claim (Tim Schmidt). Upon vote, the motion carried unanimously.

No. 2021/2022 - 22

RESOLUTION DENYING CLAIM

(Tim Schmidt)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Tim Schmidt filed a claim with Manitowoc County on June 28, 2021
2 seeking reimbursement for dent and paint repair to the driver's door for alleged damage to his
3 vehicle purportedly caused as a result of a rock being discharged from a county tractor that was
4 cutting grass on the Highway 151 and Custer; and
5

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

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

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

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

Dated this 17th day of August 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Behnke to adopt Resolution 2021/2022-23
Establishing County Executive Compensation for 2022-2026 Term.

Amendment: Supervisor Hagen moved, seconded by Supervisor Zimmer to amend
Resolution 2021/2022-23 to decrease the County Executive's proposed salary increase from 5%
to 2%. Discussion followed. Upon vote, the motion failed 3 ayes and 19 noes. Supervisors
Baumann, Behnke, Brey, Cavanaugh, Engelbrecht, Gerroll, Hansen, Henrickson, Linsmeier,
Maresh, Martell, Metzger, Muench, Neils, Nickels, Shimulunas, Sitkiewitz, Vogt, and Wagner
voted no; all other supervisors voted yes.

Discussion took place on the main motion to adopt Resolution 2021/2022-23 Establishing
County Executive Compensation for 2022-2026 Term. Upon vote, the motion carried 20 ayes
and 2 noes. Supervisors Hagen and Zimmer voted no; all other supervisors voted yes.

No. 2021/2022 - 23

**RESOLUTION ESTABLISHING COUNTY EXECUTIVE
COMPENSATION FOR 2022-2026 TERM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Wisconsin Stat. § 59.22 provides that total annual compensation of certain elected officials, exclusive of reimbursements, must be established before the earliest time for filing nomination papers for office and that this compensation shall not be increased or decreased during the official's term; and

WHEREAS, establishing the salaries of elected officials prior to the creation of the budget for the year in which the term begins allows for accurate budgeting; and

WHEREAS, Section 5.06 of the Manitowoc County Code describes the process for establishing Elected Official salaries; and

WHEREAS, Section 5.06 recommends that elected offices that are below 85% of the maximum of the wage band be increased by a maximum of 5.0% each year until the 85% mark is met; and

WHEREAS, 85% of the current wage band for the County Executive salary is \$110,532 and;

WHEREAS, the current County Executive salary is \$89,069; and

WHEREAS, increasing the County Executive salary by 5.0% in 2022, 2023, 2024, 2025 and by 2.0% in 2026 will bring the County Executive salary to 85% of the current wage band; and

WHEREAS, the Personnel Committee recommends that the County Executive be offered the same fringe benefit package that is offered to appointed Department Directors;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors sets the following salary as the total annual compensation for the elected office of County Executive as follows:

For 2022: The annual salary would be \$93,523, pro-rated from April 19 – December 31 the salary equals \$64,746 or \$3,597 per pay period;

For 2023: An annual salary of \$98,202 or \$3,777 per pay period;

For 2024: An annual salary of \$103,116 or \$3,966 per pay period;

For 2025: An annual salary of \$108,264 or \$4,164 per pay period;

For 2026: An annual salary of \$110,430, pro-rated from January – April 21, 2026 the salary equals \$33,984 or \$4,248 per pay period;

and

BE IT FURTHER RESOLVED that the total annual compensation will continue for ensuing terms unless changed by the County Board in accordance with State law; and

BE IT FURTHER RESOLVED that the County Executive shall participate in the Wisconsin Retirement System (WRS) on a pre-tax basis in accordance with State law, that the County Executive is required to pay his or her share of the total WRS contribution as required by law, that the County will pay its share of the total WRS contribution as required by law, and that is expressly recognized that the respective shares may change if State law is changed or if the WRS rate is adjusted as authorized by law; and

BE IT FURTHER RESOLVED that the County Executive is eligible for and may elect to receive health insurance through the County's Group Health Insurance Plan on the same terms and condition, such as co-pays, deductibles, and premium contributions, any of which may be modified from time to time, as are offered to appointed Department Directors; and

BE IT FURTHER RESOLVED that the County Executive is eligible for and may elect to receive any other fringe benefits, such as dental, vision, or life insurance, on the same terms and conditions, any of which may be modified from time to time, as are offered to appointed Department Directors, and

BE IT FURTHER RESOLVED that the County Executive is eligible for and may participate in such other programs, such as deferred compensation and wellness, on the same terms and conditions, any of which may be modified from time to time, as are offered to appointed Department Directors; and

BE IT FURTHER RESOLVED that, the foregoing notwithstanding, the County Executive a) is not eligible for; b) does not accrue; or c) is not paid for any leave, such as holiday leave, short term disability, long-term disability, sick leave, or vacation leave; and

BE IT FURTHER RESOLVED that the County shall make all disbursements, payments, and withholdings, such as for F.I.C.A., liability insurance, income taxes, and worker's compensation as may be required by Federal and State law.

Dated this 17th day of August 2021.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Wages	\$ 3,124	\$ 4,670	\$ 4,914	\$ 5,148	\$ 672
FICA	\$ 239	\$ 357	\$ 376	\$ 394	\$ 51
WRS	\$ 203	\$ 304	\$ 319	\$ 335	\$ 44
Total	\$ 3,566	\$ 5,331	\$ 5,609	\$ 5,877	\$ 767

VETOED: Bob Ziegelbauer, County Executive.

***See County Executive's veto letter at the end of the County Board meeting minutes for August 17, 2021, and the September 21, 2021 County Board meeting minutes below Unfinished Business - Override the County Executive's veto of Resolution 2021/2022-23

Public Works Committee: Supervisor Gerroll gave a brief report.

Transportation Coordinating Committee: Supervisor Baumann gave a brief report.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Neils, and the motion was adopted by acclamation. The meeting adjourned at 7:44 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



Office of the County Executive

Bob Ziegelbauer, County Executive

Manitowoc County Courthouse • 1010 S. 8th Street • Manitowoc WI 54220

Office: 920.683.5107 • Cell: 920.323.7497

Accountability • Respect • Customer Service

August 19, 2021

Manitowoc County Board of Supervisors,

I am vetoing the resolution 2021/2022- 23 that the County Board passed on August 17, 2021, dealing with "Establishing County Executive Compensation For 2022-2026"

The County Executive is paid very well and will continue to be. The County Executive doesn't need such a large an increase in pay; 5% per year, two and a half times greater than the county employees get, for the next four years.

We can live with the past mistakes made in setting the salary for the County Executive that happened eight and twelve years ago. Future County Executives don't need this salary increase now.

I hope you will reconsider this resolution and pass an increase in the salary of the County Executive, limited to 2% or less, per year for 2022 through 2026.

Thank you for considering this.

Sincerely,

A handwritten signature in black ink that reads 'Bob Ziegelbauer'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bob Ziegelbauer

Manitowoc County Executive

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, September 21, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 21st day of September, 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Aulik, Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Maresh, Martell, Metzger, Muench, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner and Williams. Supervisors Linsmeier, Neils, and Zimmer were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Aulik, the August 17, 2021 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring 4-H Week. Neil Hall, 4-H and Youth Development Educator, accepted the proclamation. Amelia Hansen, a 4-H member gave a brief summary of her involvement in 4-H activities.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Declaring October 2021 Crime Prevention Month. Sheriff Daniel Hartwig accepted the proclamation.

Chairperson Brey gave a brief presentation of the proposed 2022 County Board Budget.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:43 p.m.

Amber Daus of Grow It Forward, gave a presentation and suggestions as to how the ARPA funds Manitowoc County received could be used to support the hunger and housing coalition's collaborative effort to end future food insecurity and provide stable housing and shelter solutions in Manitowoc County. Christma Rusch of Lighthouse Recovery Center spoke regarding the center and also supported ARPA funds being distributed to non-profit organizations to make this community stronger.

Darian Kaderabek, City of Manitowoc, recommended sharing ARPA funds with area non-profit organizations to combat hunger and homelessness.

Donna Firman of Prevent Suicide Wisconsin-Manitowoc County, stated that the health and well-being educator position in Manitowoc County may be eliminated. She advocated the position remain because it is a vital service to many county residents.

Bob Desjarlis, Town of Mishicot, requested the tabled second amendment sanctuary county resolution be brought back and upped to a constitutional sanctuary resolution.

Forest LaFave, Town of Gibson, requested consideration be given to Manitowoc County becoming a constitutional sanctuary.

Margaret Pauwels, rural Manitowoc, presented her views regarding military vs. public states and said county board committees should bring items to the county board for discussion.

Maura Yost, Town of Centerville, commented on various COVID items and that trust should be placed in medical physicians.

Kate Marquardt of Lakeshore CAP, spoke regarding homelessness in Manitowoc County and stated receipt of ARPA funds would provide assistance in that respect.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:28 p.m.

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

Supervisor Maresh moved, seconded by Supervisor Vogt to override the County Executive's veto of Resolution No. 2021/2022-23 Establishing County Executive Compensation for 2022-2026 Term. Upon discussion and vote, motion carried with 18 ayes and 4 noes. Supervisors Dyzak, Falkowski, Hagen and Vogt voted no, all other supervisors voted aye.

No. 2021/2022 - 23

**RESOLUTION ESTABLISHING COUNTY EXECUTIVE
COMPENSATION FOR 2022-2026 TERM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Stat. § 59.22 provides that total annual compensation of certain
2 elected officials, exclusive of reimbursements, must be established before the earliest time for
3 filing nomination papers for office and that this compensation shall not be increased or decreased
4 during the official's term; and

5
6 WHEREAS, establishing the salaries of elected officials prior to the creation of the
7 budget for the year in which the term begins allows for accurate budgeting; and

8
9 WHEREAS, Section 5.06 of the Manitowoc County Code describes the process for
10 establishing Elected Official salaries; and

11
12 WHEREAS, Section 5.06 recommends that elected offices that are below 85% of the
13 maximum of the wage band be increased by a maximum of 5.0% each year until the 85% mark is
14 met; and

15
16 WHEREAS, 85% of the current wage band for the County Executive salary is \$110,532
17 and;

18 WHEREAS, the current County Executive salary is \$89,069; and

20
21 WHEREAS, increasing the County Executive salary by 5.0% in 2022, 2023, 2024, 2025
22 and by 2.0% in 2026 will bring the County Executive salary to 85% of the current wage band;
23 and

24
25 WHEREAS, the Personnel Committee recommends that the County Executive be offered
26 the same fringe benefit package that is offered to appointed Department Directors;

27
28 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
29 Supervisors sets the following salary as the total annual compensation for the elected office of
30 County Executive as follows:

31
32 For 2022: The annual salary would be \$93,523, pro-rated from April 19 – December
33 31 the salary equals \$64,746 or \$3,597 per pay period;

34
35 For 2023: An annual salary of \$98,202 or \$3,777 per pay period;

36
37 For 2024: An annual salary of \$103,116 or \$3,966 per pay period;

38
39 For 2025: An annual salary of \$108,264 or \$4,164 per pay period;

40
41 For 2026: An annual salary of \$110,430, pro-rated from January – April 21, 2026 the
42 salary equals \$33,984 or \$4,248 per pay period;

43
44 and

45
46 BE IT FURTHER RESOLVED that the total annual compensation will continue for
47 ensuing terms unless changed by the County Board in accordance with State law; and

48
49 BE IT FURTHER RESOLVED that the County Executive shall participate in the
50 Wisconsin Retirement System (WRS) on a pre-tax basis in accordance with State law, that the
51 County Executive is required to pay his or her share of the total WRS contribution as required by
52 law, that the County will pay its share of the total WRS contribution as required by law, and that
53 is expressly recognized that the respective shares may change if State law is changed or if the
54 WRS rate is adjusted as authorized by law; and

55
56 BE IT FURTHER RESOLVED that the County Executive is eligible for and may elect to
57 receive health insurance through the County's Group Health Insurance Plan on the same terms
58 and condition, such as co-pays, deductibles, and premium contributions, any of which may be
59 modified from time to time, as are offered to appointed Department Directors; and

60
61 BE IT FURTHER RESOLVED that the County Executive is eligible for and may elect to
62 receive any other fringe benefits, such as dental, vision, or life insurance, on the same terms and

conditions, any of which may be modified from time to time, as are offered to appointed Department Directors, and

BE IT FURTHER RESOLVED that the County Executive is eligible for and may participate in such other programs, such as deferred compensation and wellness, on the same terms and conditions, any of which may be modified from time to time, as are offered to appointed Department Directors; and

BE IT FURTHER RESOLVED that, the foregoing notwithstanding, the County Executive a) is not eligible for; b) does not accrue; or c) is not paid for any leave, such as holiday leave, short term disability, long-term disability, sick leave, or vacation leave; and

BE IT FURTHER RESOLVED that the County shall make all disbursements, payments, and withholdings, such as for F.I.C.A., liability insurance, income taxes, and worker's compensation as may be required by Federal and State law.

Dated this 17th day of August 2021.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Wages	\$ 3,124	\$ 4,670	\$ 4,914	\$ 5,148	\$ 672
FICA	\$ 239	\$ 357	\$ 376	\$ 394	\$ 51
WRS	\$ 203	\$ 304	\$ 319	\$ 335	\$ 44
Total	\$ 3,566	\$ 5,331	\$ 5,609	\$ 5,877	\$ 767

APPROVED: Bob Ziegelbauer, County Executive.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of David Funkhouser to the Local Emergency Planning Committee for a two-year term expiring September 2023. Supervisor Baumann moved, seconded by Supervisor Aulik to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Aging & Disability Board: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger moved, seconded by Supervisor Nickels to enact Ordinance 2021/2022-24 Amending Manitowoc County Code §7.14 (Health Officer) and Repealing Manitowoc County Code §7.15 (Donations and Gifts). Upon vote, motion carried unanimously.

ORDINANCE AMENDING MANITOWOC COUNTY CODE § 7.14 (HEALTH OFFICER) AND REPEALING MANITOWOC COUNTY CODE § 7.15 (DONATIONS AND GIFTS)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Chapter 7 contains the Public Health Ordinance; and

2
3 WHEREAS, Manitowoc County Code § 7.14 contains an overview of the powers and
4 duties of the health officer; and

5
6 WHEREAS, currently Manitowoc County Code § 7.14 does not expressly authorize the
7 health officer to designate his or her administration and enforcement responsibilities to a
8 subordinate; and

9
10 WHEREAS, the Manitowoc County Health Department presently assigns some of the
11 duties of the health officer to the County's sanitarians, including declaring a human health
12 hazard or an unfit dwelling; and

13
14 WHEREAS, Manitowoc County Code § 7.15 covers donations to the Health Department;
15 and

16
17 WHEREAS, in November 2019, the board of supervisors of the county of Manitowoc
18 adopted a countywide ordinance governing donations to all county departments making Section
19 7.15 superfluous; and

20
21 WHEREAS, amendments must be made to the Manitowoc County Code from time-to-
22 time to keep policies current, reflect current practice, and address new issues and circumstances;
23 and

24
25 WHEREAS, the proposed addition to Section 7.14 (Health Officer) and repealing Section
26 7.15 (Donations and Gifts) update the Manitowoc County Code to be consistent with current
27 county practice; and

28
29 WHEREAS, after careful consideration and review, the Board of Health recommends
30 approval of the following amendments to the Manitowoc County Code;

31
32 NOW, THEREFORE, the board of supervisors of the county of Manitowoc does ordain
33 as follows:

34
35 Manitowoc County Code § 7.14(3) is added to read as follows:

36
37 (3) The health officer shall have the authority to delegate the responsibilities of
38 administration and enforcement of this Public Health Ordinance to a Wisconsin
39 registered sanitarian or other person qualified in the field of public health.

40
41 and

Manitowoc County Code § 7.15 is deleted so as to repeal the Section in its entirety as follows:

~~7.15 Donations and Gifts.~~

~~The health officer may accept cash or non-cash donations to the county for the purpose of carrying out the provisions of this ordinance or for the benefit of the health department if the donation has a value of less than \$1,000. Any cash or non-cash donation with a value of \$1,000 or more may only be accepted by resolution of the county board.~~

and

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

Dated this ____ day of September 2021.

Respectfully submitted by the Board of Health.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

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

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

Finance Committee: Supervisor Hansen gave a brief report.
Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-25 Denying Claim (Kasey Rupp). Upon vote, the motion carried with 21 ayes and one abstention. Supervisor Hagen abstained, all other supervisors voted aye.

No. 2021/2022 - 25

RESOLUTION DENYING CLAIM
(Kasey Rupp)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Kasey Rupp filed a claim with Manitowoc County on June 15, 2021 seeking punitive damages of \$50,000 for alleged emotional damage caused by the county and the length of time an individual has been out of his home; and

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

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

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

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

Dated this 21st day of September 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Cavanaugh gave a brief report.

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

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Baumann to adopt Resolution 2021/2022-26
Approving Settlement of 2022-2023 Collective Bargaining Agreement with Sheriff's Office
Employees Represented by Wisconsin Professional Police Association. Upon vote, the motion
carried unanimously.

No. 2021/2022 - 26

**RESOLUTION APPROVING SETTLEMENT OF 2022-2023
COLLECTIVE BARGAINING AGREEMENT WITH SHERIFF'S OFFICE
EMPLOYEES REPRESENTED BY WISCONSIN PROFESSIONAL
POLICE ASSOCIATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Personnel Committee has reached a tentative settlement with Sheriff's
2 Office employees represented by the Wisconsin Professional Police Association for a 2022 -
3 2023 collective bargaining agreement; and
4

5 WHEREAS, this voluntary settlement avoids the uncertainty, delay, and expense of
6 interest arbitration; and
7

8 WHEREAS, the voluntary settlement includes a 3.0% wage increase effective January 1,
9 2022 and a 3.0% wage increase effective January 1, 2023; and
10

11 WHEREAS, after careful consideration and review, the Personnel Committee
12 recommends approval of the proposed 2022 - 2023 Wisconsin Professional Police Association
13 collective bargaining agreement;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
16 Supervisors hereby approves the 2022 - 2023 collective bargaining agreement negotiated
17 between the Personnel Committee and the Sheriff's Department employees represented by the
18 Wisconsin Professional Policy Association; and
19

20 BE IT FURTHER RESOLVED that the 2022 - 2023 collective bargaining agreement as
21 negotiated between the Personnel Committee and the Sheriff's Department employees
22 represented by the Wisconsin Professional Policy Association is ratified, confirmed, and
23 approved with pay schedules and terms set forth; and
24

25 BE IT FURTHER RESOLVED that the County Executive, Personnel Committee Chair,
26 and Personnel Director are authorized to execute this agreement.

Dated this 21st day of September 2021.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	2022	2023
Wages	\$65,999	\$67,978
FICA	\$5,049	\$5,200
WRS	\$7,947	\$8,185
Total	<hr/> \$78,995	<hr/> \$81,363

APPROVED: Bob Ziegelbauer, County Executive.

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

Supervisor Dyzak moved, seconded by Supervisor Falkowski to enact Ordinance 2021/2022-27 Amending Zoning Map (Steve and Lori Dill). Upon vote, the motion carried unanimously.

