



MANITOWOC COUNTY COUNTY BOARD OF SUPERVISORS MEETING NOTICE

DATE: April 18, 2023

TIME: 5:00 P.M.

PLACE: The Heritage Center, County Board Meeting Room
1701 Michigan Ave, Manitowoc, WI 54220

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

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

- I. Call to order by Chairperson Martell.
- II. Invocation by Supervisor Hacker.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the March 21, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclaiming the Month of May as Foster Care Month
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENT BY COUNTY EXECUTIVE
 - A. Local Emergency Planning Committee

Appoint one member to succeed Stephanie Lambert for the remainder of the term expiring December 2023.

 1. Korina Aghmar
- X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Resolution 2023/2024-1 Authorizing Application for and Acceptance of Farmland Preservation Program Planning Grant
 2. Ordinance 2023/2024-2 Amending Zoning Map (Lance and Holly Dederling)
 3. Ordinance 2023/2024-3 Amending Zoning Map (Jayme and Stephanie Hetland)
 4. Ordinance 2023/2024-4 Amending Manitowoc County Code § 13.37(7) (Private Sewage Systems Violations)

Petitions:
 - 1) Signature Enterprises, LLC (Town of Liberty)
 - 2) Manitowoc County – Ordinance Text Amendment, County Code Chapter 8
 - B. Aging & Disability Board
 - C. Board of Health
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board

G. Finance Committee

5. Resolution 2023/2024-5 Authorizing Fund Balance Designations, Carry-Over, Transfers, and Reappropriation of Specified Funds from 2022 to 2023
6. Resolution 2023/2024-6 Denying Claim (Donna Diaz)

H. Highway Committee

I. Human Services Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

O. Miscellaneous

Personnel Committee and Human Services Board

7. Resolution No. 2023/2024-7 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CCS Rehabilitation Specialist to Clinical Division Deputy Director)

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

**RESOLUTION AUTHORIZING APPLICATION FOR AND
ACCEPTANCE OF FARMLAND PRESERVATION PROGRAM
PLANNING GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Stat. § 91.10 authorizes counties to adopt a Farmland Preservation
2 Plan for the purpose of preserving agricultural resources, guiding land use decisions, minimizing
3 farm and non-farm conflicts; and providing tax credits for property owners in certified farmland
4 preservation areas; and

5
6 WHEREAS, the Manitowoc County Farmland Preservation Plan is certified until
7 December 31, 2024; and

8
9 WHEREAS, an updated Farmland Preservation Plan allows county landowners to continue
10 to be eligible for income tax credits; and

11
12 WHEREAS, the Planning and Zoning Department intends to contract with the Bay-Lake
13 Regional Planning Commission to provide consulting services to facilitate meetings, develop plan
14 elements, and update the Farmland Preservation Plan according to the requirements set forth in
15 Wis. Stat. § 91.10 and Wis. Admin. Code ch. ATPC 49; and

16
17 WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection
18 offers planning grants which may reimburse up to 50 percent of a county's cost to prepare a
19 Farmland Preservation Plan update, up to a maximum of \$30,000;

20
21 NOW, THEREFORE, BE IT RESOLVED THAT the county board of supervisors of the
22 county of Manitowoc County Board of Supervisors authorizes the Planning and Zoning Director
23 to apply for and accept a grant from the state of Wisconsin Department of Agriculture, Trade and
24 Consumer Protection in an amount not to exceed \$30,000 for the purpose of updating the Farmland
25 Preservation Plan; to contract with the Bay-Lake Regional Planning Commission for services in
26 connection with updating the Farmland Preservation Plan in an amount not to exceed \$30,000; and
27 to sign such documents and take such actions as may be necessary to undertake, direct, and
28 complete the grant and update the Farmland Preservation Plan; and

29
30 BE IT FURTHER RESOLVED that revenues and expenditures in the 2023 Planning and
31 Zoning budget are amended by the amount of the grant received and that the Finance Director is
32 directed to record such information in the official books of the County as may be required.

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. Expenditures will be offset by any revenues received from the grant.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING ZONING MAP
(Lance and Holly Dederling)

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 March 27, 2023; 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 in part of the Northwest 1/4 of the Fractional Northeast 1/4, all being in
12 Section 4, Township 17 North, Range 21 East, Town of Schleswig, Manitowoc County,
13 Wisconsin, described as follows:
14

15 Commencing at the South 1/4 corner of Section 33, Township 18 North, Range 21
16 East, Town of Eaton, Manitowoc County, Wisconsin; thence along the South line
17 of the Southeast 1/4 of said Section 33, S89°35'27"E, 405.50 feet to the point of
18 beginning; thence, continuing along said South line, S89°35'27"E, 259.00 feet;
19 thence S00°00'53"W, 505.00 feet; thence N89°35'27"W, 259.00 feet; thence
20 N00°00'53"E, 505.00 feet to the point of beginning, said parcel containing
21 approximately 130,972 Square Feet (3.0026 Acres) of land and is hereby rezoned
22 from General Agriculture (GA) District to Small Estate Residential (SE) District.

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

Lance & Holly Dederling, on February 17, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.08 acres of land located in the NW1/4, NE1/4, Section 4, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

The Town of Schleswig adopted the Manitowoc County Zoning Ordinance on October 11, 2012. The uses permitted in SE, Small Estate zoning provides for mixed residential and agriculture activity with a minimum lot size of two acres.

1. Action taken to date on this request includes:

- a. Lance & Holly Dederling petitioned for a zoning map amendment on February 17, 2023.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on March 15, 2023 and on March 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on March 27, 2023.
- e. The Commission at their March 27, 2023 meeting recommended approval of a requested rezoning of approximately 3.08 acres of land located in the NW1/4, NE1/4, Section 4, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Mr. & Mrs. Lance Dederling, property owners, spoke in favor of the request.

The County Planning and Park Commission made the following findings from testimony at the hearing, the rezoning fact sheet, staff analysis, and discussions at the public hearing and meeting.

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the GA, General Agriculture District.
2. The Schleswig Town Board & Town Planning Commission support the proposed zone change to SE, Small Estate.
3. Rezoning will allow for separating the single family home with approximately 3.08 acres of land from the parent parcel.
4. Area to be rezoned is located to the south and east of existing residential parcels.

RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of Lance & Holly Dederling to rezone approximately 3.08 acres of land from GA, General Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its March 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.08 acres of land located in the NW1/4, NE1/4, Section 4, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General Agriculture to SE, Small Estate.

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

- ☐ IS THE PROPOSED ZONING MAP AMENDMENT CONSISTENT WITH AND IN ACCORDANCE WITH THE COUNTY'S:
 - 1. LAND USE PLAN?
 - 2. FARMLAND PRESERVATION PLAN?
 - 3. OTHER LOCAL UNITS PLANS?
- ☐ HAS THERE BEEN A SUBSTANTIAL CHANGE IN CONDITIONS SINCE THE LAND WAS ORIGINALLY ZONED TO WARRANT THE PROPOSED AMENDMENT?
- ☐ WAS THE SUBJECT PROPERTY INCORRECTLY ZONED INITIALLY?
- ☐ DOES THE DECISION TO RECOMMEND APPROVAL OR DENIAL REPRESENT THE COMMISSION'S/COMMISSIONER'S WILL OR DOES IT REPRESENT ITS JUDGMENT?
- ☐ IS THE PROPOSED AMENDMENT IN THE BEST INTEREST OF THE COMMUNITY PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?
- ☐ WILL THE PROPOSED REZONING BE COMPATIBLE WITH NEIGHBORHOOD PROPERTIES AND WILL IT NOT ADVERSELY AFFECT THE VALUE OF SUCH ADJACENT LAND?
- ☐ IS THE SUBJECT PROPERTY ECONOMICALLY FEASIBLE TO DEVELOP OR USE UNDER THE CURRENT ZONING?
- ☐ ARE THERE ADEQUATE SITES ELSEWHERE THAT ARE ZONED APPROPRIATELY FOR THE PROPOSED USE?
- ☐ DOES THE PROPOSED ZONING MAP AMENDMENT CONSTITUTE SPOT ZONING?
- ☐ HAVE ALL USES THAT ARE PERMITTED UNDER THE PROPOSED ZONING DISTRICT BEEN CONSIDERED RATHER THAN JUST THE USE THAT IS BEING PROPOSED BY THE APPLICANT?
- ☐ DOES THE PROPOSED AMENDMENT (IF OUT OF EA, EXCLUSIVE AGRICULTURE) MEET THE STATUTORY AND COMMISSION POLICY FINDINGS?
- ☐ OBJECTIONS FROM TOWN OR OTHER INTERESTED PARTIES?
- ☐ CITIZEN SUPPORT/OBJECTION?

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

- ☐ IS THE PROPOSED LOCATION FOR THE PROPOSED USE WITHIN THE AREAS IDENTIFIED AS:
 - FLOODPLAIN
 - WETLAND
 - FLOODWAY
 - SHORELAND
- ☐ DOES THE PROPOSED CONSTRUCTION MEET THE STATE'S AND COUNTY'S STANDARDS:
 - PERMITTED ACCESSORY OR CONDITIONAL USE
 - SHORELINE VEGETATION REMOVAL
 - MINIMUM SETBACK FROM WATERWAY
 - MINIMUM LOT SIZE AND WIDTH
 - STANDARDS FOR FILLING, GRADING & EXCAVATION



COUNTY OF MANITOWOC

COUNTY CLERK

1010 South 8th St., Ste. 115
Manitowoc, WI 54220

Jessica Backus
Manitowoc County Clerk

Telephone: (920) 683-4004
Email: jessicabackus@manitowoccountywi.gov

March 13, 2023

Tim Ryan, Director
Planning & Park Commission
4319 Expo Dr., P.O. Box 935
Manitowoc, WI 54220-0935

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

We enclose a copy of the following petition for an amendment to Manitowoc County's Zoning Ordinance Use Regulations as filed in this office:

Name of Owner:

Lance and Holly Dederig
21401 Townline Road, PO Box 36
Kiel, WI 53042

Township:

Schleswig

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County
Planning and Park Commission

Fee (\$505) Received ☒
Receipt # 40424

ZONING MAP AMENDMENT APPLICATION



Date of Application: 02/01/2023 OWNER APPLICANT/ AGENT

Owner Lance + Holly Dederig

Applicant/Agent

Address (1) 2401 Townline Road

Address (1)