No. 2021/2022 - 27

ORDINANCE AMENDING ZONING MAP
(Steve and Lori Dill)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 23, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 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 tract of land located in the NW1/4 of the NW1/4 of Section 11, T18N, R22E, Town of
12 Liberty, Manitowoc County, Wisconsin described as follows:
13

14 Commencing at the NW corner of said Section 11; thence N89°-27'-42"E along
15 the North line of the NW1/4 of said Section 11 a distance of 1053.18 feet to the
16 point of beginning; thence continuing N89°-27'-42"E along said North line
17 265.13 feet to the East line of the NW1/4 of the NW1/4 of said Section 11; thence
18 S00°-09'-41"W along said East line 1314.25 feet to the South line of the NW1/4
19 of the NW1/4 of said Section 11; thence S89°-20'-46"W along said South line
20 265.14 feet; thence N00°-09'-41"E 1314.79 feet to the point of beginning, said
21 tract containing approximately 8.00 acres of land and is hereby rezoned from
22 Exclusive Agriculture (EA) District to Large Estate Residential (LE) District.

Dated this 21st day of September 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Hagen to enact Ordinance 2021/2022-28 Amending Zoning Map (Robert Jacque). Upon vote, the motion carried unanimously.

No. 2021/2022 - 28

ORDINANCE AMENDING ZONING MAP
(Robert Jacque)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 23, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of
5 testimony and an examination of the facts, recommends that the petition be approved for the
6 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 part of Lot 2, Certified Survey Map Volume 33 Page 107,
12 being part of Government Lot 3, Section 2 Township 17 North, Range 21 East, Town of
13 Schleswig, Manitowoc County, Wisconsin, being described as follows:
14

15 Commencing at the South Quarter Corner of said Section 2; thence South
16 89°54'10" West a distance of 1,700.25 feet along the south line of Government
17 Lot 3 to the point of beginning; thence continuing South 89°54'10" West a
18 distance of 100.04 feet along the south line; thence North 01°38'56" West a
19 distance of 596.34 feet; thence North 42°39'51" East a distance of 76.80 feet;
20 thence South 89°25'35" East a distance of 449.73 feet to the east line of
21 Government Lot 3; thence South 00°15'14" West a distance of 278.50 feet along
22 the east line; thence South 89°54'10" West a distance of 393.93 feet; thence South
23 01°38'53" East a distance of 368.88 feet to the south line of Government Lot 3
24 and the point of beginning, said parcel containing approximately 175,699 square
25 feet or 4.03 acres of land and is hereby rezoned from Large Estate (LE) District to
26 Lake Residential (LR) District;
27

28 and
29

30 A parcel of land located in a part of Lot 2, Certified Survey Map Volume 33 Page 107,
31 being part of Government Lot 3, Section 2 Township 17 North, Range 21 East, Town of
32 Schleswig, Manitowoc County, Wisconsin, being described as follows:
33

34 Commencing at the South Quarter Corner of said Section 2; thence South
35 89°54'10" West a distance of 1,318.57 feet along the south line of Government
36 Lot 3 to the east line of Government Lot 3 and the point of beginning; thence
37 continuing South 89°54'10" West a distance of 381.68 feet; thence North
38 01°38'56" West a distance of 368.88 feet; thence North 89°54'10" East a distance
39 of 393.93 feet to the east line of Government Lot 3; thence South 00°15'14" West
40 a distance of 368.75 feet along the east line to the point of beginning, said parcel
41 containing approximately 143,002 square feet or 3.28 acres of land and is hereby
42 rezoned from Large Estate (LE) District to Small Estate (SE) District.

Dated this 21st day of September 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Nickels gave a brief report.

Miscellaneous-Special Committee on Number and Apportionment of County Board Supervisory Districts: Supervisor Henrickson moved, seconded by Supervisor Sitkiewitz, to adopt Resolution 2021/2022-29 Adopting Tentative Supervisory District Plan. Upon discussion and vote, the motion carried with 20 ayes and 1 no. Supervisor Muench voted no, all other supervisors voted aye.

No. 2021/2022 - 29

**RESOLUTION ADOPTING TENTATIVE SUPERVISORY DISTRICT
PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, within 60 days after the population count is established in the decennial
2 federal census and certain maps become available or are published, Wisconsin counties are
3 required to: 1) propose a tentative county supervisory district plan setting forth the number of
4 supervisory districts along with the tentative boundaries of those supervisory districts (or a
5 description of boundary requirements); 2) hold a public hearing on the proposed plan; and 3)
6 adopt a tentative plan; and
7

8 WHEREAS, the Planning and Zoning Department has, at the request of the county board
9 and the Special Committee on Number and Apportionment of Supervisory Districts, prepared a
10 tentative county supervisory district plan that provides 25 supervisory districts; and
11

12 WHEREAS, after careful consideration and review, the Special Committee on Number
13 and Apportionment of Supervisory Districts recommends approval of the tentative county
14 supervisory district plan as proposed; and
15

16 WHEREAS, the county board of supervisors of the county of Manitowoc conducted the
17 required hearing on the proposed tentative supervisory district plan on September 21, 2021;
18

19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
20 Supervisors does hereby adopt the tentative supervisory district plan as recommended by the
21 Special Committee; and
22

23 BE IT FURTHER RESOLVED that the County Clerk is directed to transmit the tentative
24 plan that has been adopted to each municipal governing body in the county.

Dated this 21st day of September 2021.

Respectfully submitted by the Special Committee on Number and Apportionment of County
Board Supervisory Districts.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ANNOUNCEMENTS

Chairperson Brey announced that October 12, 2021 will be the first County Board meeting of the month and October 25 will be the Annual County Board meeting.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Dyzak, and the motion was adopted by acclamation. The meeting adjourned at 8:21 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, October 12, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 12th day of October 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 21 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Henrickson, Maresh, Martell, Metzger, Muench, Neils, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams, and Zimmer. Supervisors Aulik, Hansen, Linsmeier, and Nickels were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht the September 21, 2021 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer presented the proposed 2022 budget. Executive Ziegelbauer commented that he will hold the line on taxes while delivering high quality services. The budget will keep the debt low, less than 10% of the statutory maximum limit. The capital improvement program will continue to be robust. Finally, the budget will maintain our facilities, County Trunk roads, and equipment.

ANNOUNCEMENTS

Chairperson Brey announced the Annual County Board meeting and Public Hearing on the 2022 Budget will be Monday, October 25, 2021 at the Heritage Center.

ADJOURNMENT

Supervisor Maresh moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 6:54 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=IWkNZYijIz0>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Monday, October 25, 2021

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 25th day of October, 2021, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the Public Hearing on the Final County Board Supervisory District Plan to order at 6:00 p.m.

Roll call: 22 members present: Supervisors Aulik, Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Neils, Nickels, Sitkiewitz, Vogt, Wagner, William and Zimmer. Supervisor Shimulunas was excused. Supervisors Gerroll and Hagen were absent.

PUBLIC HEARING ON THE FINAL COUNTY BOARD SUPERVISORY DISTRICT PLAN

Chairperson Brey asked if anyone present wanted to provide public input regarding the plan.

No one present wished to speak, therefore Chairperson Brey closed public input at 6:00 p.m.

ADJOURNMENT

Supervisor Sitkiewitz moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 6:01 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Monday, October 25, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 25th day of October, 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 21 members present: Baumann, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Neils, Nickels, Sitkiewitz, Vogt, Wagner, Williams and Zimmer. Supervisors Aulik and Shimulunas were excused. Supervisors Gerroll and Hagen were absent.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht, the October 12, 2021 meeting minutes were approved on a unanimous vote.

Chairperson Brey announced there were no changes to the agenda.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment on the County Executive's Proposed 2022 Annual Budget open at 6:35 p.m.

Maura Yost, Town of Centerville, spoke regarding advocating of .05% sales tax, county borrowing practices, and wondered why the proposed budget was not posted on Manitowoc County's website as neighboring counties had theirs posted on their sites.

No one else present wished to speak regarding the proposed budget, subsequently Chairperson Brey closed public input at 6:39 p.m. on this matter.

Chairperson Brey declared public comment on non-budget issues open at 6:39 p.m.

Forest LaFave, Town of Gibson, spoke regarding the Bill of Rights, protection of freedoms and requested that consideration be given to a constitutional resolution and its ratification.

No one else present wished to speak on non-budget issues, subsequently Chairperson Brey closed public input at 6:42 p.m.

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

Aging & Disability Board: Supervisor Wagner gave a brief report.

Board of Health: Supervisor Metzger gave a brief report.

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

Executive Committee: Chairperson Brey gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution 2021/2022-30 Canceling County Checks Not Presented Within Two Years of Issuance. Upon vote, the motion carried unanimously.

No. 2021/2022 - 30

**RESOLUTION CANCELING COUNTY CHECKS NOT PRESENTED
WITHIN TWO YEARS OF ISSUANCE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a few of the thousands of checks issued by Manitowoc County are not
2 presented for payment within two years of their date of issuance; and
3

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

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

11 WHEREAS, those checks shown on the attached list were issued by Manitowoc County
12 prior to October 31, 2019, and were not presented for payment within two years of their issuance;
13 and
14

15 WHEREAS, after careful consideration and review, the Finance Committee recommends
16 canceling those checks on the attached list that were not presented for payment within two years
17 of their issuance;
18

19 NOW, THEREFORE, BE IT RESOLVED that those checks which are shown on the
20 attached list are hereby canceled and without value; and
21

22 BE IT FURTHER RESOLVED that the payee of a canceled check may make application
23 to the County Board Chair and County Clerk to have a new check issued for the original amount,

24 without interest, and that the County Treasurer shall issue such a check within sixty days of written
25 notice of approval of such application by the County Board Chair and County Clerk.

Dated this 25th day of October 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT:	Increased available cash balance in Account 100-001	\$3,638.04
	Increased available cash balance in Account 160-485	\$42.52
	<u>Increased available cash balance in Account 126-770</u>	<u>\$331.00</u>
	Total increase in available cash balance	\$4,011.56

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 2021/2022-31 Denying Claim (Kimberly Howell). Upon vote, the motion carried unanimously.

No. 2021/2022 - 31

RESOLUTION DENYING CLAIM
(Kimberly Howell)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Kimberly Howell filed a claim with Manitowoc County on September 8, 2021
2 seeking an unnamed case to be thrown out, the return of unnamed children, \$100,000 in legal fees,
3 and \$5,000,000 in punitive damages for every hour her family was without “family love and
4 support or just contact”; and
5

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

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

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

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

Dated this 25th day of October 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Henrickson gave a brief report.

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

Personnel Committee: Supervisor Maresh gave a brief report.

Planning and Park Commission: Supervisor Dyzak gave a brief report.
Supervisor Dyzak moved, seconded by Supervisor Hansen to adopt Resolution 2021/2022-33
Adopting Manitowoc County Planning and Park Commission Fee Schedule. Upon vote, the
motion carried unanimously.

No. 2021/2022 - 33

**RESOLUTION ADOPTING MANITOWOC COUNTY PLANNING AND
PARK COMMISSION FEE SCHEDULE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County Code § 4.13(2) provides that the fees that the Planning
2 and Zoning Department is authorized to charge must be set by County Board resolution and
3 reviewed annually by the Planning and Park Commission; and
4

5 WHEREAS, the Manitowoc County Planning and Park Commission has reviewed the
6 Planning and Zoning Department Fee Schedule and recommends that it be adjusted by 3%; and
7

8 WHEREAS, a copy of the proposed Planning and Zoning Department fee schedule has
9 been provided to the County Board;
10

11 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
12 county of Manitowoc approves the proposed Planning and Zoning Department Fee Schedule to be
13 effective January 1, 2022, and directs that a copy of the fee schedule be included as an appendix
14 to the Manitowoc County Code Chapter 4, Finances.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Indeterminable.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Maresh to enact Ordinance 2021/2022-34 Amending Zoning Map (Michael Dell). Upon vote, the motion carried unanimously.

No. 2021/2022 - 34

ORDINANCE AMENDING ZONING MAP
(Michael Dell)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on September 27, 2021; and
3

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

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

11 A tract of land located in the NE ¼ of the SW ¼ of Section 20, T. 20 N., R. 23 E., Town
12 of Kossuth, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the S.¼ Corner of said Section 20; thence N. 00°10'08" E. a
15 distance of 1969.07 feet, along the ¼ section line; thence N. 88°11'22" W. a
16 distance of 40.02 feet, to the point of real beginning; thence N. 88°11'22" W. a
17 distance of 1294.39 feet; thence N. 00°07'34" E. a distance of 673.14 feet, along
18 the west line of said NE ¼ of the SW ¼ of Section 20; thence N. 89°29'52" E. a
19 distance of 1294.45 feet, along the ¼ section line, to the westerly right of way line
20 of Thunder Road; thence S. 00°10'08" W. a distance of 725.39 feet, along said
21 westerly right of way of Thunder Road, to the point of beginning, said tract
22 containing approximately 20.774 acres or 904,920 square feet of land and is hereby
23 rezoned from Exclusive Agriculture (EA) District to General Agriculture (GA)
24 District.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Neils to enact Ordinance 2021/2022-35 Amending Zoning Map (Frederick L. Schnell Trust). Upon vote, the motion carried unanimously.

No. 2021/2022 - 35

ORDINANCE AMENDING ZONING MAP
(Frederick L. Schnell Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on September 27, 2021; and
3

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

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

11 A parcel of land located in part of the Southeast Quarter (SE1/4) of the Southeast Quarter
12 (SE1/4) of Section 2, Township 17 North, Range 21 East, Town of Schleswig, Manitowoc County,
13 Wisconsin being described as follows:
14

15 Commencing at the Southeast Corner of said Section 2; thence S89°-59'-06"W
16 along the South line of the SE1/4 of said Section 2, a distance of 707.19 feet to the
17 point of beginning; thence continuing S89°-59'-06"W along said South line 322.52
18 feet; thence N00°-00'-54"W 309.00 feet; thence S89°-59'-06"E 322.52 feet; thence
19 S00°-00'-54"E 309.00 feet to the point of beginning, said parcel containing
20 approximately 99,658 square feet (2.29 acres) of land and is hereby rezoned from
21 General Agriculture (GA) District to Small Estate (SE) Residential District.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Engelbrecht to enact Ordinance 2021/2022-36 Amending Zoning Map (Silver Stream Acres LLC). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Silver Stream Acres LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on September 27, 2021; and
3

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

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

11 A tract of land in the SW 1/4 of the SW 1/4 of Section 23, T. 21 N., R. 24 E., Town of Two
12 Creeks, Manitowoc County, Wisconsin, and further described as follows:
13

14 Commencing at the SW Corner of said Section 23, thence N. 89°58'04" E. a
15 distance of 200.00 feet, along the section line; thence N. 44°25'00" W. a distance
16 of 57.37 feet, to the point of real beginning; thence N. 44°25'00" W. a distance of
17 171.42 feet, along the right of way S.T.H. "42"; thence N. 00°28'53" W. a distance
18 of 499.37 feet, along the easterly right of way of S.T.H. "42"; thence S. 89°57'39"
19 E. a distance of 1297.05 feet, along the north line of the S. 1/2 of the SW 1/4 of the
20 SW 1/4 of Section 23; thence S. 00°04'06" E, a distance of 620.24 feet, along the
21 east line of the SW 1/4 of the SW 1/4 of said Section 23; thence S. 89°58'04" W. a
22 distance of 1173.62 feet, along the northerly right of way of Nuclear Road, to the
23 point of real beginning, said tract containing approximately 18.293 acres of land
24 and is hereby rezoned from Exclusive Agriculture (EA) District to General
25 Agriculture (GA) District.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Falkowski to enact Ordinance 2021/2022-37
Amending Zoning Map (Wisconsin Steel and Tube). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Wisconsin Steel and Tube)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on September 27, 2021; and
3

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

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

11 A parcel of land located in Part of Lot 1, Volume 34 Certified Survey Maps, Page 99,
12 recorded in the Manitowoc County Register of Deeds Office as Document No. 1209367, located
13 in part of the Southwest 1/4 of the Northeast 1/4 of Section 35, Township 20 North, Range 23 East,
14 Town of Kossuth, Manitowoc County, Wisconsin being more particularly described as follows:
15

16 Beginning at the Northwest corner of said Lot 1; thence North 89°-56'-23" East along the
17 North line of said Lot 1, a distance of 594 feet more or less to the Westerly line of lands
18 currently zoned Industrial District; thence Southwesterly along said Westerly line, a
19 distance of 590 feet more or less to the South line of said Lot 1; thence South 89°-57'-44"
20 West along said South line, a distance of 476 feet more or less to the Southwest corner of
21 said Lot 1; thence North 00°-11'-47" East along the West line of said Lot 1, a distance of
22 576.97 feet to the point of beginning, said parcel containing approximately 7.15 acres of
23 land and is hereby rezoned from Commercial Business (CB) District to Industrial (ID)
24 District.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Sitkiewitz to adopt Resolution 2021/2022-32
Authorizing County Conservation Aids Grant Application. Upon vote, the motion carried
unanimously.

**RESOLUTION AUTHORIZING COUNTY CONSERVATION AIDS
GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Planning and Zoning Department wishes to complete
2 upgrades to the park system including repairs to the Devils River State Trail; and
3

4 WHEREAS, the Manitowoc County Planning and Zoning Department has identified a total
5 cost of \$3,150.00 for this project; and
6

7 WHEREAS, the Wisconsin Department of Natural Resources (WDNR) has grant funding
8 available through the County Conservation Aids (CCA) program specifically for the installation
9 of fish and game projects under Wis. Stat. § 23.09(12); and
10

11 WHEREAS, the CCA grant program may reimburse fifty percent of the total project cost
12 for eligible projects; and
13

14 WHEREAS, the Planning and Park Commission held a public hearing on October 25, 2021
15 to consider the grant application and recommends the Planning and Zoning Department pursue the
16 available grants under the CCA program;
17

18 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
19 Supervisors authorizes the Planning and Zoning Director or his designee to accept grants from the
20 WDNR in the total amount of up to \$1,575.00; and
21

22 BE IT FURTHER RESOLVED that the Planning and Zoning Director or his designee is
23 authorized to sign documents and take such other actions as necessary to accept the grant, direct,
24 and complete the project as authorized in the County's grant application to the WDNR, including
25 obtaining any permits that may be required; and
26

27 BE IT FURTHER RESOLVED that revenues and expenses in the Planning and Park
28 budget are amended by the amount of any grant award approved by the State of Wisconsin, and
29 the Finance Director is directed to record such information in the official books of the County for
30 the year ending December 31, 2021 with carryover to 2022 as may be required.

Dated this 25th day of October 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: Increases State Conservation Aid by an amount of the grant award up to
\$1,575.00 and an associated expense account by an equal amount.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Nickels gave a brief report.

Supervisor Nickels moved, seconded by Supervisor Henrickson to adopt Resolution 2021/2022-38 Canceling Checks Not Presented Within Two Years of Issuance (Sheriff's Office). Upon vote, the motion carried unanimously.

No. 2021/2022 - 38

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a few of the thousands of checks issued by the Manitowoc County Sheriff's
2 Office from the Inmate Trust Account are not presented for payment within two years of their date
3 of issuance; and
4

5 WHEREAS, the Sheriff is required to account for these uncashed checks in the Sheriff's
6 Office checking account; and
7

8 WHEREAS, Wis. Stat. § 59.64(4)(e) provides that the County Board may, at its annual
9 meeting, cancel checks that have not been presented for payment within two years of their
10 issuance; and
11

12 WHEREAS, those checks shown on the attached list were issued by the Manitowoc County
13 Sheriff's Office prior to October 31, 2019 and were not presented for payment within two years of
14 their issuance; and
15

16 WHEREAS, after careful consideration and review, the Public Safety Committee
17 recommends canceling those checks on the attached list that were not presented for payment within
18 two years of their issuance;
19

20 NOW, THEREFORE, BE IT RESOLVED the checks shown on the attached list are hereby
21 canceled and without value; and
22

23 BE IT FURTHER RESOLVED that the payees of these canceled checks may make
24 application to the County Board Chair and County Clerk to have a new check issued for the original
25 amount, without interest, and that the County Treasurer shall issue such a check within sixty days
26 of written notice of approval of such application by the County Board Chair and County Clerk.