Address (2) PO Box 36

Address (2)

City/State/Zip Kiel, WI 53042

City/State/Zip

Phone 920-286-2270

Phone

PROPERTY LEGAL DESCRIPTION

NW 1/4, NE 1/4, S 4 T 17 N R 21 E Town of Schleswig

House /Fire # 21401

Tax Number 01600400200200

PROPERTY INFORMATION

Existing Zoning District GA

Proposed Zoning district SE

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

Proposed use: (Reason for change)

We are proposing to rezone our property into 2 parcels. The parcel with our existing home with Approx 3.08 acres and the remaining acres of Approx 12.01 to be the second parcel. We request this rezone so we can build our retirement home close to the woods in the back of our parcel which also allows us to be closer to our 2nd parcel that is behind that. The proposed shape of the lot lines is to allow for us to have at least 150' of road frontage and to allow us to use our existing driveway off of Townline Road for an access to the back of our proposed new property. We also wanted to provide an adequate amount of land with the existing house to have a nice residential country lot.

Return to:
Manitowoc County
Planning and Park Commission
4319 Expo Drive, PO Box 935
Manitowoc, WI 54220-0935
(920) 683-4185

Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Schleswig from GA to SE)

PETITIONER

Name: Lance & Holly Dederling
Address: 21401 Townline Rd PO Box 36
Kiel, WI 53042
Town: Schleswig

PARCEL

Location: NW ¼, NE ¼, Section 4, T17N-R21E
Tax#: 016-004-002-002.00
Area: 3.08 acre(s)

ACTION TO DATE

Petition Submitted: 02/17/2023
Town Action: Approved February 9, 2023
Hearing Notice Published: 3/15/23 & 3/20/23
Advisory: 03/27/23
Hearing: 03/27/23

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Grassland
South	GA	Woods & Grassland
East	GA	Residential & Agricultural
West	LE & GA	Grassland & Residential

PARCEL USES & ZONING

Existing Zoning District: GA, General Agriculture
Existing Land Use: Residential, Grassland
Proposed Zoning District: SE, Small Estate Residential
Proposed Use: Sell off existing house with a smaller lot.

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation Area
Soil Type: HmC2, HmD2
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Townline Rd
Town Land Use Designation: Agricultural

Soil Test: 2016 At-grade septic system
Terrain: 0 to <12 Percent Slopes
Vegetative Cover: Grassland

Preserve the agricultural resources of the town. Anticipated Land Use trends to include division of land in the town into smaller parcels. New residential development types shall conform to surrounding land uses. Preserve as much of the rural landscape and woodlands and other natural features as possible. Encourage design techniques (such as conservation and cluster subdivision) that strike a creative balance between open space and development.

TOWN OF SCHLESWIG
Regular Monthly Town Board Meeting
February 9, 2023
MINUTES

UNAPPROVED DRAFT

Meeting called to order by Supervisor Neils at 7:00 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on February 6, 2023 and the media was notified. Town officials present for the meeting were Supervisor Glomski (via phone) Supervisor Neils, Deputy Clerk Hoepfner, Clerk Pieper, Deputy Clerk Meyer, Treasurer Vondrachek, Deputy Treasurer Krebsbach and Road Superintendent Hartmann, Chairman Meyer was excused.

Motion – Glomski/Neils to approve the agenda as presented; motion carried.

Motion - Glomski/Neils to approve Regular Board meeting minutes of 1/12/23; motion carried.

Motion - Neils/Glomski to approve Special Closed Session meeting minutes (Hartmann contract) of 1/12/23; motion carried.

Motion - Neils/Glomski to approve Special Closed Session meeting minutes (Clerk interviews) of 1/24/23; motion carried.

Motion- Glomski/Neils to approve Open Session meeting minutes (Clerk interviews) of 1/24/23; motion carried.

Treasurer's report: Checkbook balance \$48,351.40 mobile home account \$2,874.57 tax savings account \$256,000.21 ARPA account \$114,541.77; capital outlay account \$51,311.76; equipment account \$174,777.53. Receipts since previous meeting were \$43,132.53 which included interest income totaling \$0 (interest now paid quarterly).

Clerk's report: **Motion Neils/Glomski** to approve payments of the EFT for US Treasury and checks #16489 to #16528 totaling \$81,519.57; motion carried.

Board Member's Report: None.

Assessor's report: None.

Constable's report: Currently have 2 cases pending in court; building to be taken down and garbage on highway.

Visitors' input: None.

Building permits: Supervisor Glomski to present these at our next Board meeting.

Old & New Business:

- A. Approve zoning change to RR for storage units for Hetland – At their February 2, 2023 meeting, the Plan Commission reviewed the application, surveyors map and proposed

layout of storage units at 19600 Point Creek Road. The Plan Commission approved the rezone and noted that a variance and conditional use permit would be needed for next steps. The zoning change to RR was questioned by Supervisor Glomski. The Board was informed by the Plan Commission that RR was proposed by Manitowoc County. After discussion of lot size (3.33 acres) and that a home or homes would not be built there, a motion was made to approve. **Motion Glomski/Neils** to concur with Plan Commission and approve the rezone; motion carried.

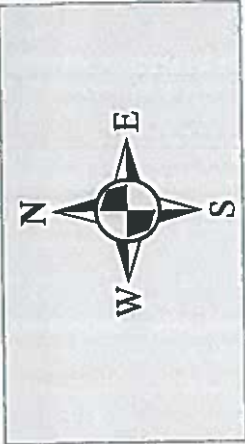
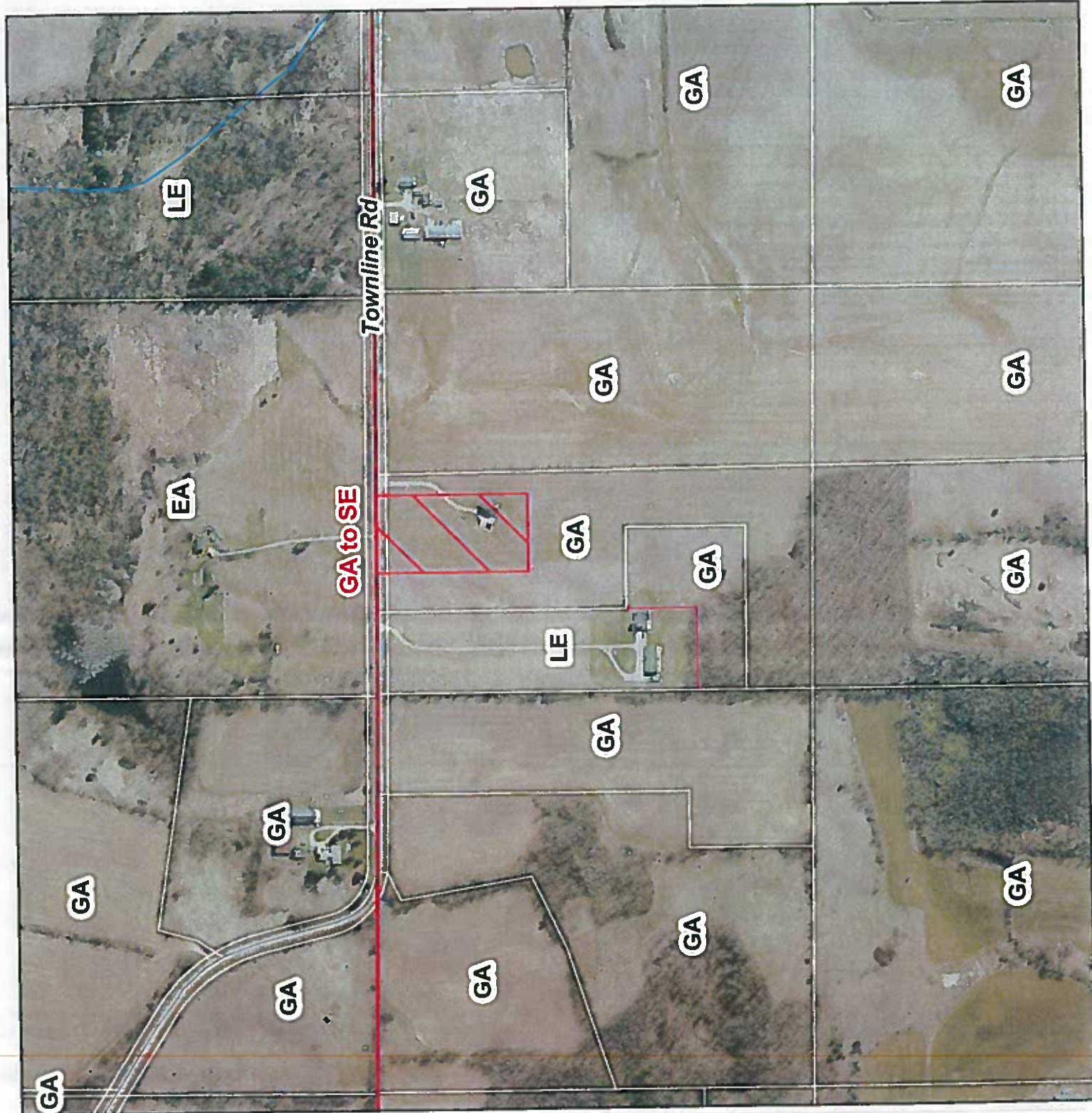
- B. Approve rezone to divide into two lots for Dederling – The Plan Commission reviewed, discussed, and approved this request at their meeting on February 2, 2023. **Motion Glomski/Neils** to concur with the Plan Commission and approve the rezone request for Lance and Holly Dederling to rezone a 15.09 parcel into 2 parcels of 3.08 acres and 12.01 acres; motion carried.
- C. Approve first amendment to promissory note for Point Creek Road, 3-1-23 maturity – **Motion Neils/Glomski** to approve the first promissory note amendment; motion carried.
- D. Approve operator (bartender) license for Jennifer Gleim, Conrad's 2nd Knot – **Motion Neils/Glomski** to approve operator license for Jennifer Gleim; motion carried.