Dated this 25th day of October 2021.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: Increases available cash balance in Account 100.23409 by \$8,656.83.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Dyzak gave a brief report.

Miscellaneous-Special Committee on Number and Apportionment of County Board Supervisory Districts: Supervisor Baumann moved, seconded by Supervisor Behnke, to adopt Resolution 2021/2022-39 Adopting Final Supervisory District Plan. Upon vote, the motion carried with 19 ayes and 2 nos. Supervisors Martell and Muench voted no, all other supervisors voted aye.

No. 2021/2022 - 39

**RESOLUTION ADOPTING FINAL MANITOWOC COUNTY
SUPERVISORY DISTRICT PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin counties are required by the Wisconsin Statutes to adopt a tentative
2 supervisory district plan, submit the tentative plan to municipalities in the county to permit the
3 municipalities to divide their jurisdiction into wards in accordance with the tentative plan, conduct
4 a public hearing upon receipt of the last municipal ward plan, and adopt a final county supervisory
5 district plan; and
6

7 WHEREAS, Manitowoc County adopted a tentative Manitowoc County Supervisory
8 District Plan on September 21, 2021, which provided for 25 supervisory districts, and submitted
9 said plan to all the municipalities for their consideration and preparation of municipal ward plans
10 that are in accord with the county plan; and
11

12 WHEREAS, the last municipal ward plan necessary to prepare a final Manitowoc County
13 Supervisory District Plan was submitted to the Manitowoc County Clerk on October 19, 2021; and
14

15 WHEREAS, the county board of supervisors of the county of Manitowoc conducted the
16 required public hearing on the final supervisory district plan on October 25, 2021 to allow citizens
17 the opportunity to express their views on the Plan;
18

19 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
20 county of Manitowoc hereby adopts the final supervisory district plan dated October 25, 2021,
21 which provides for 25 county supervisory districts with the district boundaries as described in
22 detail in text and map form within the plan, a copy of which is on file in the office of the County
23 Clerk; and
24

25 BE IT FURTHER RESOLVED that the Manitowoc County Board Chair shall file a
26 certified copy of the Manitowoc County Supervisory District Plan with the Secretary of State.

Dated this 25th day of October 2021.

Respectfully submitted by the Special Committee on Number and Apportionment of County Board Supervisory Districts.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ANNOUNCEMENTS

Chairperson Brey announced that on November 2, 2021 the Executive Committee will meet at 5:15 p.m., the Finance Committee at 5:45 p.m. and the County Board at 6:30 p.m.

ADJOURNMENT

Supervisor Muench moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 7:07 p.m.

Respectfully submitted,
Linda S. Herman, Manitowoc County Deputy Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, November 2, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 2nd day of November, 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 23 members present: Aulik, Baumann, Behnke, Brey, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Neils, Nickels, Shimulunas, Vogt, Wagner, Williams, and Zimmer. Supervisors Cavanaugh and Sitkiewitz were excused.

On a motion by Supervisor Baumann, seconded by Supervisor Henrickson, the October 25, 2021 meeting minutes were approved on a unanimous vote.

The County Clerk announced a change to the agenda: Under XII. Committee Reports, including Petitions, Resolutions, and Ordinances, L. Public Safety Committee, 5. Resolution 2021/2022-44 Accepting Donation (Dive Team Trailer) was pulled until the December meeting. Supervisor Zimmer moved, seconded by Supervisor Hagen to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Declaring Manitowoc County America Recycles Day 2021 to Ascend Services Executive Director Deanna Genske and Public Works Director Gerry Neuser.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:41 p.m.

Maura Yost, Town of Centerville, commented on certain items within the 2022 budget.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:44 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Shirley Fessler to the Aging & Disability Board. Supervisor Wagner moved, seconded by Supervisor Baumann to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Jeremy Hawig, Mike Plate, Rob Voss, and Russell Zipperer to the Expo-Ice Center Board. Supervisor Behnke moved, seconded by Supervisor Henrickson to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Judy Ruggirello to the Human Services Board. Supervisor Henrickson moved, seconded by Supervisor Williams to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Jamie Aulik, Alternate) Robert Hennings Jr, Jessica Backus, Stephanie Lambert, Alternate) Jessica Wanserski, and Jerry Wendt to the Local Emergency Planning Committee. Supervisor Falkowski moved, seconded by Supervisor Hagen to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Todd Hoffman to the Veterans Service Commission. Supervisor Aulik moved, seconded by Supervisor Dyzak to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Executive Committee: Chairperson Brey gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Engelbrecht to enact Ordinance 2021/2022-40 Amending Manitowoc County Code Section 1.03(4) (County Supervisor Districts). Upon vote, the motion carried with 21 ayes and 2 noes. Supervisor Martell and Muench voted no.

No. 2021/2022 - 40

ORDINANCE AMENDING MANITOWOC COUNTY CODE SECTION 1.03(4)
(County Supervisor Districts)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board adopted a final supervisory district plan by
2 Resolution No. 2021/2022-39 dated October 25, 2021; and
3

4 WHEREAS, the supervisory districts established in the final supervisory district plan need
5 to be incorporated into the Manitowoc County Code;
6

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

10 Section 1.03(4) of the Manitowoc County Code is hereby repealed in its entirety and
11 recreated to read as follows:
12

- (4) The following districts were established by Resolution No. 2021/2022-39, Resolution Adopting Final Manitowoc County Supervisory District Plan, dated October 25, 2021, and are effective for those elections for which nomination papers may be taken out on or after December 1, 2021:

	Municipality	Ward	Population
District No. 1:	City of Manitowoc	1	1,716
	<u>City of Manitowoc</u>	<u>2</u>	<u>1,738</u>
	Total		3,454
District No. 2:	City of Manitowoc	3	1,460
	<u>City of Manitowoc</u>	<u>4</u>	<u>1,990</u>
	Total		3,450
District No. 3:	City of Manitowoc	5	1,904
	<u>City of Manitowoc</u>	<u>6</u>	<u>1,554</u>
	Total		3,458
District No. 4:	City of Manitowoc	7	1,510
	<u>City of Manitowoc</u>	<u>8</u>	<u>1,955</u>
	Total		3,465
District No. 5:	City of Manitowoc	9	1,698
	<u>City of Manitowoc</u>	<u>10</u>	<u>1,778</u>
	Total		3,476
District No. 6:	City of Manitowoc	11	1,990
	<u>City of Manitowoc</u>	<u>12</u>	<u>1,473</u>
	Total		3,463
District No. 7:	City of Manitowoc	13	1,731
	<u>City of Manitowoc</u>	<u>14</u>	<u>1,735</u>
	Total		3,466
District No. 8:	City of Manitowoc	15	1,983
	<u>City of Manitowoc</u>	<u>16</u>	<u>1,478</u>
	Total		3,461
District No. 9:	City of Manitowoc	17	1,507
	<u>City of Manitowoc</u>	<u>18</u>	<u>1,965</u>
	Total		3,472
District No. 10:	City of Manitowoc	19	1,459
	<u>City of Manitowoc</u>	<u>20</u>	<u>2,002</u>
	Total		3,461

60	District No. 11:	Town of Liberty	2	615
61		Town of Manitowoc	1	730
62		Town of Newton	2	921
63		Town of Newton	3	859
64		Total		3,125
65				
66	District No. 12:	Town of Centerville		631
67		Town of Meeme	2	561
68		Town of Newton	1	342
69		Village of Cleveland	1	987
70		Village of Cleveland	2	592
71		Total		3,113
72				
73	District No. 13:	City of Kiel	6	350
74		Town of Meeme	1	879
75		Town of Schleswig	1	940
76		Town of Schleswig	2	969
77		Total		3,138
78				
79	District No. 14:	City of Kiel	1	667
80		City of Kiel	2	637
81		City of Kiel	3	627
82		City of Kiel	4	691
83		City of Kiel	5	616
84		Total		3,238
85				
86	District No. 15:	Town of Eaton		814
87		Town of Liberty	1	630
88		Village of St. Nazianz		714
89		Village of Valders		952
90		Total		3,110
91				
92	District No. 16:	Town of Franklin	1	600
93		Town of Franklin	2	511
94		Town of Maple Grove		773
95		Village of Reedsville	1	693
96		Village of Reedsville	2	502
97		Total		3,079
98				
99	District No. 17:	Town of Kossuth	1	679
100		Town of Kossuth	2	694
101		Town of Kossuth	3	596
102		Town of Manitowoc Rapids	1	134
103		Village of Francis Creek		659
104		Village of Kellnersville		307
105		Total		3,069
106				

107	District No. 18:	Town of Cato	1	585
108		Town of Cato	2	769
109		Town of Rockland	1	453
110		Town of Rockland	2	542
111		<u>Village of Whitelaw</u>		<u>737</u>
112		Total		3,086
113				
114	District No. 19:	Town of Cooperstown	1	725
115		Town of Cooperstown	2	575
116		Town of Franklin	3	139
117		Town of Gibson	1	625
118		Town of Gibson	2	690
119		<u>Village of Maribel</u>		<u>336</u>
120		Total		3,090
121				
122	District No. 20:	Town of Mishicot	1	826
123		Town of Mishicot	2	501
124		Town of Two Creeks		390
125		Village of Mishicot	1	795
126		<u>Village of Mishicot</u>	<u>2</u>	<u>637</u>
127		Total		3,149
128				
129	District No. 21:	Town of Cato	3	267
130		Town of Manitowoc	2	346
131		Town of Manitowoc Rapids	2	660
132		Town of Manitowoc Rapids	3	753
133		Town of Manitowoc Rapids	4	567
134		<u>Town of Two Rivers</u>	<u>1</u>	<u>511</u>
135		Total		3,104
136				
137	District No. 22:	Town of Two Rivers	2	708
138		Town of Two Rivers	3	453
139		City of Two Rivers	1	845
140		<u>City of Two Rivers</u>	<u>2</u>	<u>1,057</u>
141		Total		3,063
142				
143	District No. 23:	City of Two Rivers	3	1,529
144		<u>City of Two Rivers</u>	<u>4</u>	<u>1,590</u>
145		Total		3,119
146				
147	District No. 24:	City of Two Rivers	5	1,581
148		<u>City of Two Rivers</u>	<u>6</u>	<u>1,579</u>
149		Total		3,160
150				
151	District No. 25:	City of Two Rivers	7	1,568
152		<u>City of Two Rivers</u>	<u>8</u>	<u>1,522</u>
153		Total		3,090

154
155 and
156
157 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 2nd day of November 2021.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Finance Committee: Supervisor Hansen gave a brief report.
Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-41
Adopting 2022 Budget and Property Levy. Discussion followed.

Amendment: Supervisor Behnke moved, seconded by Supervisor Hagen to cap the maximum amount of vacation an employee could receive at 27 days by amending the following items: on line 61 strike “, and (3) increase the maximum vacation for current employees”; on line 169 strike “224” and replace with “216”; on line 169 strike “210” and replace with “202.50”; strike all of line 170; on line 174 insert “Any employee who currently receive more vacation than provided in the schedule above shall continue to maintain the amount of vacation he or she currently receives.” Upon discussion and vote, the motion carried 20 ayes and 3 noes. Supervisors Baumann, Metzger, and Shimulunas voted no.

Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-41 Adopting 2022 Budget and Property Levy as Amended. Upon vote, the motion carried unanimously.

No. 2021/2022 - 41

RESOLUTION ADOPTING 2022 BUDGET AND PROPERTY LEVY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive’s proposed 2022 annual budget has
2 been made available to each county supervisor and to the general public; and
3

4 WHEREAS, the proposed 2022 annual budget was presented to the Manitowoc County
5 Board of Supervisors at its meeting on October 12, 2021; and
6

7 WHEREAS, formal publication of a budget summary and announcement of a public hearing
8 was made in accordance with Wis. Stat. § 65.90 and Wis. Stat. ch. 985 in the Manitowoc Herald
9 Times Reporter on October 4, 2021; and
10

11 WHEREAS, a public hearing on the proposed 2022 annual budget was held for the purpose
12 of obtaining public input and the proposed 2022 annual budget was reviewed by the Manitowoc
13 County Board of Supervisors at its annual meeting on October 25, 2021; and
14

15 WHEREAS, Manitowoc County is to receive a total of \$15,341,133 in American Rescue
16 Plan Act Funds (“ARPA”); and
17

18 WHEREAS, ARPA funds are included in the 2022 budget and are appropriated for
19 expenditure by the County Executive; and
20

21 WHEREAS, the proposed 2022 annual budget includes performance-based increases for the
22 Manitowoc County pay plan pursuant to Manitowoc County Code §§ 5.02(3)(c) and(d); and
23

24 WHEREAS, Manitowoc County Code § 5.02(4) allows the wage schedule to be adjusted
25 each year by action of the county board so that it remains competitive with the market; and
26

27 WHEREAS, the Wisconsin Department of Revenue has calculated the applicable increase
28 in the consumer price index as of January 1, 2022 to be 2.30%; and
29

30 WHEREAS, a 2.0% increase in the wage schedule will assist in maintaining a competitive
31 wage schedule; and
32

33 WHEREAS, employees below midpoint who meet or exceed job requirements (*i.e.* receive
34 a cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step increase;
35 and
36

37 WHEREAS, employees at or above midpoint who exceed job requirements (*i.e.* receive a
38 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%
39 increase; and
40

41 WHEREAS, employees at or above midpoint whose performance exceeds the proficient
42 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee evaluation)
43 will receive a 2.0% increase; and
44

45 WHEREAS, increasing the maximum of each wage band by 10.0% will allow continued
46 salary progression for employees reaching the current maximum of the wage band; and
47

48 WHEREAS, the County pays a working condition premium to certain employees who are
49 subject to unavoidable risks and hazards; and
50

51 WHEREAS, the working condition premium has not been increased since 2013; and
52

53 WHEREAS, increasing the working condition premium by 10% will bring that benefit up to
54 date after not being adjusted since 2013; and
55

WHEREAS, currently there are separate vacation schedules for non-exempt and exempt employees; and

WHEREAS, modifying the vacation schedule for non-represented employees will: (1) consolidate the current three schedules into one schedule, (2) increase vacation availability for new employees, ~~and (3) increase the maximum vacation for current employees~~; and

WHEREAS, modifying Section 12 of the Employee Policy Manual to update the vacation schedules and convert the current listing of accruals from days to hours will more accurately reflect sick, vacation, and holiday schedules; and

WHEREAS, Manitowoc County offers Sheriff's Office and Joint Dispatch Center employees who are designated as field training officers ("FTOs") earn either a \$1.50 per hour premium when acting as a FTO or one hour of adjustment time; and

WHEREAS, a \$1.50 per hour premium and one hour of adjustment are not substantially of equal value for individuals acting as FTOs; and

WHEREAS, modifying the policy for premium pay for field training officers to offer either one hour of pay or one hour off for every eight hours worked as a FTO will provide employees the flexibility of choosing the benefit of equal value that is most advantageous to him or her; and

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

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors hereby adopts a Governmental Funds Budget and a service delivery Proprietary Fund Budget for the calendar year beginning January 1, 2022 as indicated in the attached 2022 annual budget for Manitowoc County and any attachments or addenda thereto; and

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

State Special Charges - Charitable & Penal	\$	0.00
County Aid Bridges (Wis. Stat. § 82.08)	\$	338,983.00
Illegal Real Estate Taxes Charged Back (Prior Year)	\$	1,257.52
<u>All Other County Taxes</u>	<u>\$</u>	<u>30,803,732.89</u>
Gross County Tax Levy	\$	31,143,973.41

and

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

BE IT FURTHER RESOLVED that Manitowoc County Officials are hereby directed to reapportion the illegal real estate taxes charged back in the amount of \$1,257.52; and

BE IT FURTHER RESOLVED that the 2022 annual budget in detail hereto attached shall be made a part of the Tax Levy; and

BE IT FURTHER RESOLVED that Manitowoc County is to receive \$15,341,133 in ARPA funds, which shall be included with the 2022 budget and appropriated for expenditures approved by the County Executive; and

BE IT FURTHER RESOLVED that the wage schedule is increased by 2.0% as of December 26, 2021 and all regular non-represented employees will receive a 2.0% increase as of December 26, 2021; and

BE IT FURTHER RESOLVED that the working condition premium schedule is increased by 10% as of December 26, 2021 and all employees receiving a working condition premium will receive a 10% increase in working condition premium pay as of December 26, 2021; and

BE IT FURTHER RESOLVED that the maximum of each wage band will be increased by 10% as of December 26, 2021; and

BE IT FURTHER RESOLVED that the performance-based increases included in the 2021 annual budget will be granted pursuant to Manitowoc County Code §§ 5.02(3)(c) and (d) as follows:

- (1) Employees below midpoint who meet or exceed job requirements (*i.e.* receive a cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step increase; and
- (2) Employees at or above midpoint who exceed job requirements (*i.e.* receive a cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0% increase; and
- (3) Employees at or above midpoint whose performance exceeds the proficient performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee evaluation) will receive a 2.0% increase; and

BE IT FURTHER RESOLVED that Section 12.02 of the Employee Policy Manual is amended to read as follows:

12.02 Holiday, Vacation, and Sick Time Schedules~~Conversion of Paid Time Off~~

Holiday, vacation, and sick time is provided on an hourly basis according to the following schedule unless otherwise provided by resolution of the Manitowoc County Board of Supervisors. The schedules are based on full-time employee status. Holiday, vacation, and sick time for part-time employees is pro-rated according to the percentage of full-time authorized. Elected Officials are not provided with holiday, vacation, and sick time.~~Paid time off is awarded on a "per day" basis and is converted to hours based on the number of~~

hours normally scheduled per day. Employees moving to a position with a different number of normally scheduled daily hours will maintain the same number of days of paid time off, but the hours will be converted to reflect the change in the normally scheduled day.

<u>Award Date</u>	<u>Positions Required to be Staffed at All Times & Positions with 2080 Budgeted Hours</u>	<u>All Others</u>
<u>HOLIDAY</u>		
<u>Annually on January 1</u>	<u>80</u>	<u>75</u>
<u>VACATION</u>		
<u>6 months</u>	<u>40</u>	<u>37.50</u>
<u>1</u>	<u>80</u>	<u>75</u>
<u>2</u>	<u>120</u>	<u>112.50</u>
<u>8</u>	<u>144</u>	<u>135</u>
<u>12</u>	<u>152</u>	<u>142.50</u>
<u>13</u>	<u>160</u>	<u>150</u>
<u>14</u>	<u>168</u>	<u>157.50</u>
<u>15</u>	<u>176</u>	<u>165</u>
<u>16</u>	<u>184</u>	<u>172.50</u>
<u>17</u>	<u>192</u>	<u>180</u>
<u>18</u>	<u>208</u>	<u>195</u>
<u>19</u>	<u>216224</u>	<u>202.5210</u>
<u>20</u>	<u>240</u>	<u>225</u>
<u>SICK LEAVE</u>		
<u>Annually on January 1</u>	<u>80</u>	<u>75</u>

Any employee who currently receives more vacation than provided in the schedule above shall continue to maintain the amount of vacation he or she currently receives.

and

BE IT FURTHER RESOLVED that Section 12.04 of the Employee Policy Manual is amended to read as follows:

12.04 Holidays

- ~~(1) Full-time employees are granted ten paid holidays.~~
- ~~(2) Holidays for part-time hourly employees are pro-rated based on the percentage of full-time paid.~~
- (13) Holidays for part-time salaried employees are granted so that there is no reduction in salary in the weeks in which holidays occur.
- (24) For employees other than those in positions required to be staffed at all times, holidays are designated as follows: New Year's Day, Spring Holiday, Memorial

Day, July 4, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, Christmas Day and New Year's Eve.