Miscellaneous Reports

- A. Review and discuss current recycling contract – The Board agreed to continue service with Waste Management, without a contract with them. If issues occur, the Town will obtain bids for services from other vendors.
- B. District Meeting – Saturday, March 4th at Farm Wisconsin Discovery Center, Manitowoc – Supervisors Neils and Glomski plan to attend.
- C. Wisconsin Town's Association Convention Oct 22-24 hotel reservations – Deputy Clerk Hoepfner requested that anyone who plans on attending the conference to make their own room reservations and submit an expense report to her for reimbursement. Conference agenda is not yet available.
- D. Town website update – Town Web Design will be working on our website updates over the next few weeks. Supervisor Glomski requested some type of bulletin board on the main page that highlights urgent issues.

Motion Glomski/Neils to adjourn; motion carried. Meeting adjourned at 7:27pm.

Deb Hoepfner, Deputy
Clerk 2-14-23



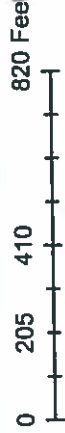
Lance & Holly Dederling
 NW 1/4, NE 1/4
 Section 4, T17N-R21E
 Town of Schleswig

From: GA To: SE
 Approximatel 3.00 acre(s)
 -87.991, 43.978

Map Overview

Schleswig

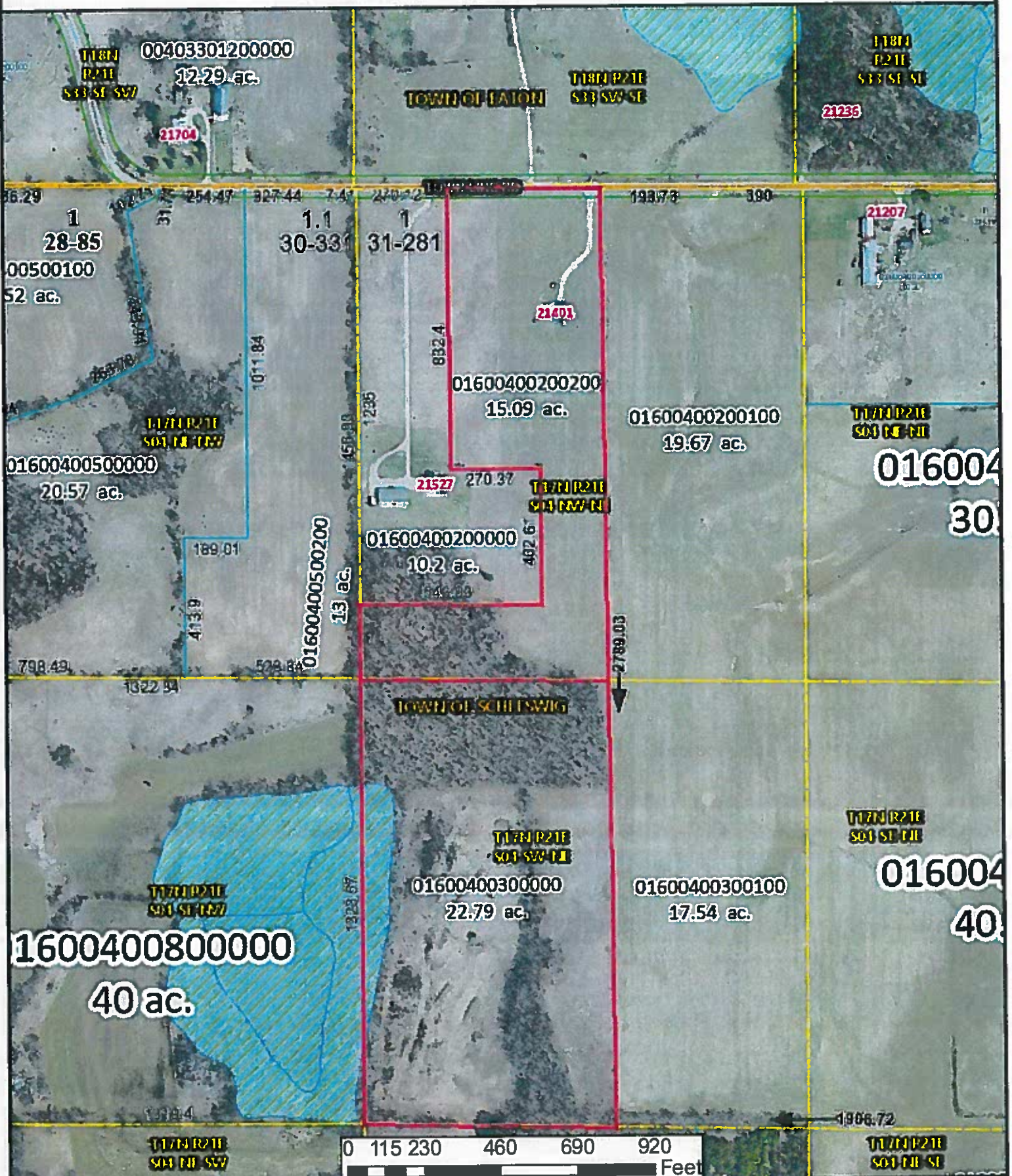
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