- (35) When a designated holiday falls on a Saturday employees will be granted the holiday time off on the preceding Friday. When a designated holiday falls on a Sunday employees will be granted holiday time off on the following Monday.
- (46) When Christmas Day falls on a Saturday, employees will be granted the following Monday as holiday time off. When Christmas Eve and Christmas Day fall on Saturday and Sunday respectively employees will be granted the following Monday and Tuesday as holiday time off. When Christmas Eve and Christmas Day fall on a Sunday and Monday respectively employees will be granted the following Monday and Tuesday as holiday time off.
- (57) When New Year's Day falls on a Saturday, employees will be granted the following Monday as holiday time off. When New Year's Eve and New Year's Day fall on a Saturday and Sunday respectively employees will be granted the following Monday and Tuesday as holiday time off. When New Year's Eve and New Year's Day fall on a Sunday and Monday respectively employees will be granted the following Monday and Tuesday as holiday time off.
- (68) Positions required to be staffed at all times do not have designated holidays. Employees may schedule holiday time off at any time, subject to their supervisor's approval.
- (79) Employees occupying positions that are required to be staffed at all times and were unable to use holiday time off during a calendar year may request an extension of time to utilize the holiday time off from the Department Director. The Department Director may grant the extension only if the employee can demonstrate both that they requested holiday time off and that the request was denied due to staffing demands. Extensions cannot exceed 6 months.
- (810) Employees who occupy positions required to be staffed at all times who separate from employment shall be required to repay holidays taken in excess of the number of designated holidays that have occurred at the time of separation. For example, an employee who uses 8 holidays by August 1st shall be required to repay 4 holidays because only 4 designated holidays had occurred as of August 1 (New Year's Day, Spring Holiday, Memorial Day and July 4th).
- (944) To be eligible for holiday pay the employee must have worked the scheduled hours of work on the last workday prior to the holiday and the scheduled hours of work of the workday following the holiday, except:
- (a) When an employee's absence has been prior approved by the employee's supervisor.

(b) Because of illness. The employee may be asked to present a physician's certificate to verify the necessity to be absent from work. Any expense required to obtain a physician's statement shall be paid by Manitowoc County.

(1042) Employees with alternative religious preferences may take off their religious holidays, but will be required to substitute available paid leave for which they are eligible.

(1143) Salaried employees scheduled to work on the actual calendar date of a holiday will be paid a \$100 premium for each actual holiday worked.

and

BE IT FURTHER RESOLVED that Section 12.09 of the Employee Policy Manual is amended to read as follows:

12.09 Sick Leave

(1) A probationary employee hired prior to January 1, 2013 will earn sick leave up until December 31, 2012, and the accumulated sick leave will be credited to the employee's accumulated sick leave bank upon completion of his or her probationary period.

~~(2) Each full time employee will be credited with 5 days of annual sick leave on the first day of each year beginning on January 1, 2013. Each part time employee will be credited with a prorated number of annual sick leave days.~~

(23) An employee hired after January 1, 2013 will be credited with a prorated amount of annual sick leave based on his or her date of hire.

(34) A probationary employee may use annual sick leave after he or she has been employed for at least 90 days.

(45) An employee who transfers from one department to another will retain his or her accumulated sick leave and annual sick leave balances.

(56) Accumulated sick leave earned prior to January 1, 2013 must be exhausted before using any annual sick leave credited on or after January 1, 2013.

(67) Annual sick leave that is not used during the calendar year in which it is credited to an employee will be transferred to a family medical leave bank for the employee. An employee's family medical leave bank is capped at 25 days 200 hours for positions required to be staffed at all times and positions with 2080 budgeted hours and 187.50 hours for all other positions.

(78) Annual sick leave and banked family medical leave are not subject to any payout.

(89) An employee may use banked family medical leave for absences for which the employee is eligible for leave under the Federal and Wisconsin Family and Medical Leave Acts.

BE IT FURTHER RESOLVED that the Table of Contents for Section 12 shall be updated in accordance with the amendments contained herein; and

BE IT FURTHER RESOLVED that Section 18.06 of the Employee Policy Manual is amended to read as follows, effective November 28, 2021:

18.06 Field Training Premium

Sheriff's Department and Joint Dispatch Center employees who are designated as field training officers ~~shall be paid \$1.50 per hour premium during the hours that they are assigned to and acting as a field training officer. Employees may elect to receive one hour of pay or one hour of adjustment time for every 8 hours worked as a field training officer in lieu of the \$1.50 per hour premium.~~

and

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

BE IT FURTHER RESOLVED that Section 12.15 of the Employee Policy Manual is amended to read as follows:

12.15 Vacation

All regular employees of Manitowoc County earn vacation hours as defined below.
Elected officials do not accumulate vacation.

VACATION SCHEDULE FOR NON-EXEMPT EMPLOYEES	
Years of Service	Number of Vacation Days
1	5
2	10
7	15
9	16
10	17
11	18
12	19
13	20
14	21
15	22
16	23
17	24
18	25
19	25 1/2
20	26
21	26 1/2
22	27

CORRECTIONS OFFICERS, COOKS, EMPLOYEES WITH POWER OF ARREST, AND JOINT DISPATCH CENTER EMPLOYEES	
Years of Service	Number of Vacation Days
1	6
2	12
8	18
15	21
16	22
17	24
18	26
19	28
20	30

EXEMPT EMPLOYEE VACATION SCHEDULE	
Years of Service	Number of Vacation Days
6 months	5
1	10
2	15
9	16
10	17
11	18
12	19
13	20
14	21
15	22
16	23
17	24
18	25
19	25 1/2
20	26
21	26 1/2
22	27

- (1) Vacation will not accrue in any month in which an employee is unpaid.
- (2) Vacation shall become available as of the anniversary date of the employee. Employees shall schedule their vacation time with the consent of their department director or designee. Department directors shall schedule their vacation time subject to the approval of the County Executive.
- (3) Vacation should be used prior to the employee's next anniversary date. Vacation which is not used by that time will be forfeited unless an extension is obtained. The employee is responsible for submitting the vacation extension request prior to their anniversary date or end of an extension period that has been granted. The deadline for requesting an extension is the anniversary date or the end of any extension period that has been granted. The affected employee is responsible for submitting an extension request to his or her department director in advance. As of January 1, 2023, vacation extensions are limited to 50 hours.

Department directors may extend an employee's vacation up to 13590 days and the Personnel Department may extend vacation by an additional 45 days. The County Executive may grant any extension beyond 135 days up to a maximum of 180 days. ~~Department directors shall submit an employee status form to the Personnel Department for each vacation extension they wish to grant or recommend for approval.~~

400 An employee who forfeits vacation because he or she fails to request an extension
401 prior to a deadline may appeal the loss to the County Executive. The County
402 Executive must receive the appeal within 14 calendar days after the loss occurs.
403 The County Executive shall evaluate each appeal on a case-by-case basis and may
404 reinstate some or all of an employee's forfeited vacation if the loss occurs because
405 of unusual or unavoidable circumstances.

406
407 ~~The employee must provide a copy of the appeal to the Personnel Department at~~
408 ~~the same time that it is submitted to the County Executive. The Personnel~~
409 ~~Department will provide the Personnel Committee with a report on the disposition~~
410 ~~of each vacation reinstatement appeal.~~

411
412 (4) If a designated holiday falls within a week taken as vacation, the employee shall
413 receive holiday pay for the designated holiday. Employees on an unpaid suspension
414 may not use vacation. No sick leave shall be granted while an employee is on
415 vacation.

416
417 (5) Employees who terminate or retire from employment shall be paid out on their last
418 paycheck any earned but unused vacation. Accumulated vacation time shall not be
419 used to extend the last day worked.

420
421 and

422
423 BE IT FURTHER RESOLVED that the Finance Director is authorized to make any
424 technical corrections to the budget that are necessary.

Dated this 2nd day of November 2021.

Respectfully submitted by the Finance Committee.

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

Tax Levy of \$31,143,973.41

Composite Tax Rate of \$4.998891 per \$1,000 of equalized value.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

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

Supervisor Dyzak moved, seconded by Supervisor Zimmer to adopt Resolution 2021/2022-42
Adopting Report and Denying Zoning Amendment Petition (Michael Chalupny). Upon vote, the
motion carried unanimously.

**RESOLUTION ADOPTING REPORT AND DENYING ZONING
AMENDMENT PETITION**
(Michael Chalupny)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a petition was submitted by Michael Chalupny on September 21, 2021 to
2 rezone an approximately 10.0 acre parcel of land located in the NW1/4, NE1/4, Section 13, T21N-
3 R23E, Town of Gibson, from Exclusive Agriculture (EA) District to General Agriculture (GA)
4 District; and
5

6 WHEREAS, the petition was referred to the Planning and Park Commission for a
7 recommendation and report; and
8

9 WHEREAS, the Planning and Park Commission, after providing the required notice, held
10 a public hearing on October 25, 2021; and
11

12 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
13 and an examination of the facts, has recommended the petition be denied for the reasons stated in
14 the attached report;
15

16 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
17 county of Manitowoc adopts the report of the Planning and Park Commission and denies the
18 petition for zoning map amendment submitted by Michael Chalupny.

Dated this 2nd day of November 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Dyzak moved, seconded by Supervisor Neils to enact Ordinance 2021/2022-43
Amending Zoning Map (Daniel Kleinhans). Upon vote, the motion carried unanimously.

ORDINANCE AMENDING ZONING MAP
(Daniel Kleinhans)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on October 25, 2021; and
3

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

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

11 A tract of land located in the East Half of the Northwest Quarter (E1/2 of the NW1/4) and
12 the West Half of the Northeast Quarter (W1/2 of the NE1/4) of Section Eight (8), Township
13 Seventeen (17) North, Range Twenty-Two (22) East, Town of Meeme, Manitowoc County,
14 Wisconsin, and further described as follows:
15

16 Commencing at the North ¼ corner of said Section 8; thence S10°-52'-00"E 739.69
17 feet along the tangent centerline of Spring Lake Road; thence S06°-06'-00"W
18 606.47 feet along said tangent centerline of Spring Lake Road and the point of real
19 beginning; thence continue S06°-06'-00"W 255.12 feet along said tangent
20 centerline of Spring Lake Road; thence S14°-22'-20"E 237.75 feet along said
21 tangent centerline of Spring Lake Road; thence S30°-38'-40"E 369.41 feet along
22 said tangent centerline of Spring Lake Road; thence S75°-00'-00"W 183.17 feet;
23 thence S57°-00'-00"W 83.17 feet; thence N47°-31'-11"W 781.36 feet; thence N01°-
24 23'-40"W 377.00 feet; thence S89°-03'-30"E 612.00 feet to the point of real
25 beginning, said parcel containing approximately 435,633 square feet (10.000 acres)
26 of land and is hereby rezoned from Natural Area (NA) District to General
27 Agriculture (GA) District.

Dated this 2nd day of November 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Muench moved to adjourn, seconded by Supervisor Neils, and the motion was adopted by acclamation. The meeting adjourned at 7:16 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=dFJOyWkoLJM>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, December 21, 2021

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 21st day of December, 2021, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Aulik, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Gerroll, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Neils, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams, and Zimmer. Supervisors Baumann, Hagen, and Muench were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Aulik, the November 2, 2021 meeting minutes were approved on a unanimous vote.

The County Clerk announced a change to the agenda: Under XII. Committee Reports, including Petitions, Resolutions, and Ordinances, N. Executive Committee, 9. Resolution 2021/2022-52 the wording Ortho-McNeil-Janssen Pharmaceuticals, Inc. was added to the title. Supervisor Maresh moved, seconded by Supervisor Sitkiewitz to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation of January as Mentoring Month for Big Brothers Big Sisters. Becky Wilhelm thanked the County Board for the proclamation and the support.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:40 p.m.

Kristin Demy, City of Manitowoc, spoke against the need to discuss critical race theory in Manitowoc County.

Maura Yost, Town of Centerville, advocated for half cent sales tax.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:47 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointments of PJ Albert, Stephanie Binversie, and Kris Kohlmann to the Expo-Ice Center Board for a three year term expiring December 31, 2024. Supervisor Behnke moved, seconded by Supervisor Sitkiewitz to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Paul Granger to the Joint Dispatch Board for a two year term expiring in January 2024. Supervisor Aulik moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Patrick Neuenfeldt, Markus Ladd, and Megan Marchant to the Manitowoc-Calumet Library System Board of Trustees for a three year term expiring in January 2025; and Deborah Brotcke to fulfill a current term expiring January 2023. Supervisor Metzger moved, seconded by Supervisor Martell to approve the appointments. Upon voice vote, the motion carried with 21 ayes and 1 no. Supervisor Zimmer voted no.

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

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

Supervisor Wagner moved, seconded by Supervisor Engelbrecht to adopt Resolution 2021/2022-45 Amending 2021 Budget. Upon vote, the motion carried unanimously.

No. 2021/2022 - 45

RESOLUTION AMENDING 2021 BUDGET

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Greater Wisconsin Agency on Aging Resources, Inc., the Department of Health Services, and the Wisconsin Institute for Healthy Aging have changed their formulas to allocate Older Americans Act grant funds, COVID Vaccine Outreach funding, and state funds to the Aging and Disability Resource Center (ADRC); and

WHEREAS, after careful consideration and review, the ADRC Board recommends that Manitowoc County amend the 2021 budget to reflect the following changes in revenue and expenditures for the Title III programs, the COVID Vaccine Outreach grant, the Nutrition Services Incentive Program (NSIP), the Alzheimer's Family Caregiver Support Program (AFCSP), and ADRC programs to reflect the following changes:

<u>Revenue or Expense</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
Revenue	46325.43566.05	IIIB Information & Assistance	\$295
Expenses	46325.53005	Operating Supplies	(\$295)

17				
18	Revenue	46100.43566.01	C1 Congregate Meals	\$129,991
19	Expenses	46100.52940	Contracted Food	(\$129,991)
20				
21	Revenue	46250.43566.16	Emrg Food & Shelter IIIC2	(\$10,055)
22	Expenses	46250.52940	Contracted Food	\$10,055
23				
24	Revenue	46250.43566.03	IIIC2 Home Delivered Meals	(\$142,376)
25	Expenses	46250.52940	Contracted Food	\$142,376
26				
27	Revenue	46250.43566.04	NSIP IIIC2	(\$1,222)
28	Expenses	46250.52940	Contracted Food	\$1,222
29				
30	Revenue	46430.43566.14	IIIE Family Caregiver	\$811
31	Expenses	46430.52999	Contracted Services	(\$811)
32				
33	Revenue	46400.43566.18	Aging & Disb Resource	\$3,750
34	Expenses	46400.53033	Training/Conf Fee's	(\$2,000)
35	Expenses	46400.53038	Mileage Reimb	(\$1,750)
36				
37	Revenue	46400.43520.35	ADRC Vaccine Grant	(\$20,887)
38	Expenses	46400.53023	Marketing	\$20,887
39				
40	Revenue	46425.43566.08	Alzheimer Care Support	(\$1,724)
41	Expenses	46425.52338	Respite Services	\$1,724

42
43 NOW, THEREFORE, BE IT RESOLVED by the county board of supervisors of the county
44 of Manitowoc that the 2021 Budget is amended by the amounts stated above; and

45
46 BE IT FURTHER RESOLVED, that any funds remaining at the end of 2021 be carried
47 over to 2022 and applied accordingly; and

48
49 BE IT FURTHER RESOLVED, that the Finance Director is directed to record such
50 information in the official books of the County for the year ending December 31, 2021 as may be
51 required.

Dated this 21st day of December 2021.

Respectfully submitted by the Aging and Disability Resources Center Board.

FISCAL IMPACT: No levy impact. Increases budgeted revenue and expenses by \$41,417.

APPROVED: Bob Ziegelbauer, County Executive.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-46 Denying Claim (Nicholas Barylski). Upon vote, the motion carried unanimously.

No. 2021/2022 - 46

RESOLUTION DENYING CLAIM
(Nicholas Barylski)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Nicholas Barylski filed a claim with Manitowoc County on October 19, 2021
2 seeking reimbursement for a chipped and cracked windshield purportedly caused by rock being
3 discharged from a county dump truck on Interstate 43; and
4

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

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

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

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

Dated this 21st day of December 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Williams to adopt Resolution 2021/2022-47 Denying Claim (Susan Schlosser). Upon vote, the motion carried unanimously.

No. 2021/2022 - 47

RESOLUTION DENYING CLAIM
(Susan Schlosser)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Susan Schlosser filed a claim with Manitowoc County on August 31, 2021
2 seeking reimbursement for a chipped tooth purportedly caused by tripping and falling in the
3 courthouse; and

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

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

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

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

Dated this 21st day of December 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Hansen moved, seconded by Supervisor Aulik to adopt Resolution 2021/2022-48
Adopting Procurement Policy for Expenditure of Federal Funds. Upon vote, the motion carried
unanimously.

No. 2021/2022 - 48

**RESOLUTION ADOPTING PROCUREMENT POLICY FOR
EXPENDITURE OF FEDERAL FUNDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, on March 11, 2021, President Joseph R. Biden signed into law the American
2 Rescue Plan Act of 2021 (the "ARPA"); and

3
4 WHEREAS, on May 10, 2021, the United States Department of the Treasury published
5 guidance regarding the allowable usage of the Coronavirus State and Local Fiscal Recovery Funds
6 to be disseminated to local governments in accordance with the ARPA; and

7
8 WHEREAS, MANITOWOC COUNTY is allocated that certain amount of Local Fiscal
9 Recovery (“LFR”) Funds as published by the United States Department of the Treasury; and

10
11 WHEREAS, one of the requirements for expending LFR Funds is having a procurement
12 policy in compliance with federal regulations; and

13
14 WHEREAS, a copy of the proposed Procurement Policy for Expenditure of Federal Funds
15 is attached to this Resolution and incorporated as if fully set forth herein; and

16
17 WHEREAS, after careful consideration and review, the Finance Committee recommends
18 adoption of the following Procurement Policy for Expenditure of Federal Funds;

19
20 NOW THEREFORE BE IT RESOLVED that the county board of supervisors of the county
21 of Manitowoc adopts the following Procurement Policy for Expenditure of Federal Funds:

22
23 **PROCUREMENT POLICY FOR**
24 **EXPENDITURE OF FEDERAL FUNDS**
25 **MANITOWOC COUNTY, WISCONSIN**

26
27 **PURPOSE**

28
29 The purpose of this Policy is to establish guidelines that meet or exceed the procurement
30 requirements for purchases of goods, services, and construction or repair projects when federal
31 funds are being used in whole or in part to pay for the cost of the contract.

32
33 **GENERAL PROCUREMENT STANDARDS**
34 *[\$ 200.318]*

35
36 **A. Responsibility and Oversight** *[\$ 200.318(b)]*. Manitowoc County staff is responsible for
37 developing all contracts in accordance with the policy, applicable state statutes, and in
38 conformance with applicable Federal Law and Uniform Guidance Standards, to ensure a full
39 awareness and understanding by affected employees. The department head in charge of any
40 approved contract will oversee that contractors perform in accordance with the terms, conditions,
41 and specifications of their contracts and purchase orders.