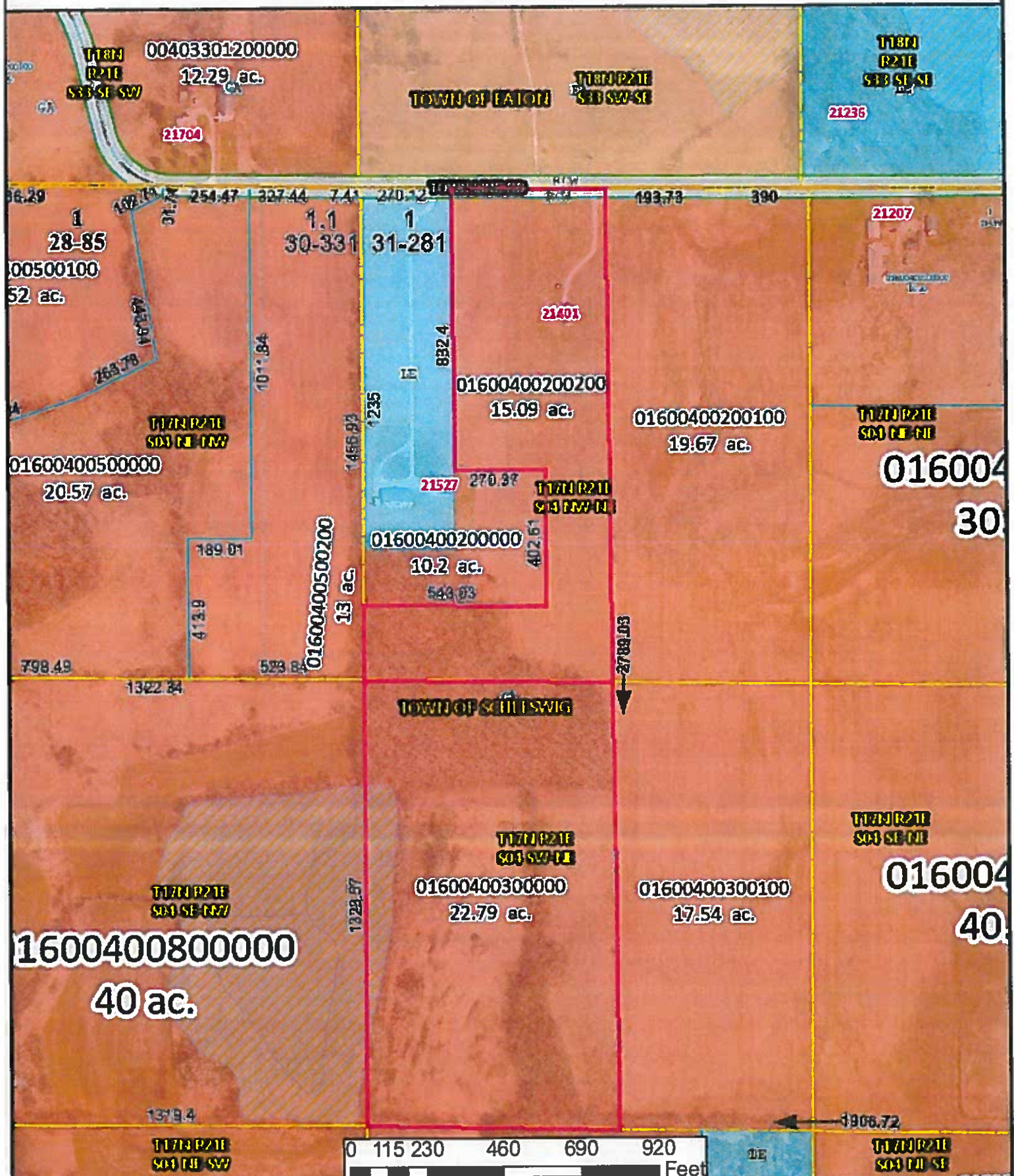
Legend

- Proposed Zone Change (Red hatched box)
- Parcel Line (Thin black line)
- Water Way (Blue line)
- Zoning Line (Thick red line)

Manitowoc County Parcel Viewer



Manitowoc County Parcel Viewer



Part of the Northwest 1/4 of the Fractional Northeast 1/4 of
Section 4, Township 17 North, Range 21 East,
Town of Schleswig, Manitowoc County, Wisconsin.

S/L of SE 1/4 Section 33, T18N R21E

S89°35'27"E 2642.17'
Townline Road (66')

S 89°35'27" E 481.96'

Land: 122,245 SF (2.8064 Acres)
Road: 8,547 SF (0.1962 Acres)
Total: 130,972 SF (3.0026 Acres)

- 1" x 18" Steel Rebar @ 1.50lbs/LF SET
- 1" Rebar Found
- 1.3" O.D. Iron Pipe Found
- ⊕ Government Corner
- () Recorded As
- ⊗ Well

Note:
Per discussion with the County Surveyor, I held the South line of Section 33 and have shown a tie distance, listed as L1, to the North 1/4 corner of Section 4. This corner is a closing corner and is currently located South of the above said line.

James R. Sehloff Date
Profession Land Surveyor 2692

LINE TABLE		
Line	Bearing	Length
L1	S 88°42'11" E	7.42'

File: 7587CSM.dwg
Date: 03/02/2023
Drafted By: kristy
Sheet: 1 of 3

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Fractional Northeast 1/4 of Section 4, Township 17 North, Range 21 East,
Town of Schleswig, Manitowoc County, Wisconsin.