42
43 **B. Conflicts of Interest** *[\$ 200.318(c)(1)]*. No employee, officer, or agent of Manitowoc
44 County shall participate in the selection, award, or administration of a contract supported by a
45 federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest
46 would arise when the employee, officer, or agent, any member of his or her immediate family, his
47 or her partner, or an organization that employs or is about to employ any of the parties indicated
48 herein, has a financial or other interest in or a tangible personal benefit from a firm considered for
49 a contract. The officers, employees, and agents of Manitowoc County shall neither solicit nor
50 accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts,
51 unless the financial interest is not substantial or the gift is an unsolicited item of nominal value.

Disciplinary actions shall be applied for violations of such standards by officers, employees, or agents of Manitowoc County.

C. Procurement Under Federal Awards [§ 200.318(d) through (k)]. Procurement of goods and services whose costs are charged to federal awards received by Manitowoc County shall be subject to the following policies:

1. Manitowoc County shall avoid acquisition of unnecessary or duplicative items. When feasible, consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. [§ 200.318(d)].

2. Where appropriate, Manitowoc County will make an analysis of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. [§ 200.318(d)].

3. Manitowoc County may consider entering into state and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services. [§ 200.318(e)].

4. Manitowoc County may use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs. [§ 200.318(f)].

5. Manitowoc County may use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reduction. [§ 200.318(g)].

6. Manitowoc County shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. [§ 200.318(h)].

7. Manitowoc County shall maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. [§ 200.318(i)].

8. Manitowoc County may use time and material type of contracts only after the department director determines that no other contract is suitable. Time and material contracts shall have a “not to exceed price” where the contractor exceeds at its own risk. Further, the department director shall assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls. [§ 200.318(j)(1) and (2)].

9. Manitowoc County shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. [§ 200.318(k)].

COMPETITION
[§ 200.319]

A. Full and Open Competition *[§ 200.319(a) and (b)]*. Manitowoc County shall conduct all procurement transactions in a manner providing full and open competition and which is consistent with the standards of 2 C.F.R. § 200.319 and 320. Situations considered to be restrictive of competition include, but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurements; and
7. Any arbitrary action in the procurement process.

B. Contractor’s Conflict of Interest *[§ 200.319(b)]*. Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements.

C. Geographic Preference *[§ 200.319(c)]*. When federal funds are involved, Manitowoc County prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. Notwithstanding the foregoing, when contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

D. Procurement Standards *[§ 200.319(d)]*. As applicable, all solicitation for projects using federal funds shall:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must

conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand that must be met by offers must be clearly stated; and

2. Identify all requirements that offerors must fulfill and all other factors to be used in evaluating bids or proposals.

E. Prequalification Lists [§ 200.319(e)]. All prequalified lists of persons, firms, or products used in acquiring goods and services shall be current and include enough qualified sources to ensure maximum open and free competition. Manitowoc County shall not preclude potential bidders from qualifying during the solicitation period.

F. Noncompetitive Procurements [§ 200.319(f)]. Manitowoc County shall only award noncompetitive procurements in accordance with 2 C.F.R. § 200.320 and the “Methods of Procurement” section of this policy.

METHODS OF PROCUREMENT [§ 200.320]

Manitowoc County shall use one of the following methods of procurement for the acquisition of property or services required under a federal award or sub-award.

A. Informal Procurement Methods [§ 200.320(a)].

1. Micro-purchases [§ 200.320(a)(1)]. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000 or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act. Procurement by micro-purchase shall meet the following guidelines:

i. Distribution [§ 200.320(a)(1)(i)]. To the extent practicable, Manitowoc County will distribute micro-purchases equitably among qualified suppliers.

ii. Micro-purchase Awards [§ 200.320(a)(1)(ii)]. Micro-purchases may be awarded without soliciting competitive quotations if Manitowoc County considers the price to be reasonable based on research, experience, purchase history, or other applicable information.

2. Small Purchases [§ 200.320(a)(2)]. Procurement by small purchase is the acquisition of supplies or services where the aggregate dollar amount is more than the micro-purchase threshold (*i.e.* \$10,000) but does not exceed \$250,000 or \$750,000 in the case of acquisitions used to facilitate defense against or recovery from cyber-attack. Procurement by small purchase shall meet the following guideline:

188 i. When using the small purchase method of procurement, Manitowoc County
189 shall obtain price or rate quotations from an adequate number of qualified sources.
190 [§ 200.320(a)(2)(i)].
191

192 **B. Formal Procurement Methods [§ 200.320(b)].** When the value of the procurement for
193 property or services under a federal financial assistance award exceeds the small purchase
194 threshold, Manitowoc County shall use one of the formal procurement methods below.
195

196 1. Sealed Bids [§ 200.320(b)(1)]. The sealed bid procurement method is one in which
197 bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to
198 the lowest responsible bidder whose bid conforms with all the material terms and conditions of the
199 invitation for bids. Generally, the sealed bid method is the preferred method for procuring
200 construction.
201

202 i. For sealed bidding to be feasible, the following conditions should be present
203 [§ 200.320(b)(1)(i)]:
204

205 (a) A complete, adequate, and realistic specification or purchase
206 description;
207

208 (b) Two or more responsible bidders that are willing and able to
209 compete effectively for the business; and
210

211 (c) The procurement lends itself to a firm fixed price contract and the
212 selection of the successful bidder can be made principally on the basis of price.
213

214 ii. If sealed bids are used, the following requirements shall apply
215 [§ 200.320(b)(1)(ii)]:
216

217 (a) Bids shall be solicited from an adequate number of qualified
218 sources, providing sufficient response time before the date set for opening the bids;
219

220 (b) The invitation for bids shall be publicly advertised;
221

222 (c) The invitation for bids, which shall include any specifications and
223 pertinent attachments, shall define the items or services for the bidder to properly respond;
224

225 (d) All bids shall be publicly opened at the time and place prescribed in
226 the invitation for bids;
227

228 (e) A firm fixed price contract award shall be made in writing to the
229 lowest responsive and responsible bidder. Where specified in bidding documents, factors such as
230 discounts, transportation cost, and life cycle costs shall be considered in determining which bid is
231 lowest. Payment discounts shall only be used to determine the low bid when prior experience
232 indicates that such discounts are usually taken advantage of; and
233

234 (f) Any or all bids may be rejected if there is a sound documented
235 reason.

236
237 2. Proposals [§ 200.320(b)(2)]. The proposal procurement method is one in which
238 either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used
239 when conditions are not appropriate for the use of sealed bids. If sealed bids are used, the following
240 requirements shall apply:

241
242 (i) Requests for proposals shall be publicized and identify all evaluation factors
243 and their relative importance [§ 200.320(b)(2)(i)];

244
245 (ii) Proposals shall be solicited from an adequate number of qualified sources
246 [§ 200.320(b)(2)(i)];

247
248 (iii) Any response to publicized requests for proposals shall be considered to the
249 maximum extent practical [§ 200.320(b)(2)(i)];

250
251 (iv) The department responsible for issuing the request for proposal shall have
252 a written method for conducting technical evaluations of the proposals received and for selecting
253 recipients [§ 200.320(b)(2)(ii)];

254
255 (v) Contracts shall be awarded to the responsible firm whose proposal is most
256 advantageous to Manitowoc County, with price and other factors considered
257 [§ 200.320(b)(2)(iii)]; and

258
259 (vi) Manitowoc County may use the competitive proposal procedure for
260 qualifications-based procurement of architectural/engineering (“A/E”) professional services,
261 whereby competitors’ qualifications are evaluated and the most qualified competitor is selected,
262 subject to negotiation of fair and reasonable compensation. This method, where price is not used
263 as a selection factor, can only be used in the procurement of A/E professional services. It cannot
264 be used to purchase other types of services though A/E firms that are a potential source to perform
265 the proposed project [§ 200.320(b)(2)(iv)].

266
267 **C. Noncompetitive Procurement.** [§ 200.320(c)]. Noncompetitive procurement shall be
268 used only if one or more of the following circumstances apply:

269
270 1. The item is available only from a single source;

271
272 2. Public exigency or emergency will not permit a delay resulting from competitive
273 solicitation;

274
275 3. The federal awarding agency or pass-through entity expressly authorizes
276 noncompetitive proposals in response to a written request from Manitowoc County; or

277
278 4. After solicitation of a number of sources, competition is determined inadequate.

280 **CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN’S BUSINESS ENTERPRISES,**
281 **AND LABOR SURPLUS AREA FIRMS**
282 *[\S 200.321]*
283

284 Manitowoc County shall take all necessary affirmative steps to assure that minority
285 businesses, women’s business enterprises, and labor surplus area firms are used when possible.
286 Affirmative steps shall include the following:
287

288 1. Placing qualified small and minority businesses and women’s business enterprises
289 on solicitation lists;
290

291 2. Assuring that small and minority businesses, and women’s business enterprises are
292 solicited whenever they are potential sources;
293

294 3. Dividing total requirements, when economically feasible, into smaller tasks or
295 quantities to permit maximum participation by small and minority businesses, and women’s
296 business enterprises;
297

298 4. Establishing delivery schedules, where the requirement permits, which encourage
299 participation by small and minority businesses, and women’s business enterprises;
300

301 5. Using the services and assistance, as appropriate, of such organizations as the Small
302 Business Administration and the Minority Business Development Agency of the Department of
303 Commerce; and
304

305 6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative
306 steps listed in paragraphs 1. through 5. of this section.
307

308 **DOMESTIC PREFERENCE**
309 *[\S 200.322]*
310

311 To the extent consistent with law, Manitowoc County shall, to the greatest extent
312 practicable under a federal award, provide a preference for the purchase, acquisition, or use of
313 goods, products, or materials produced in the United States (including but not limited to iron,
314 aluminum, steel, cement, and other manufactured products). The requirements of this section shall
315 be included in all contracts and purchase orders for work or products under a federal award.
316

317 **RECOVERED MATERIALS**
318 *[\S 200.323]*
319

320 Manitowoc County and its contractors shall comply with Section 6002 of the Solid Waste
321 Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of
322 Section 6002 include procuring only items designated in guidelines of the Environmental
323 Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered
324 materials practicable, consistent with maintaining a satisfactory level of competition, where the
325 purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the

preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. The decision not to procure such items shall be based on a determination that such procurement items: (a) are not reasonably available within a reasonable period of time; (b) fail to meet the performance standards set for the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or (c) are only available at an unreasonable price.

CONTRACT COST AND PRICE

[§ 200.324]

A. Cost Analysis *[§§ 200.324(a) and (c)]*. Manitowoc County shall perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold as defined in 2 C.F.R. § 200.1 and 48 C.F.R. Part 2, subpart 2.1 (“Simplified Acquisition Threshold”) including contract modifications. The method and degree of analysis shall be dependent on the facts surrounding the particular procurement situation, but as a starting point, Manitowoc County shall make independent estimates before receiving bids or proposals. Costs or prices based on estimated costs for contracts under the federal award shall be allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for Manitowoc County under 2 C.F.R. Part 200, subpart E (“Cost Principles”). Manitowoc County may reference its own cost principles that comply with the federal cost principles.

B. Profit *[§ 200.324(b)]*. Manitowoc County shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where a cost analysis is performed. To establish a fair and reasonable profit, consideration shall be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

C. Procurement by Cost Plus Percentage *[§ 200.324(d)]*. Manitowoc County shall not use either the “cost plus a percentage of cost” or the “percentage of construction cost” method of contracting.

AGENCY REVIEW

[§ 200.325]

A. Technical Specifications *[§ 200.325(a)]*. Manitowoc County shall make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition.

B. Pre-procurement Review *[§ 200.325(b)]*. Manitowoc County shall make available upon request for pre-procurement review by the federal awarding agency or pass-through entity procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

1. Manitowoc County's procurement procedures or operation fails to comply with the procurement standards in this part;

2. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

3. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

4. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

BONDING *[§ 200.326]*

For construction or facility improvement contracts that exceed the Simplified Acquisition Threshold, Manitowoc County shall require, at a minimum, the following:

1. A bid guarantee from each bidder equivalent to five percent of the bid price. The bid guarantee shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified *[§ 200.326(a)]*;

2. A performance bond from the contractor for 100 percent of the contract price. The "performance bond" shall be executed in connection with the contract to secure fulfillment of all the contractor's requirements under such contract *[§ 200.326(b)]*; and

3. A payment bond from the contractor for 100 percent of the contract price. The payment bond shall be executed in connection with the contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract *[§ 200.326(c)]*.

CONTRACT PROVISIONS *[§ 200.327]*

As applicable, contracts made by Manitowoc County, along with all related subcontracts, shall contain the following provisions:

A. Remedies *[§ 200 Appendix II (A)]*. All contracts in excess of the Simplified Acquisition Threshold shall contain contractual provisions or conditions that allow for administrative,

contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms, and provide for such sanctions and penalties as appropriate.

B. Termination [*§ 200 Appendix II (B)*]. All contracts in excess of \$10,000 shall contain suitable provisions for termination for cause and for convenience, including the manner by which termination shall be effected and the basis for settlement.

C. Equal Employment Opportunity [*§ 200 Appendix II (C)*]. All contracts that meet the definition of “federally assisted construction contract” in 41 C.F.R. Part 60-1.3 shall include the equal opportunity clause provided under 41 C.F.R. § 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. Part, 1964-1965 Comp., p. 339) as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and as implemented by regulations at 41 C.F.R. Part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

D. Davis-Bacon Act, as Amended (40 U.S.C. §§ 3141-3148) [*§ 200 Appendix II (D)*]. When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by Manitowoc County shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. §§ 3141–3144, and 3146–3148) as supplemented by Department of Labor regulations (29 C.F.R. Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. Additionally, contractors shall be required to pay wages not less than once a week. Manitowoc County shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract shall be conditioned upon the acceptance of the wage determination. Manitowoc County shall report all suspected or reported violations to the federal awarding agency. The contracts shall also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). Manitowoc County shall report all suspected or reported violations of the Copeland “Anti-Kickback” Act to the federal awarding agency.

E. Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 3701-3708) [*§ 200 Appendix II (E)*]. Where applicable, all contracts awarded by Manitowoc County in excess of \$100,000 that involve the employment of mechanics or laborers shall include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5). The requirements of 40 U.S.C. § 3704 shall be applicable to construction work and shall provide that no laborer or mechanic is required to work in surroundings or under working conditions that are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

F. Rights to Inventions Made Under a Contract or Agreement [*§ 200 Appendix II (F)*]. If the federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and

Manitowoc County wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment, or performance of experimental, developmental, or research work under that “funding agreement,” Manitowoc County shall comply with the requirements of 37 C.F.R. Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

G. Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act (33 U.S.C. §§ 1251 -1387), as Amended [§ 200 Appendix II (G)]. Contracts in excess of \$150,000 shall contain a provision that requires the contractor to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401–7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251–1387). Violations shall be reported to the federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

H. Debarment and Suspension (Executive Orders 12549 and 12689) [§ 200 Appendix II (H)]. Manitowoc County shall not make a contract award to any party listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. § 180 that implement Executive Orders 12549 (3 C.F.R. Part 1986 Comp., p. 189) and 12689 (3 C.F.R. Part 1989 Comp., p. 235), “Debarment and Suspension.”

I. Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352) [§ 200 Appendix II (I)]. Contractors that apply or bid for an award exceeding \$100,000 shall file the required Byrd Anti-Lobbying certification. Each tier shall certify to the tier above that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award.

I. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment [§ 200 Appendix II (K)]. Manitowoc County shall not procure or enter into a contract to procure equipment, services, or systems that use telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities) as a substantial or essential component of any system, or as critical technology as part of any system.. Further, Manitowoc County shall not procure or enter into a contract to procure video surveillance or telecommunications equipment and services produced or provided by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). Additionally, Manitowoc County shall not procure or enter into a contract to procure video surveillance equipment or telecommunications or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Dated this 21st day of December 2021.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.
Supervisor Behnke moved, seconded by Supervisor Maresh to adopt Resolution 2021/2022-49 Adopting Speed Zone on County Trunk Highway Z in the Village of Maribel. Upon vote, the motion carried unanimously.

No. 2021/2022 - 49

**RESOLUTION ADOPTING SPEED ZONE ON COUNTY TRUNK
HIGHWAY Z IN THE VILLAGE OF MARIBEL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 349.11 authorizes Manitowoc County to determine and declare a
2 reasonable and safe speed limit on all or part of a highway that is under its jurisdiction on the basis
3 of an engineering and traffic investigation and subject to certain limitations; and
4

5 WHEREAS, Manitowoc County Code § 15.03(1) authorizes the Highway Committee to
6 recommend speed limits to the County Board; and
7

8 WHEREAS, Manitowoc County Code § 15.03(2) authorizes the County Board to adopt
9 speed limits and speed zones by resolution, which become effective when appropriate signs giving
10 notice of the speed limit have been erected and are in place; and
11

12 WHEREAS, the Manitowoc County Traffic and Safety Commission conducted a traffic
13 investigation with respect to that portion of County Trunk Highway Z in the Village of Maribel
14 between Interstate 43 and Pleasant Road; and
15

16 WHEREAS, based on that investigation and after careful consideration and review, the
17 Highway Committee recommends that the current speed limit be reduced on County Trunk
18 Highway Z to 45 mph from Pleasant Road to Interstate 43;
19

20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc adopts a speed zoned of 45 miles per hour on County Trunk Highway Z
22 beginning at Interstate 43 and extending west to Pleasant Road; and
23

24 BE IT FURTHER RESOLVED that the Highway Department is directed to erect signs as
25 may be required and necessary to implement this resolution; and
26

27 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this
28 resolution to the Sheriff's Department.

Dated this 21st day of December 2021.

Respectfully submitted by the Highway Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Human Services Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Planning and Park Commission: Supervisor Falkowski gave a brief report.
Supervisor Falkowski moved, seconded by Supervisor Dyzak to enact Ordinance 2021/2022-50
Amending Zoning Map (Robert and Joanna Stephens Living Trust). Upon vote, the motion carried
unanimously.

No. 2021/2022 - 50

ORDINANCE AMENDING ZONING MAP
(Robert and Joanna Stephens Living Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on December 6, 2021; and
3

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

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

11 A parcel of land located in part of the SW 1/4 and NW 1/4 of the NE 1/4 of Section 25,
12 Town 19 North, Range 22 East, Town of Cato, Manitowoc County, Wisconsin, more particularly
13 described as follows:
14

15 Commencing at the N 1/4 Corner of said Section 25; Thence S 00°11'23" W, 946.10
16 feet coincident with the west line of said NE 1/4 to the point of beginning; Thence
17 continuing S 00°11'23" W, 890.80 feet to the centerline of Crooked Lane; Thence
18 S 87°53'38" E (recorded as N 91°25'30" E), 377.48 feet coincident with said

19 centerline; Thence N 00°02'59" E, 501.60 feet; Thence S 89°55'26" E, 358.44 feet;
20 Thence N 00°01'16" E, 388.80 feet; Thence N 88°50'55" W, 733.44 feet to the point
21 of beginning, said parcel containing approximately 476,807 Square Feet (10.946
22 Acres) of land and is hereby rezoned from Exclusive Agriculture (EA) District to
23 General Agriculture (GA) District.

Dated this 21st day of December 2021.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Nickels gave a brief report.

Supervisor Nickels moved, seconded by Supervisor Falkowski to adopt Resolution 2021/2022-44 Accepting Donation (Dive Team Trailer). Upon vote, the motion carried unanimously.

No. 2021/2022 - 44

RESOLUTION ACCEPTING DONATION
(Dive Team Trailer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Sheriff's Office Dive Team requires officers on the
2 team to respond to water rescue calls in various locations at all hours of the day and night; and
3

4 WHEREAS, officers on the Dive Team are equipped with and must transport a variety of
5 equipment required for water rescue; and
6

7 WHEREAS, the Sheriff's Office received a donation of a specially modified trailer valued
8 at \$13,461.68 from A. H. Stock Manufacturing Corporation of Newton, WI; and
9

10 WHEREAS, pursuant to Manitowoc County Code § 4.16 any donation with a value of
11 more than \$5,000.00 may only be accepted by resolution of the county board; and
12

13 WHEREAS, after careful consideration and review the Public Safety Committee
14 recommends that the county board accept the donation;
15

16 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
17 Supervisors accept the A. H. Stock donation of a specially modified trailer for the Dive Team
18 valued at \$13,461.68;

Dated this 21st day of December 2021.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Henrickson to enact Ordinance 2021/2022-51 Amending Manitowoc County Code §6.30 (Recording in County Owned Facilities). Upon vote, the motion carried unanimously.

No. 2021/2022 - 51

ORDINANCE CREATING MANITOWOC COUNTY CODE § 6.30
(Recording in County Owned Facilities)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes and respects an individual's First Amendment
2 free speech rights; and
3

4 WHEREAS, Manitowoc County encourages a productive workplace whereby disruptions to
5 the County's business of providing public services are avoided; unnecessary interruptions to the
6 performance of the duties of county employees are minimized; and a safe, secure, and orderly
7 environment for those persons working and conducting business in county buildings is maintained;
8 and
9

10 WHEREAS, events have recently occurred regarding recording employees and visitors to
11 Manitowoc County facilities that have led to disruptions to employees and members of the public;
12 and
13

14 WHEREAS, Manitowoc County provides a multitude of confidential and sensitive services
15 to individuals who may wish to remain unidentified; and
16

17 WHEREAS, to balance the free speech rights of individuals and the ability to maintain a
18 safe, secure, and orderly environment for those persons working and conducting business in county
19 facilities, Manitowoc County has prepared a Recording in County Owned Facilities ordinance to
20 define where recording is permissible in County buildings; and
21

22 WHEREAS, after careful consideration and review, the Executive Committee recommends
23 approval of the Recording in County Owned Facilities ordinance;
24

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

27
28 Manitowoc County Code § 6.30 is hereby created to read as follows:

29
30 6.30 Recording in County Owned Facilities.

31
32 (1) Purpose. The purpose of this ordinance is to exercise reasonable control over the
33 County workplace to: (1) avoid disruptions to the conduct of County business; (2)
34 avoid disruptions to the rendering of public services; (3) prevent interruptions to
35 the performance of the duties of the County's employees; and (4) ensure and foster
36 a safe, secure, and orderly environment for those persons working and conducting
37 business in County facilities.

38
39 (2) Designation. Consistent with decisions of the U.S. Supreme Court, public access
40 to areas within buildings and other enclosed facilities owned, controlled, or leased
41 by Manitowoc County may be restricted depending upon whether such areas are
42 classified as "designated public forum", "limited public forum", or "nonpublic
43 forum". How areas within buildings and other enclosed facilities owned,
44 controlled, or leased by Manitowoc County are classified is based upon their
45 intended use. For example, there are certain areas that are intended primarily for
46 the use of County employees in the conduct of their business; there are certain areas
47 which, while primarily intended for the use of County employees in the conduct of
48 their business, may from time to time be utilized for the convening of public
49 meetings; there are certain limited areas that may be open to the public while
50 engaging in legitimate business with County officers or employees; and there may
51 be certain areas that are primarily intended for the convening of public meetings.

52
53 To that end, all Manitowoc County employee work areas within buildings and other
54 enclosed facilities owned, controlled, or leased by Manitowoc County are classified
55 as a nonpublic forum. All other areas within buildings and other enclosed facilities
56 owned, controlled, or leased by Manitowoc County are hereby designated as limited
57 public forums. Members of the public are prohibited from entering County
58 employee work areas without being escorted by a County employee. It shall be a
59 violation of this Ordinance to be within a nonpublic forum without authorization.

60
61 (3) Video and Sound Recording. It shall be a violation to record video or sound within
62 the Human Services Building and the Heritage Center without the consent of all
63 persons whose voice or image is being recorded. It shall also be a violation of this
64 Ordinance to record video or sound in any employee work area within any building
65 or other enclosed facility owned, controlled, or leased by Manitowoc County,
66 including enclosed reception areas, without the consent of all persons whose voice
67 or image is being recorded. This prohibition shall not apply to any recording made
68 by Manitowoc County for security purposes, any law enforcement activities, or any
69 location in which a public meeting is being conducted pursuant to a public notice,
70 including the county board meeting room.

71 and

72
73 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.
74

Dated this 21st day of December 2021.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None

APPROVED: Bob Ziegelbauer, County Executive.

Convene in closed session pursuant to Wis. Stat. Sec. 19.85 (1) (g) for the purpose of conferring with legal counsel for the County who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically, the Committee may convene in closed session to discuss the Opioid Litigation Settlement: Supervisor Behnke moved, seconded by Supervisor Linsmeier to convene into closed session. Upon roll call vote, the motion passed unanimously. Closed session began at 7:21 p.m. Supervisor Muench was marked in attendance at 7:22 p.m.

Supervisor Neils moved, seconded by Supervisor Gerroll to reconvene into open session. Upon roll call vote, the motion passed unanimously. Open session began at 7:35 p.m.

Supervisor Falkowski moved, seconded by Supervisor Behnke to approve Resolution 2021/2022-52 Authorizing Manitowoc County to enter into the Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agreeing to the Terms of the MOU Allocating Settlement Proceeds, and Authorizing Entry into the MOU with the Attorney General. Upon vote, the motion carried with 21 ayes and 1 no. Supervisor Zimmer voted no.

No. 2021/2022 - 52

**RESOLUTION AUTHORIZING MANITOWOC COUNTY TO ENTER
INTO THE SETTLEMENT AGREEMENTS WITH MCKESSON
CORPORATION, CARDINAL HEALTH, INC., AMERISOURCEBERGEN
CORPORATION, JOHNSON & JOHNSON, JANSSEN
PHARMACEUTICALS, INC., ORTHO-MCNEIL-JANSSEN
PHARMACEUTICALS, INC., AND JANSSEN PHARMACEUTICA, INC.,
AGREEING TO THE TERMS OF THE MOU ALLOCATING
SETTLEMENT PROCEEDS, AND AUTHORIZING ENTRY INTO THE
MOU WITH THE ATTORNEY GENERAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in Resolution No. 2017/2018-65, the county board of supervisors of the
2 County of Manitowoc authorized Manitowoc County to enter into an engagement agreement with
3 von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the “Law
4 Firms”) to pursue litigation against certain manufacturers, distributors, and retailers of opioid
5 pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially
6 responsible for Manitowoc County’s expenditure of vast money and resources to combat the opioid
7 epidemic; and
8

9 WHEREAS, on behalf of Manitowoc County, the Law Firms filed a lawsuit against the
10 Opioid Defendants; and
11

12 WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties
13 and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same
14 or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned
15 In re: Opioid Litigation, MDL 2804 (the “Litigation”); and
16

17 WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and
18 Walworth) hired separate counsel and joined the Litigation; and
19

20 WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with
21 counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and
22 Walworth Counties) to prepare Manitowoc County’s case for trial and engage in extensive
23 settlement discussions with the Opioid Defendants; and
24

25 WHEREAS, the settlement discussions with McKesson Corporation, Cardinal Health, Inc.,
26 AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-
27 McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the “Settling
28 Defendants”) resulted in a tentative agreement as to settlement terms pending agreement from
29 Manitowoc County and other plaintiffs involved in the Litigation; and
30

31 WHEREAS, copies of the Distributors Settlement Agreement and Janssen Settlement
32 Agreement (collectively “Settlement Agreements”) representing the terms of the tentative
33 settlement agreements with the Settling Defendants have been provided with this Resolution; and
34

35 WHEREAS, the Settlement Agreements provide, among other things, for the payment of
36 certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the
37 occurrence of certain events detailed in the Settlement Agreements; and
38

39 WHEREAS, Manitowoc County is a Participating Subdivision in the Settlement
40 Agreements and has the opportunity to participate in the benefits associated with the Settlement
41 Agreement provided Manitowoc County: (a) approves the Settlement Agreements; (b) approves
42 the Memorandum of Understanding allocating proceeds from the Settlement Agreements among
43 the various Wisconsin Participating Subdivisions, a copy of which is attached to this Resolution
44 (the “Allocation MOU”); (c) approves the Memorandum of Understanding with the Wisconsin
45 Attorney General regarding allocation of settlement proceeds, a copy of which is attached to this

Resolution (the “AG MOU”); and (d) the Legislature’s Joint Committee on Finance approves the terms of the Settlement Agreements and the AG MOU; and

WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation; and

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature’s Joint Committee on Finance is required to approve the Settlement Agreements and the AG MOU; and

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State; and

WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides that the proceeds from the Settlement Agreement must be deposited in a segregated account (the “Opioid Abatement Account”) and may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements; and

WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government against the Opioid Defendants filed after June 1, 2021; and

WHEREAS, the definition of Participating Subdivisions in the Settlement Agreements recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a result, the only Participating Subdivisions in Wisconsin are those counties and municipalities that were parties to the Litigation (or otherwise actively litigating a claim against one, some, or all of the Opioid Defendants) as of June 1, 2021; and

WHEREAS, the Legislature’s Joint Committee on Finance is not statutorily authorized or required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin Participating Subdivisions; and

WHEREAS, the Law Firms have engaged in extensive discussions with counsel for all other Wisconsin Participating Subdivisions resulting in the proposed Allocation MOU, which is an agreement between all of the entities identified in the Allocation MOU as to how the proceeds payable to those entities under the Settlement Agreements will be allocated; and

WHEREAS, there is provided with this Resolution a summary of the essential terms of the Settlement Agreements, the deadlines related to the effective dates of the Settlement Agreements, the ramifications associated with Manitowoc County’s refusal to enter into the Settlement Agreements, the form of the Allocation MOU, the form of the AG MOU, and an overview of the process for finalizing the Settlement Agreements; and

WHEREAS, Manitowoc County, by this Resolution, shall establish the Opioid Abatement Account for the receipt of the proceeds of the Settlement Agreements consistent with the terms of this Resolution; and

92 WHEREAS, Manitowoc County's Opioid Abatement Account shall be separate from the
93 County's general fund, shall not be commingled with any other County funds, and shall be
94 dedicated to funding opioid abatement measures as provided in the Settlement Agreements; and
95

96 WHEREAS, pursuant to Manitowoc County's engagement agreement with the Law Firms,
97 Manitowoc County shall pay up to an amount equal to 25% of the proceeds from successful
98 resolution of all or part of the Litigation, whether through settlement or otherwise, plus the Law
99 Firms' costs and disbursements, to the Law Firms as compensation for the Law Firms' efforts in
100 the Litigation and any settlement; and
101

102 WHEREAS, the Law Firms anticipate making application to the national fee fund
103 established in the Settlement Agreements seeking payment, in whole or part, of the fees, costs, and
104 disbursements owed the Law Firms pursuant to the engagement agreement with Manitowoc
105 County; and
106

107 WHEREAS, it is anticipated the amount of any award from the fee fund established in the
108 Settlement Agreements will be insufficient to satisfy Manitowoc County's obligations under the
109 engagement agreement with the Law Firms; and
110

111 WHEREAS, Manitowoc County, by this Resolution, and pursuant to the authority granted
112 Manitowoc County in the applicable Order emanating from the Litigation in relation to the
113 Settlement Agreements and payment of attorney fees, shall execute an Escrow Agreement, which
114 shall among other things direct the escrow agent responsible for the receipt and distribution of the
115 proceeds from the Settlement Agreements to establish an account for the purpose of segregating
116 funds to pay the fees, costs, and disbursements of the Law Firms owed by Manitowoc County (the
117 "Attorney Fees Account") in order to fund a state-level "backstop" for payment of the fees, costs,
118 and disbursements of the Law Firms; and
119

120 WHEREAS, in no event shall payments to the Law Firms out of the Attorney Fees Account
121 and the fee fund established in the Settlement Agreements exceed an amount equal to 25% of the
122 amounts allocated to Manitowoc County in the Allocation MOU; and
123

124 WHEREAS, the intent of this Resolution is to authorize Manitowoc County to enter into
125 the Settlement Agreements, the Allocation MOU, the AG MOU, and to establish Manitowoc
126 County's Opioid Abatement Account, and establish the Attorney Fees Account; and
127

128 WHEREAS, Manitowoc County, by this Resolution, shall authorize the County's
129 corporation counsel to finalize and execute any escrow agreement and other document or
130 agreement necessary to effectuate the Settlement Agreements and the other agreements referenced
131 herein;
132

133 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
134 county of Manitowoc hereby approves:
135

136 1. The execution of the Distributors Settlement Agreement and any and all documents
137 ancillary thereto and authorizes the corporation counsel to execute same.

2. The execution of the Janssen Settlement Agreement and any and all documents ancillary thereto and authorizes the corporation counsel to execute same.

3. The final negotiation and execution of the Allocation MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the corporation counsel to execute same upon finalization provided the percentage share identified as allocated to Manitowoc County is substantially similar to that identified in the Allocation MOU provided to the Board with this Resolution.

4. The final negotiation and execution of the AG MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the corporation counsel to execute same.

5. The corporation counsel's negotiation and execution of the Escrow Agreement for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Allocation MOU.

and

BE IT FURTHER RESOLVED Manitowoc County hereby establishes an account separate and distinct from the County's general fund which shall be titled "Opioid Abatement Account." All proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account established under the Escrow Agreement shall be deposited in the Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements; and

BE IT FURTHER RESOLVED Manitowoc County hereby authorizes the escrow agent under the Escrow Agreement to establish an account separate and distinct from any account containing funds allocated or allocable to Manitowoc County which shall be referred to by Manitowoc County as the "Attorney Fees Account." The escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of Manitowoc County's proceeds from the Settlement Agreements into the Attorney Fees Account. If the payments to Manitowoc County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreements attributable to Local Governments (as that term is defined in the Allocation MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant to the engagement agreement between Manitowoc County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreements and allocable to Manitowoc County. The Law Firms may make application for payment from the Attorney Fees Account at any time and Manitowoc County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account; and

184
185 BE IT FURTHER RESOLVED that all actions heretofore taken by the board of supervisors
186 of the county of Manitowoc and other appropriate public officers and agents of Manitowoc County
187 with respect to the matters contemplated under this Resolution are hereby ratified, confirmed, and
188 approved.

Dated this 21st day of December 2021.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: Undeterminable. Under the terms of the agreements resolved herein,
Manitowoc County is to receive \$3,948,777.09 less an unknown amount in
attorneys' fees.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Maresh moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted
by acclamation. The meeting adjourned at 7:41 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=NZP7Zk9dtoA>

2 Part after the County Board goes back into Open Session:

<https://www.youtube.com/watch?v=QS03U83a8p4>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, January 18, 2022

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 18th day of January 2022, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 17 members present: Aulik, Behnke, Brey, Cavanaugh, Dyzak, Engelbrecht, Falkowski, Henrickson, Maresh, Martell, Metzger, Muench, Neils, Shimulunas, Vogt, Wagner, and Zimmer. Supervisors Baumann, Gerroll, Hagen, Hansen, Linsmeier, Nickels, Sitkiewitz and Williams were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht, the December 21, 2021 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commending Lydia Luebke Manitowoc County Outgoing “Fairest of the Fair”.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Commemorating the Life and Service of George F. Wanish to Mrs. Wanish and family members who expressed their appreciation for the honor.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:43 p.m.

Forest LaFave, Town of Gibson, advocated for a Constitutional County referendum be placed on the November ballot.

Maura Yost, Town of Centerville, advocated for half cent sales tax and advised people to protect themselves from COVID.

Kristin Demy, City of Manitowoc, spoke against the need to discuss critical race theory in Manitowoc County.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 6:52 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Chris Eisenschink as Personnel Director. Supervisor Aulik moved, seconded by Supervisor Maresh to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Jay Muchin to the Ethics Board for a three year term expiring February 28, 2025. Supervisor Aulik moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Savanna Schuette to the Expo-Ice Center Board to fill a vacancy for the remainder of the term expiring December 31, 2023. Supervisor Behnke moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Jason Freiboth to the Joint Dispatch Board to fill a vacancy for the remainder of the term expiring December 2022. Supervisor Henrickson moved, seconded by Supervisor Dyzak to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

Executive Committee: Chairperson Brey gave a brief report.

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

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Dyzak to adopt Resolution 2021/2022-53 Establishing Elected Officials' Compensation (Clerk of Courts, Coroner, Sheriff). Discussion followed.

Amendment: Supervisor Aulik moved, seconded by Supervisor Henrickson to strike references to the Sheriff and refer the matter of the Sheriff's compensation back to the Personnel Committee. Upon discussion and vote, the motion failed 5 ayes and 12 noes. Supervisors Behnke, Brey, Cavanaugh, Dyzak, Falkowski, Maresh, Martell, Metzger, Muench, Shimulunas, Vogt and Zimmer voted no.

The original motion by Supervisor Maresh, seconded by Supervisor Dyzak to adopt Resolution 2021/2022-53. Establishing Elected Officials' Compensation (Clerk of Courts, Coroner, Sheriff) was discussion. Upon vote, the motion carried 16 ayes and 1 no. Supervisor Henrickson voted no.

No. 2021/2022 - 53

RESOLUTION ESTABLISHING ELECTED OFFICIALS' COMPENSATION (Clerk of Courts, Coroner, Sheriff)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Wisconsin Stat. § 59.22 provides that total annual compensation of certain elected officials, exclusive of reimbursements, must be established before the earliest time for filing nomination papers for office and that this compensation shall not be increased or decreased during the official's term; and

WHEREAS, Manitowoc County Code § 5.06 defines the process to be used in establishing the total annual compensation for the elected positions of Clerk of Court, Coroner, County Clerk, Executive, Register of Deeds, Sheriff, and Treasurer; and

WHEREAS, Manitowoc County Code § 5.06 provides that the Personnel Committee shall establish salary recommendations for the elected positions of Clerk of Court, Coroner, and Sheriff, using the following guidelines:

(a) The recommended salary shall be 85% of the wage band for the first year of an elected official's term....