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of Manitowoc County, and under the direction of Lance T. and Holly A. Dederer, the property owners of said land, I have surveyed divided and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is part of the Northwest 1/4 of the Fractional Northeast 1/4, all being in Section 4, Township 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, containing 653,471 Square Feet (15.0016 Acres) of land described as follows:

Commencing at the South 1/4 corner of Section 33; thence along the South line of the Southeast 1/4 of said Section 33, S89°35'27"E, 277.54 feet to the point of beginning; thence, continuing along said South line, S89°35'27"E, 481.96 feet; thence S00°00'53"W, 1462.44 feet to the South line of the Northwest 1/4 of the Fractional Northeast 1/4; thence, along said South line, N89°10'50"W, 752.14 feet to the Southeast corner of Lot 1.1 of 30CSM331; thence along said East line of said Lot 1.1, N00°00'54"E, 221.93 feet to the South line of Lot 1 of 31CSM281; thence, along said South line, S89°35'27"E, 543.03 feet to the Southeast corner of said Lot 1; thence along an Easterly line of said Lot 1, N00°00'54"E, 402.61 feet; thence, along an Easterly line of said Lot 1, N89°35'27"W, 270.37 feet; thence along an Easterly Line of said Lot 1; N00°09'36"W, 832.53 feet to the point of beginning, subject to all easements and restrictions of record.

Given under my hand this _____ day of _____, _____.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

Owners' Certificate

As the property owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided and mapped all as shown and represented on this map.

We do further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Manitowoc County Department of Development & Land Services

Dated this _____ day of _____, 20____

Lance T. Dederer, Owner

Holly A. Dederer, Owner

State of Wisconsin)
)SS

 County)

Personally came before me on the _____ day of _____, 20____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Notary Public, Wisconsin My Commission Expires _____

File: 7587CSM.dwg
Date: 03/02/2023
Drafted By: Kristy
Sheet: 2 of 3

Certified Survey Map No. _____

Part of the Northwest 1/4 of the Fractional Northeast 1/4 of Section 4, Township 17 North, Range 21 East,
Town of Schleswig, Manitowoc County, Wisconsin.

Certificate of Planning Department

This Certified Survey Map has been submitted to and approved by reviewed by the Manitowoc County Planning
and Park Commission as complying with the Subdivision Regulations for Manitowoc County and Chapter 236 of
the Wisconsin Statutes .

Planning Commission Representative

Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

The property owner of record:
Lance T. and Holly A. Dedereng

Recording Information:
Doc No 1035491

Parcel Number(s):
01600400200200

James R. Sehloff Professional Land Surveyor No. S-2692 Date

File: 7587CSM.dwg
Date: 03/02/2023
Drafted By: Jim
Sheet: 2 of 2

ORDINANCE AMENDING ZONING MAP
(Jayme and Stephanie Hetland)

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 March 27, 2023; 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 in all of Lot 4 of certified survey map recorded in Volume 35 on Page
12 269, Document number 1243444, located in the southwest ¼ of section 2, Township 17 North,
13 Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, described as follows:
14

15 Commencing at the southwest corner of section 2 thence North 89 degrees 54
16 minutes 10 seconds east, a distance of 936.89 feet to the point of beginning; Thence
17 north 89 degrees 54 minutes 10 seconds east along the south line of lot 4, a distance
18 of 381.68 feet; Thence north 00 degrees 15 minutes 14 seconds east along the east
19 line of lot 4, a distance of 368.76 feet; Thence along the north line of lot 4, south
20 89 degrees 54 minutes 10 seconds west, a distance of 393.93 feet; Thence south 01
21 degrees 38 minutes 56 seconds east a distance of 368.88 feet to the point of
22 beginning, said parcel containing approximately 3.28 acres of land and is hereby
23 rezoned from Small Estate Residential (SE) District to Rural Residential (RR)
24 District.

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

This report, recommendation, Ordinance, proof of publication, attached map, and the fact sheet are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

Jayne & Stephanie Hetland, on February 15, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.28 acres of land located in the SW1/4, SW1/4, Section 2, T17N-R21E, Town of Schleswig, from SE, Small Estate to RR, Rural Residential.

The Town of Schleswig adopted the Manitowoc County Zoning Ordinance on October 11, 2012. The uses permitted in RR, Rural Residential zoning provides for mixed residential and low impact non-residential development on relatively small lots with a minimum lot size of one acre.

1. Action taken to date on this request includes:

- a. Jayme & Stephanie Hetland petitioned for a zoning map amendment on February 15, 2023.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on March 15, 2023 and on March 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on March 27, 2023.
- e. The Commission at their March 27, 2023 meeting recommended approval of a requested rezoning of approximately 3.28 acres of land located in the SW1/4,SW1/4, Section 2, T17N-R21E, Town of Schleswig, from SE, Small Estate to RR, Rural Residential.

2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Mr. Jayme Hetland, property owner, spoke in favor of the request.

The County Planning and Park Commission made the following findings from testimony at the hearing, the rezoning fact sheet, staff analysis, and discussions at the public hearing and meeting.