(b) Each subsequent year of an elected official's term shall be increased by the average change in the Consumer Price Index, as determined by the Wisconsin Department of Revenue, for the past four years.

and

WHEREAS, Ordinance No. 2017/2018-55 includes the following guidelines for implementation of this ordinance:

(1) Elected offices that are below 85% of the maximum of the wage band will be increased by a maximum of 5.0% each year until the 85% mark is met; and

(2) Elected offices that are above 85% of the maximum of the wage band will be frozen at the current rate until future increases in the wage schedule cause the compensation for the elected office to meet the 85% level; and

and

WHEREAS, the Personnel Committee recommends that the Clerk of Courts, Coroner, and Sheriff be offered the same fringe benefit package that is offered to appointed, full-time Department Directors;

NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the county of Manitowoc set the following salaries as the total annual compensation for the elected offices of Clerk of Court, Coroner, and Sheriff:

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Clerk of Court	\$72,631	\$76,263	\$80,076	\$83,033
Coroner	\$64,771	\$68,009	\$71,410	\$74,603
Sheriff	\$98,189	\$103,099	\$105,207	\$107,358

and

BE IT FURTHER RESOLVED that the per pay period amount of the annual salaries is as follows:

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Clerk of Court	\$2,794	\$2,934	\$3,080	\$3,194
Coroner	\$2,492	\$2,616	\$2,747	\$2,870
Sheriff	\$3,777	\$3,966	\$4,047	\$4,130

and

BE IT FURTHER RESOLVED that the total annual compensation will continue for ensuing terms unless changed by the County Board in accordance with state law; and

BE IT FURTHER RESOLVED that the Clerk of Court, Coroner, and Sheriff shall participate in the Wisconsin Retirement System (WRS) on a pre-tax basis in accordance with state law, that each elected official is required to pay his or her share of the total WRS contribution as required by law, that Manitowoc County will pay its share of the total WRS contribution as required by law, and that it is expressly recognized that the respective shares may change if state law is changed or if the WRS rate is adjusted as authorized by law; and

BE IT FURTHER RESOLVED that the Clerk of Court, Coroner and Sheriff are eligible for and may elect to receive health insurance through Manitowoc County's Group Health Insurance Plan on the same terms and condition, such as co-pays, deductibles, and premium contributions, any of which may be modified from time to time, as are offered to full-time appointed Department Directors; and

BE IT FURTHER RESOLVED that the Clerk of Court, Coroner and Sheriff are eligible for and may elect to receive any other fringe benefits, such as dental, vision, or life insurance, on the same terms and conditions, any of which may be modified from time to time, as are offered to full-time, appointed Department Directors, and

BE IT FURTHER RESOLVED that the Clerk of Court, Coroner and Sheriff are eligible for and may participate in such other programs, such as deferred compensation and wellness, on the same terms and conditions, any of which may be modified from time to time, as are offered to full-time, appointed Department Directors; and

BE IT FURTHER RESOLVED that the Sheriff will be eligible for an annual uniform allowance of \$650; and

89 BE IT FURTHER RESOLVED that the Coroner will be paid an annual working condition
90 payment of \$546 which will be paid \$21 per pay period and the Sheriff will be paid an annual
91 working condition payment of \$273 which will be paid \$10.50 per pay period; and
92

93 BE IT FURTHER RESOLVED that, the foregoing notwithstanding, the Clerk of Court,
94 Coroner and Sheriff: a) are not eligible for; b) do not accrue; or c) are not paid for any leave, such
95 as holiday leave, short term disability, long-term disability, sick leave, or vacation leave; and
96

97 BE IT FURTHER RESOLVED that the County shall make all disbursements, payments,
98 and withholdings, such as for F.I.C.A., liability insurance, income taxes, and worker's
99 compensation as may be required by federal and state law.

Dated this 18th day of January 2022.

Respectfully submitted by the Personnel Committee.

FISCAL IMPACT:

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Wages	\$11,217	\$11,780	\$ 9,322	\$ 8,303
FICA	\$ 858	\$ 901	\$ 714	\$ 636
WRS	\$ 1,459	\$ 1,532	\$ 1,212	\$ 1,080
Total	<u>\$13,534</u>	<u>\$14,213</u>	<u>\$11,248</u>	<u>\$10,019</u>

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Dyzak gave a brief report.

ANNOUNCEMENTS

Chairperson Brey announced the February 15, 2022 County Board meeting will begin at 5:30 p.m.

ADJOURNMENT

Supervisor Falkowski moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 7:40 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

** The County Board Meeting is available for viewing at:

<https://www.youtube.com/watch?v=E3xqg05i1ao>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, February 15, 2022

5:40 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 15th day of February 2022, for the purpose of transacting business as a Board of Supervisors.

Chairperson Brey called the meeting to order at 5:40 p.m.

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

Roll call: 21 members present: Behnke, Brey, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Maresh, Martell, Metzger, Muench, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams and Zimmer. Supervisors Aulik, Baumann, Cavanaugh and Neils were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Linsmeier, the January 18, 2022 meeting minutes were approved on a unanimous vote.

County Clerk Backus announced the addition to the agenda: Under XII. D. Executive Committee, Item 6. Resolution 2021/2022-59 Opposing 2021 Senate Bill 829 Relating to the Distribution of Proceeds from the Sale of Tax Delinquent Property. Supervisor Maresh moved, seconded by Supervisor Hagen to approve the agenda. Upon voice vote, the motion carried unanimously.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

Corporation Counsel Peter Conrad reported typographical corrections made to Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 30 and 31 of the Manitowoc County Code of Ordinances.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 5:47 p.m.

Margaret Pauwles, Town of Franklin, thanked the County Board for the work that they do. She also spoke regarding the Manitowoc Public Library E-books and the need for a solution to avoid inadvertent delivery to children of inappropriate literature through the search feature.

Maura Yost, Town of Centerville, advocated for half cent sales tax.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 5:54 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Bob Salm to the Board of Adjustment to fill a vacancy for the remainder of the term expiring July 2023. Supervisor Behnke moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Richard Wegner to the Board of Adjustment to fill an alternate vacancy for a three year term expiring February 2025. Supervisor Falkowski moved, seconded by Supervisor Hagen to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Alternate) Gary Mueller and Dan Diedrich to the Traffic Safety Commission. Supervisor Henrickson moved, seconded by Supervisor Nickels to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Curtis Green to the Traffic Safety Commission. Supervisor Nickels moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Nickels gave a brief report.

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

Executive Committee: Chairperson Brey gave a brief report.

Chairperson Brey Behnke moved, seconded by Supervisor Gerroll, to adopt Resolution 2021/2022-59 Opposing 2021 Senate Bill 829 Relating to the Distribution of Proceeds from the Sale of Tax Delinquent Property. Upon discussion and vote, the motion carried unanimously.

No. 2021/2022 - 59

RESOLUTION OPPOSING 2021 SENATE BILL 829 RELATING TO THE DISTRIBUTION OF PROCEEDS FROM THE SALE OF TAX DELINQUENT PROPERTY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, under current law, counties retain the net proceeds from the sale of tax
2 delinquent property unless the property was the homestead of the former owner and the former
3 owner requests such payment; and
4

5 WHEREAS, counties bear the sole risk of loss when foreclosing on tax delinquent
6 properties; and
7

8 WHEREAS, before a tax delinquent property is foreclosed upon, the property must be tax
9 delinquent for a minimum of three years; and
10

11 WHEREAS, before a tax delinquent property is foreclosed upon, the owner receives notice
12 of the pending foreclosure action and is given the opportunity to pay the back taxes including the
13 opportunity to enter into a long term repayment plan; and
14

15 WHEREAS, 2021 SB 829/AB 889 would require the county to pay the net proceeds of the
16 sale of any property to any former owner of tax delinquent property, regardless of whether the
17 former owner requests payment and regardless of whether the former owner used the property as
18 his or her homestead; and
19

20 WHEREAS, 2021 SB 829/AB 889 would further require the county to pay off any lien
21 placed on the property at the time of the foreclosure sale in accordance with the contract or law
22 giving rise to the lien; and
23

24 WHEREAS, 2021 SB 829/AB 889 would shift the risk of loss onto the county causing the
25 county to not exercise its authority to foreclose on tax delinquent properties leading to many
26 blighted properties in communities throughout the county; and
27

28 WHEREAS, 2021 SB 829/AB 889 is imprudent for a multitude of additional reasons
29 including: (1) county treasurers are not trained in complex commercial law, nor do they have the
30 time or resources available to determine the priority of liens; (2) most often in tax foreclosures,
31 property owners are not responsive leading to uncertainty as to what to do with unclaimed funds;
32 (3) the proposed bill would have the county act as a realtor for private parties, while those services
33 can and should be provided by the private sector; and (4) the bill would require the treasurer to
34 make complex ownership decisions (e.g. unknown proportional tenant-in-common ownership
35 interest by two unrelated parties, dissolved limited liability corporations, closed estates) when
36 disbursing excess proceeds, which treasurers are neither trained in nor do they have the required
37 time or resources available; and
38

39 WHEREAS, after careful consideration and review, the Executive Committee recommends
40 Manitowoc County oppose 2021 SB 829 and 2021 AB 889;
41

42 NOW THEREFOR BE IT RESOLVED that the county board of supervisors of the county
43 of Manitowoc opposes 2021 SB 829 and 2021 AB 889 or bills that contain similar provisions; and
44

45 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this
46 resolution to Governor Evers and the legislators for Manitowoc County.

Dated this 15th day of February 2022.

Respectfully submitted by the Executive Committee.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

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

Highway Committee: Supervisor Behnke gave a brief report.

Human Service Board: Supervisor Henrickson gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

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

Supervisor Falkowski moved, seconded by Supervisor Zimmer to enact Ordinance 2021/2022-54 Amending Zoning Map (Lawrence Shoulak). Upon vote, the motion carried unanimously.

No. 2021/2022 - 54

ORDINANCE AMENDING ZONING MAP
(Lawrence Shoulak)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 24, 2022; and
3

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

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

11 A tract of land located in part of the Northwest 1/4 of the Northwest 1/4 and Southwest 1/4
12 of the Northwest 1/4, Section 28, and Southwest 1/4 of the Southwest 1/4 of Section 21, T. 21 N.
13 - R. 23 E., Town of Gibson, Manitowoc County, Wisconsin described as follows:
14

15 Commencing at the Northwest Corner of Section 28; thence along the northerly line
16 of the Northwest 1/4 North 89°43'14" East 1,122.00 feet to the point of beginning;
17 thence continuing North 89°43'14" East 9.43 feet; thence North 24°56'23" East
18 186.54 feet to the southerly line of STH. "147"; thence along said line South
19 63°30'10" East 24.76 feet; thence South 24°56'23" West 174.21 feet; thence South
20 89°43'14" West 5.20 feet; thence South 18°41'15" West 21.64 feet; thence South
21 0°15'14" West 1,299.52 feet; thence South 89°28'06" West 158.87 feet; thence
22 South 13°55'18" West 439.24 feet; thence South 44°12'06" West 245.64 feet;
23 thence North 80°31'38" West 252.19 feet; thence North 6°45'22" West 298.03 feet;
24 thence South 81°10'41" East 241.90 feet; thence North 48°17'18" East 356.49 feet;
25 thence North 23°45'14" East 475.00 feet; thence North 0°15'14" East 951.43 feet to
26 the point of beginning, said tract containing approximately 5.03 acres and is hereby

27 rezoned from Exclusive Agriculture (EA) District to Large Estate Residential (LE)
28 District.

Dated this 15th day of February 2022.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Falkowski moved, seconded by Supervisor Linsmeier to enact Ordinance 2021/2022-55 Amending Zoning Map (Jacob Winkel). Upon vote, the motion carried unanimously.

No. 2021/2022 - 55

ORDINANCE AMENDING ZONING MAP
(Jacob Winkel)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 24, 2022; and
3

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

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

11 A parcel of land located in the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4)
12 of Section 31, Township 18 North, Range 22 East, Town of Liberty, Manitowoc County,
13 Wisconsin described as follows:
14

15 Commencing at the Northeast Corner of said Section 31; thence S00°-12'-12"W
16 along the East line of the NE1/4 of said Section 31 a distance of 521.88 feet to the
17 Southeast Corner of Tract 2A of Certified Survey Map recorded in Volume 12 of
18 Certified Survey Maps, on Page 33, as Document No. 655519 and being the point
19 of beginning; thence continuing S00°-12'-12"W along said East line 337.56 feet;
20 thence N89°-43'-35"W 1286.37 feet; thence N00°-39'-01"E 859.46 feet to the
21 North line of said NE1/4; thence S89°-43'-35"E (recorded as N89°-57"E) along
22 said North line 862.01 feet to Northwest Corner of Tract 1 of Certified Survey Map
23 recorded in Volume 8 of Certified Survey Maps, on Page 665, as Document No.
24 549212; thence S00°-12'-12"W (recorded as South) 521.88 feet to the Southwest
25 Corner of said Tract 2A of Certified Survey Map recorded in Volume 12 of
26 Certified Survey Maps, on Page 33, as Document No. 655519; thence S89°-43'-

27 35"E 417.66 feet (recorded as N89°-57"E 417.50 feet) to the point of beginning,
28 said parcel containing approximately 884,710 square feet (20.31 acres) of land and
29 is hereby rezoned from Exclusive Agriculture (EA) District to General Agriculture
30 (GA) District.

Dated this 15th day of February 2022.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Supervisor Falkowski moved, seconded by Supervisor Hagen to adopt Resolution 2021/2022-56 Accepting the Farmland Preservation Plan Map Amendments for the Towns of Eaton, Gibson, Kossuth, Meeme, and Two Rivers. Upon vote, the motion carried unanimously.

No. 2021/2022 - 56

**RESOLUTION ACCEPTING THE FARMLAND PRESERVATION PLAN
MAP AMENDMENTS FOR THE TOWNS OF EATON, GIBSON,
KOSSUTH, MEEME, AND TWO RIVERS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has a state-certified Farmland Preservation Plan that
2 identifies farmland preservation goals, objectives, and policies, as well as the areas intended to be
3 preserved for agricultural use so the County and its residents may participate in the farmland
4 preservation program and may qualify for farmland preservation tax credits; and
5

6 WHEREAS, Manitowoc County has identified parcels to be updated in the Farmland
7 Preservation Plan to meet the required consistency between the Plan and the zoning ordinance for
8 the Towns of Eaton, Gibson, Kossuth, Meeme, and Two Rivers; and
9

10 WHEREAS, the Department of Agriculture, Trade and Consumer Protection (DATCP)
11 recertified the Manitowoc County Farmland Preservation Plan maps for the Towns of Eaton,
12 Gibson, Kossuth, Meeme, and Two Rivers on January 14, 2022; and
13

14 WHEREAS, the Planning and Park Commission held a public hearing on January 24, 2022,
15 to seek public comment on the proposed Manitowoc County Farmland Preservation Plan map
16 revisions; and
17

18 WHEREAS, the proposed map revisions would allow additional residents to qualify for
19 farmland preservation tax credits; and

20
21 WHEREAS, after careful consideration and examination of the facts, the Planning and Park
22 Commission now recommends that the map revisions be approved;

23
24 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
25 Supervisors approves the proposed Farmland Preservation Plan map revisions.

Dated this 15th day of February 2022.

Respectfully submitted by the Planning and Park Commission.

FISCAL IMPACT: None.

APPROVED: Bob Ziegelbauer, County Executive.

Public Safety Committee: Supervisor Nickels gave a brief report.
Supervisor Nickels moved, seconded by Supervisor Henrickson, to adopt Resolution 2021/2022-
57 Accepting Donation from the Badger State Sheriff's Association. Upon vote, the motion
carried unanimously.

No. 2021/2022 - 57

**RESOLUTION ACCEPTING DONATION FROM THE BADGER STATE
SHERIFF'S ASSOCIATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Badger State Sheriff's Association was organized to support Wisconsin
2 Sheriff's and their departments; and
3

4 WHEREAS, Sheriff Daniel Hartwig is a member of the Badger State Sheriff's Association
5 and is familiar with their organization, purpose, and fundraising activities; and
6

7 WHEREAS, the Manitowoc County Sheriff's Office is called upon to protect, investigate,
8 and respond to very dangerous situations with limited warning; and
9

10 WHEREAS, the Manitowoc County Sheriff's Office received a donation of \$28,718.40
11 from the Badger State Sheriff's Association to be used for the acquisition of protective equipment;
12 and
13

14 WHEREAS, Sheriff Hartwig has researched and determined areas of need and equipment
15 that will assist officers and provide the greatest impact on their safety; and
16

17 WHEREAS, these funds will be used to obtain a Drone, four level 3A shields, and four
18 40 mm launchers; and

19
20 WHEREAS, after careful consideration and review, the Public Safety Committee
21 recommends the County accept the donation from the Badger State Sheriff's Association;
22

23 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
24 county of Manitowoc accepts the Badger State Sheriff's Association donation for the purchase of
25 protective equipment valued at \$28,718.40.

Dated this 15th day of February 2022.

Respectfully submitted by the Public Safety Committee.

FISCAL IMPACT: No tax levy impact. Increases County owned equipment by \$28,718.40.

APPROVED: Bob Ziegelbauer, County Executive.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous - Board of Health and Personnel Committee: Supervisor Falkowski moved,
seconded by Supervisor Muench to adopt Resolution 2021/2022-58 Authorizing Addition of 1.0
Full-Time Equivalent Health Department Employee. Upon vote, the motion carried unanimously.

No. 2021/2022 - 58

**RESOLUTION AUTHORIZING ADDITION OF 1.0 FULL-TIME
EQUIVALENT HEALTH DEPARTMENT EMPLOYEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, there is a need to evaluate and address the disparities in public health that
2 have been exacerbated by the COVID-19 pandemic; and
3

4 WHEREAS, the Health Department desires to create a Community Health Strategist
5 position, which will support the work of the existing full-time Health Educator and Health Officer
6 in the creation and execution of community health assessments, health improvement planning and
7 intervention activities; and
8

9 WHEREAS, the addition of a 1.0 full-time Community Health Strategist is estimated to
10 cost \$67,913 on an annualized basis; and
11

12 WHEREAS, the Health Department has received grant funding to support a full-time
13 Community Health Strategist position through 2024; and
14

15 WHEREAS, the position will be eliminated as of December 31, 2024; and

16
17 WHEREAS, after careful consideration and review, the Board of Health and Personnel
18 Committee recommend the creation of a 1.0 full-time equivalent Community Health Strategist and
19 the elimination of the Community Health Strategist position as of December 31, 2024;
20

21 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
22 county of Manitowoc authorizes increasing the number of positions in the Health Department by
23 1.0 full-time equivalent by creating a Community Health Strategist, which will be eliminated as
24 of December 31, 2024; and
25

26 BE IT FURTHER RESOLVED that the 2022 Full-Time Equivalent Report (FTE) by
27 Department included in the 2022 Adopted Annual Budget Book is amended accordingly and that
28 the Finance Director is directed to record such information in the official books of the County for
29 the year ending December 31, 2022 as may be required.

Dated this 15th day of February 2022.

Respectfully submitted by the Board of Health and Personnel Committee.

FISCAL IMPACT: Total annual cost of the position is estimated to be \$67,913, which will be
fully funded by grants.

APPROVED: Bob Ziegelbauer, County Executive.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Williams, and the motion was
adopted by acclamation. The meeting adjourned at 6:41 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

** The County Board Meeting is available for viewing at:
<https://www.youtube.com/watch?v=pSYtZldf95Q>

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, March 15, 2022

6:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 15th day of March 2022, for the purpose of transacting business as a Board of Supervisors.

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

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

Roll call: 22 members present: Aulik, Behnke, Brey, Dyzak, Engelbrecht, Falkowski, Gerroll, Hagen, Hansen, Henrickson, Linsmeier, Martell, Metzger, Muench, Neils, Nickels, Shimulunas, Sitkiewitz, Vogt, Wagner, Williams and Zimmer. Supervisors Baumann, Cavanaugh and Maresh were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Linsmeier, the February 15, 2022 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring the Valders Boys' and Girls' Cross Country Teams on a successful 2021 season. The coaches and teams thanked the Board for the honor.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation Honoring Daniel Newberg for years of service on Manitowoc County Expo-Ice Center Board. Mr. Newberg thanked the Board for the honor.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation proclaiming the Month of April Child Abuse and Neglect Prevention Month to Jenna Foster, Child Protective Services Supervisor. Ms. Foster thanked the Board for the honor and support. She complimented the CPS team on all the hard work they do every day.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation in Honor of National Public Safety Telecommunicators Week to Scott Degroot, JDC Dispatcher. Mr. Degroot thanked the Board on behalf of the staff at the Joint Dispatch Center for the honor. He commended the JDC team on the excellent job they do when it comes to being the first responder to an emergency.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Supervisor Bob Cavanaugh in recognition of his 10 years of service to the County Board.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Supervisor David Dyzak in recognition of his 8 years of service to the County Board. Supervisor Dyzak thanked the Board for the recognition. He mentioned it was a pleasure to serve and was glad the Board could agree and disagree on items in a respectful manner.

County Executive Bob Ziegelbauer and Chairperson Brey presented a Proclamation to Supervisor Ricky Henrickson in recognition of his 22 years of service to the County Board. Supervisor Henrickson thanked the Board for the recognition. As a supervisor, he wanted to try to make a difference in the county and took pleasure in serving.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Brey declared public comment open at 6:56 p.m.

Maura Yost, Town of Centerville, advocated for half cent sales tax.

No one else present wished to speak, subsequently Chairperson Brey closed public input at 7:01 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Brey presented County Executive Ziegelbauer's appointment of Josh Stradal to the Joint Dispatch Board to fill a vacancy expiring April 2022. Supervisor Henrickson moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointment of Daniel Hartwig to the Joint Dispatch Board for a two-year term expiring April 2024. Supervisor Aulik moved, seconded by Supervisor Engelbrecht to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Dave Murack, Alternate) Eric Isselmann, and Paul Tittl to the Local Emergency Planning Committee for a two-year term expiring April 2024. Supervisor Muench moved, seconded by Supervisor Dyzak to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Brey presented County Executive Ziegelbauer's appointments of Shirley Fessler, Deanna Genske, and Birgit Kelly to the Transportation Coordinating Committee for a three-year term expiring 2025. Supervisor Sitkiewitz moved, seconded by Supervisor Linsmeier to approve the appointments. Upon voice vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

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

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Falkowski to adopt Resolution 2021/2022-60 Authorizing Fund Balance Designations, Carry-Over, Transfers, and Re-Appropriation of Specified Funds from 2021 to 2022. Upon vote, the motion carried unanimously.

No. 2021/2022 - 60

**RESOLUTION AUTHORIZING FUND BALANCE DESIGNATIONS,
CARRY-OVER, TRANSFERS, AND RE-APPROPRIATION OF
SPECIFIED FUNDS FROM 2021 TO 2022**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the Annual Budget that affect various
2 program activities and their appropriations for a given budget year; and
3

4 WHEREAS, some of the activities, programs, and projects that were planned for the 2021
5 budget year did not take place, were not completed, or are ongoing and must be carried over into
6 the next budget year; and
7

8 WHEREAS, the County Board has previously adopted Resolution Implementing Fund
9 Balance Policy In Accordance With GASB Statement No. 54 in December 2011; and
10

11 WHEREAS, the Finance Director has compiled a pre-audit list designating those activities,
12 programs, projects, and funds that should be carried forward and re-appropriated in the 2022
13 budget; and
14

15 WHEREAS, the appropriate oversight committees and the Finance Committee have
16 reviewed the requests and recommend that the designation, carry over, transfer, and re-
17 appropriation requests be approved; and
18

19 WHEREAS, Wisconsin statutes and county board rules require that the county board take
20 official action to authorize the designation, carry over, transfer, and re-appropriation of funds; and
21

22 WHEREAS, sound financial practice requires that such carry over designations and
23 transfers be recorded in the official books of Manitowoc County; and
24

25 WHEREAS, any additional items or adjustments that may be required at the completion of
26 Manitowoc County's external audit will be brought to the county board in a separate resolution at
27 the conclusion of the field work of the external audit;
28

29 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
30 county of Manitowoc authorize the following funds and their designations to be carried over from
31 the official books of Manitowoc County for the year ended December 31, 2021 to the official

books of the County for the year ending December 31, 2022; that the funds be re-appropriated and expended as may be required; and that the 2022 Annual Budget is amended and the appropriate line items in the General Fund or Debt Service Fund may be increased as necessary:

NON-SPENDABLE FUND BALANCE

Account Number	Description	Amount
100.34100	Resrvd-Property Taxes	\$880,068.10
100.34115	Resrvd-Prepaid Items	\$43,638.21
100.34120	Resrvd-Inventory	\$29,946.49
TOTAL		\$953,652.80

RESTRICTED FUND BALANCE

Account Number	Description	Amount
100.34240	Unres/Desig-Public Health	\$2,308.43
100.34245	Unres/Desig-Veterans Srv	\$48,559.39
100.34270	Unres/Desig-Lnd Rec Modern	\$303,659.43
100.34271	Unres/Desig-ROD Redaction	\$85,812.48
TOTAL		\$440,339.73

COMMITTED FUND BALANCE

Account Number	Description	Amount
100.34232	Unres/Desig-Mapping	\$109,620.94
100.34233	Unres/Desig-Area Plan PP	\$160,472.82
100.34238	Unres/Desig-PZ Coastal Grant	\$10,315.50
100.34258	Unres/Desig-Finance	\$40,000.00
100.34275	Unres/Desig-Sheriff	\$25,000.00
100.34277	Unres/Desig-Vehicle Pool PW	\$138,926.00
100.34278	Unres/Desig-D.A. Office	\$10,000.00
100.34280	Unres/Desig-Emgt Hazmat	\$188,741.51
100.34282	Unres/Desig-Personnel	\$13,059.00
100.34289	Unres/Desig-Elections CC	\$131,231.66
100.34290	Unres/Desig-Treasurer Outlay	\$130,000.00
100.34293	Unres/Desig-Communications Pro	\$284,433.20
100.34294	Unres/Desig-PW-PBX Phone Sys	\$218,575.10
100.34295	Unres/Desig-Future Cap Proj	\$850,000.00
TOTAL		\$2,310,375.73

and

BE IT FURTHER RESOLVED that remaining funds in the County's Special Revenue Funds, Debt Service Funds, and Capital Projects Funds be carried forward for their intended purpose as previously approved by the County Board and may be re-appropriated in the 2022 budget as may be required; and

78
79 BE IT FURTHER RESOLVED that the Finance Director is directed to record such
80 information in the official books of the County for the year ended December 31, 2021 and for the
81 year ending December 31, 2022 as may be required.

Dated this 15th day of March 2022.

Respectfully submitted by the Finance Committee.

FISCAL IMPACT: Carries over and transfers the amounts specified from the 2021 budget to the 2022 budget and amends the 2022 Annual Budget as may be required.

APPROVED: Bob Ziegelbauer, County Executive.

Highway Committee: Supervisor Behnke gave a brief report.

Human Service Board: Supervisor Henrickson informed the Board the Human Service Board did not meet and did not address the resolution designating Human Services Department the Elder Abuse Reporting Agency. No action was taken on the resolution at this time.

Public Safety Committee: Supervisor Nickels gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

ADJOURNMENT

Supervisor Henrickson moved to adjourn, seconded by Supervisor Dyzak, and the motion was adopted by acclamation. The meeting adjourned at 7:30 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

** The County Board Meeting is available for viewing at:

https://www.youtube.com/watch?v=Sk2wa3qt_10

COUNTY BOARD PROCEEDINGS INDEX

APPOINTMENTS

April 27, 2021 Session:

- Board of Health: Supervisor Catherine Wagner.
- Traffic Safety Commission: Mason Simmons.

May 18, 2021 Session:

- Local Emergency Planning Committee: Chad Bennin, Karl Puestow, Robert Wenger, and alternate Bob Mayer.

June 15, 2021 Session:

- Board of Adjustment: Chuck Hoffman and Ralph Schuh.
- Kiel Public Library Board of Trustees: Brian Murphy and David Stoelting.
- Manitowoc Public Library Board of Trustees: Margaret Pauwels.
- Northeast Wisconsin Regional Economic Partnership: Dan Pawlitzke, and alternates Adam Tegen and Jamie Zastrow.
- Planning and Park Commission: Supervisor Don Zimmer.

July 20, 2021 Session:

- Aging and Disability Resource Center Director: Wendy Hutterer.
- Northeast Wisconsin Regional Economic Partnership: Elizabeth Runge.

August 17, 2021 Session:

- Local Emergency Planning Committee: Todd Bergmann, Amy John, and alternate Debbie Holschbach.

September 21, 2021 Session:

- Local Emergency Planning Committee: David Funkhouser.

November 2, 2021 Session:

- ADRC of the Lakeshore Board: Shirley Fessler.
- Expo-Ice Center Board: Jeremy Hawig, Mike Plate, Rob Voss and Russell Zipperer.
- Human Services Board: Judy Ruggirello.
- Local Emergency Planning Committee: Jamie Aulik, and alternate Robert Hennings, Jr.; Jessica Backus, Stephanie Lambert, and alternate Jessica Wanserski, and Jerry Wendt.
- Veterans Service Commission: Tom Hoffman.

December 21, 2021 Session:

- Expo-Ice Center Board: Patrick “PJ” Albert, Stephanie Binversie, and Kris Kohlmann.
- Joint Dispatch Board: Paul Granger.
- Manitowoc-Calumet Library System Board of Trustees: Patrick Neuenfeldt, Markus Ladd, Megan Marchant, and Deborah Brotcke.

APPOINTMENTS continued...

January 18, 2022 Session:

- Ethics Board: Jay Muchin.
- Expo-Ice Center Board: Savanna Schuette.
- Joint Dispatch Board: Jason Freiboth.

February 15, 2022 Session:

- Board of Adjustment: Bob Salm and Richard Wegner.
- Traffic Safety Commission: Dan Diedrich, Curtis Green, and alternate Gary Mueller.

March 15, 2022 Session:

- Joint Dispatch Board: Joshua Stradal and Daniel Hartwig.
- Local Emergency Planning Committee: Dave Murack, and alternate Eric Isselmann; and Paul Tittl.
- Transportation Coordinating Committee: Shirley Fessler, Deanna Genske and Birgit Kelly.

COMMUNICATIONS

April 27, 2021 Session:

1. Eau Claire County - Resolution 20-21/127 Requesting the State of Wisconsin Strengthen its Hate Crime Statute, Wis. Stat. § 939.645, to Provide Enhanced Security to Members of Wisconsin's Marginalized Communities.
2. Portage County - Resolution 76-2020-2022 Re: Conducting a Countywide Advisory Referendum on Clean Water Now for Wisconsin and Summary Statement of the Board of Canvassers from April 6, 2021 Election.
3. Washington County - 2020 Resolution 58 - Advisory Resolution Supporting the Transfer of the Fiscal Responsibility of Subsidized Guardianships to the State Similar to the Adoption Assistance Program.
4. Washington County - 2020 Resolution 59 - Advisory Resolution Supporting Pending Legislation to Amend Hearing Timeframes for Certain Juvenile Cases.
5. Washington County - 2020 Resolution 62 - Advisory Resolution Supporting Election Reform State and Local Level of Government.
6. Washington County - 2021 Resolution 1 - Advisory Resolution Supporting Legislation to Provide an Increase in Criminal and Ordinance Violation Surcharge.
7. Washington County - 2021 Resolution 2 - Advisory Resolution Supporting Legislation to Remove Requirement for Duplicate Copies of a Transcript for Application of a Search Warrant.
8. Wood County - Resolution 21-3-7 Reaffirming Wood County's Commitment to Taking Action To Reduce its Contribution to Climate Change.
9. Wood County - Resolution 20-12-10 Placing Clean Water Referendum Question on April 2021 Ballot and Summary Statement of the Board of Canvassers from April 6, 2021 Election.

May 18, 2021 Session:

1. Green Lake County - Resolution No. 5-2021 for Opposition to Changes in Wildlife Damage Abatement and Claims Program.

June 15, 2021 Session:

1. Barron County - Resolution No. 2021-22 Requesting Elimination of BadgerCare Eligibility Cliff.
2. Buffalo County - Resolution No. 21-05-04 for Opposition to Changes in Wildlife Damage Abatement and Claims Program.
3. Kewaunee County - Resolution No. 6-05-2021 in Opposition to Changes in the Wildlife Damage Abatement and Claims Program.
4. Polk County - Resolution No. 26-21 Authorizing the Lobbying of the Wisconsin State Legislature to Create A State Substance Abuse Database.
5. Polk County - Resolution No. 27-21 Authorizing the Lobbying of the Wisconsin State Legislature to Create Community-based Inpatient and Outpatient Substance Abuse Treatment Facilities.
6. Polk County - Resolution No. 28-21 Authorizing the Lobbying of the Wisconsin State Legislature to Increase Funding to the Attorney General for Drug Crime Prosecution.
7. Shawano County - Resolution No. 26-21 Opposing Proposed Changes to Wildlife Damage Abatement and Claims Programs.
8. Waupaca County - Resolution No. 6 (2021-22) Advisory Resolution Supporting Legislation to Provide an Increase in Criminal and Ordinance Violation Surcharge.
9. Waupaca County - Resolution No. 7 (2021-22) Advisory Resolution Supporting Legislation to Remove Requirement for Duplicate Copies of a Transcript for Application of a Search Warrant.
10. Waushara County - Resolution No. 26-05-21 Advisory Resolution Supporting Legislation to Remove Requirement for Duplicate Copies of a Transcript for Application of a Search Warrant.

COMMUNICATIONS continued...

11. Waushara County - Resolution No. 27-05-21 Advisory Resolution Supporting Legislation to Provide an Increase in Criminal and Ordinance Violation Surcharge.
12. Wood County - Resolution No. 21-5-2 to Oppose Changes in the Wildlife Damage Abatement and Claims Program.
13. Wood County - Resolution No. 21-5-3 Requesting State of Wisconsin Strengthen Hate Crime Statute, Wis. State. s. 939.645.

July 20, 2021 Session:

1. Brown County - Resolution in Support of Legislative Changes to Wis. Stat. Ch. 980 – Supervised Release.
2. Chippewa County - Resolution No. 20-21 to Request the Wisconsin Counties Association to Address Clean Water Issues as a Matter of Statewide Concern at the 2021 Annual Conference.
3. Eau Claire County - Resolution File No. 21-22/009 Requesting the State of Wisconsin Decriminalize Recreational Cannabis.
4. Kenosha County - Resolution No. 2 for County Board Oversight and Approval of Revenues and Expenditures Not Anticipated in the Budget Year.
5. Kewaunee County - Resolution No. 11-06-2021 in Support of Increased County Child Support Funding.
6. Trempealeau County - Resolution No. 2021-06-05 in Opposition to Changes in the Wildlife Damage Abatement and Claims Program.

October 25, 2021 Session:

1. Door County - Resolution No. 2021-72 Requesting Elimination of Badger Care Eligibility Cliff.
2. Kenosha County - Resolution No. 61 Pertaining to Placement Location Process of Chapter 980 Sexually Violent Persons in Kenosha County.
3. Sheboygan County - Resolution No. 17 (2021/22) Supporting Legislation to Provide Increase in Criminal and Ordinance Violation Surcharges.

December 21, 2021 Session:

1. Grand Traverse County, Michigan - Resolution 87-2021 in Support of Vaccine Awareness and Medical Autonomy.
2. Sawyer County - Resolution No. 2021-107 Affirmation to Denounce Healthcare Choice Discrimination Against Citizens by Sawyer County Government, Businesses, and Employers.
3. Winnebago County - Resolution No. 204-082021 to Support the Commitment to Veterans Support and Outreach (CVSO) Act.

January 18, 2022 Session:

1. Douglas County - Resolution #66-21 by Supervisors on Health and Human Services Board regarding Badger Care Eligibility Cliff Elimination.

March 15, 2022 Session:

1. Pepin County - Resolution No. 04-22 to Eliminate the Badger Care Eligibility Cliff.
2. Vilas County - Resolution 2022-15 Requesting State to Revise the Current Real Estate Transfer Fees Revenue Sharing Formula.
3. Winnebago County - Resolution No. 237-112021 in Support of Legislative Changes to Wis. Stat. Ch. 980 - Supervised Release.

PETITIONS

April 27, 2021 Session:

1. Judith Budnik - Town of Manitowoc Rapids
2. Robert P. Boerger - Town of Schleswig
3. Manitowoc County - Ordinance Text Amendment, County Code Chapter 8

September 21, 2021 Session:

1. Michael Dell - Town of Kossuth
2. WST Fab - Town of Kossuth
3. Frederick L. Schnell Trust - Town of Schleswig
4. Silver Stream Acres, LLC - Town of Two Creeks
5. Manitowoc County Code Chapter 4

October 25, 2021 Session:

1. Michael Chalupny - Town of Gibson
2. Daniel Kleinhans - Town of Meeme

December 21, 2021 Session:

Bridge Petitions -

1. Town of Centerville - Center Road Bridge B-36-0221
2. Town of Centerville - Point Creek Road B-36-0168
3. Town of Centerville - Misc. Bridge Signage Repair (4) P-36-0185, P-36-0182, B-36-0013, B-36-0184
4. Town of Cooperstown - Misc. Bridge Right of Way Vegetation Removal (5) B-36-130, P-36-0104, P-36-0100, P-36-0105, B-36-0216
5. Town of Cooperstown - Cooperstown Road Bridge B-36-0235
6. Town of Franklin - Grimms Road Bridge B-36-0018
7. Town of Franklin - W. Hillcrest Road Bridge B-36-0139
8. Town of Franklin - Little Brook Farm
9. Town of Gibson - Rockledge Road Bridge P-36-0087
10. Town of Gibson - Old Y Road Bridge B-36-0225
11. Town of Kossuth - Ruzek Bridge
12. Town of Kossuth - Lepich Bridge
13. Town of Kossuth - Meadow Lane Bridge B-36-0186
14. Town of Kossuth - Shoto Road Bridge B-36-0317
15. Town of Liberty - Herring Bridge
16. Town of Manitowoc - Silver Creek Road (East) Bridge B-36-0165
17. Town of Manitowoc - Silver Creek Road (West) Bridge P-36-0176
18. Town of Manitowoc Rapids - Cechal Bridge
19. Town of Manitowoc Rapids - N. Union Road P-36-0144
20. Town of Manitowoc Rapids - Carstens Bridge
21. Town of Meeme - Pioneer Road Bridge B-36-0249
22. Town of Meeme - West Washington Road P-36-0193
23. Town of Meeme - Fitzgerald Bridge
24. Town of Mishicot - Sturm Road Bridge B-36-0028
25. Town of Mishicot - Wotachek Bridge
26. Town of Newton - Schultz Bridge
27. Town of Newton - Misc. Bridge Approach Maintenance (4) P-36-0177, B-36-0179, B-36-0229, P-36-0168

PETITIONS continued...

28. Town of Newton - Holschbach Bridge
29. Town of Newton - Hardrath Bridge
30. Town of Newton - Church Bridge
31. Town of Newton - Braun Bridge
32. Town of Newton - Gass Lake Road Bridge B-36-0038
33. Town of Schleswig - Rockville Road B-36-0023
34. Town of Two Rivers - E. Hillcrest Road Bridge B-36-0250

January 18, 2022 Session:

1. Lawrence Shoulak - Town of Gibson
2. Jacob A. Winkel - Town of Liberty

* Denotes an Ordinance.

➤ Denotes Vetoed.

RESOLUTIONS & ORDINANCES ALPHABETICAL BY COMMITTEE

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*21/22-24 Ordinance Amending Manitowoc County Code § 7.14 (Health Officer) And Repealing Manitowoc County Code § 7.15 (Donations And Gifts)	Sept 21	49

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21/22-52 Resolution Authorizing Manitowoc County To Enter Into The Settlement Agreements With McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agreeing To The Terms Of The MOU Allocating Settlement Proceeds, And Authorizing Entry Into The MOU With The Attorney General.....	DEC 21	110
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*21/22-51 Ordinance Creating Manitowoc County Code § 6.30 (Recording in County Owned Facilities)	DEC 21	108

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21/22-9 Resolution Authorizing Additional 1.0 Full-Time Equivalent Human Services Employee (Adult Protective Services Ongoing Social Worker)	MAY 18.....	14
21/22-11 Resolution Authorizing The Issuance And Sale Of A \$1,000,000 General Obligation Promissory Note	JUNE 15.....	19
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