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the SE, Small Estate District.
2. The Schleswig Town Board & Town Planning Commission support the proposed zone change to RR, Rural Residential.
3. Rezoning will allow for the construction of storage units with a conditional use permit.
4. Area to be rezoned is located in the southeast corner of the property and has adequate road frontage.

RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of Jayme & Stephanie Hetland to rezone approximately 3.28 acres of land from SE, Small Estate to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its March 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.28 acres of land located in the SW1/4, SW1/4, Section 2, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from SE, Small Estate to RR, Rural Residential.

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

- ☐ IS THE PROPOSED ZONING MAP AMENDMENT CONSISTENT WITH AND IN ACCORDANCE WITH THE COUNTY'S:
 - 1. LAND USE PLAN?
 - 2. FARMLAND PRESERVATION PLAN?
 - 3. OTHER LOCAL UNITS PLANS?
- ☐ HAS THERE BEEN A SUBSTANTIAL CHANGE IN CONDITIONS SINCE THE LAND WAS ORIGINALLY ZONED TO WARRANT THE PROPOSED AMENDMENT?
- ☐ WAS THE SUBJECT PROPERTY INCORRECTLY ZONED INITIALLY?
- ☐ DOES THE DECISION TO RECOMMEND APPROVAL OR DENIAL REPRESENT THE COMMISSION'S/COMMISSIONER'S WILL OR DOES IT REPRESENT ITS JUDGMENT?
- ☐ IS THE PROPOSED AMENDMENT IN THE BEST INTEREST OF THE COMMUNITY PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?
- ☐ WILL THE PROPOSED REZONING BE COMPATIBLE WITH NEIGHBORHOOD PROPERTIES AND WILL IT NOT ADVERSELY AFFECT THE VALUE OF SUCH ADJACENT LAND?
- ☐ IS THE SUBJECT PROPERTY ECONOMICALLY FEASIBLE TO DEVELOP OR USE UNDER THE CURRENT ZONING?
- ☐ ARE THERE ADEQUATE SITES ELSEWHERE THAT ARE ZONED APPROPRIATELY FOR THE PROPOSED USE?
- ☐ DOES THE PROPOSED ZONING MAP AMENDMENT CONSTITUTE SPOT ZONING?
- ☐ HAVE ALL USES THAT ARE PERMITTED UNDER THE PROPOSED ZONING DISTRICT BEEN CONSIDERED RATHER THAN JUST THE USE THAT IS BEING PROPOSED BY THE APPLICANT?
- ☐ DOES THE PROPOSED AMENDMENT (IF OUT OF EA, EXCLUSIVE AGRICULTURE) MEET THE STATUTORY AND COMMISSION POLICY FINDINGS?
- ☐ OBJECTIONS FROM TOWN OR OTHER INTERESTED PARTIES?
- ☐ CITIZEN SUPPORT/OBJECTION?

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

- ☐ IS THE PROPOSED LOCATION FOR THE PROPOSED USE WITHIN THE AREAS IDENTIFIED AS:
 - FLOODPLAIN
 - WETLAND
 - FLOODWAY
 - SHORELAND
- ☐ DOES THE PROPOSED CONSTRUCTION MEET THE STATE'S AND COUNTY'S STANDARDS:
 - PERMITTED ACCESSORY OR CONDITIONAL USE
 - SHORELINE VEGETATION REMOVAL
 - MINIMUM SETBACK FROM WATERWAY
 - MINIMUM LOT SIZE AND WIDTH
 - STANDARDS FOR FILLING, GRADING & EXCAVATION



COUNTY OF MANITOWOC

COUNTY CLERK

1010 South 8th St., Ste. 115
Manitowoc, WI 54220

Jessica Backus
Manitowoc County Clerk

Telephone: (920) 683-4004
Email: jessicabackus@manitowoccountywi.gov

March 13, 2023

Tim Ryan, Director
Planning & Park Commission
4319 Expo Dr., P.O. Box 935
Manitowoc, WI 54220-0935

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

We enclose a copy of the following petition for an amendment to Manitowoc County's Zoning Ordinance Use Regulations as filed in this office:

Name of Owner:

Jayme & Stephanie Hetland
1436 Falls Road
Grafton, WI 53024

Township:

Schleswig

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



**Manitowoc County
Planning and Park Commission**

Fee (\$490) Received ☒

Receipt # 40444

ZONING MAP AMENDMENT APPLICATION

Date of Application: 1/4/23

OWNER / APPLICANT/ AGENT

Owner Jayne & Stephanie Hetland

Applicant/Agent Jayne & Stephanie Hetland

Address (1) 1436 Falls Road

Address (1) 1436 Falls Road

Address (2) _____

Address (2) _____

City/State/Zip Grafton, WI, 53024

City/State/Zip Grafton, WI 53024

Phone 9203232743

Phone 9203232743

PROPERTY LEGAL DESCRIPTION

SW 1/4, SW 1/4, S 2 T 17 N R 21 E Town of Schleswig

House /Fire # 19600

Tax Number 01600200901400

PROPERTY INFORMATION

Existing Zoning District SE

Proposed Zoning district RR

Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

See Attached

MANITOWOC COUNTY
RECEIVED

FEB 15 2023

PLANNING & PARK
COMMISSION

Proposed use: (Reason for change)

I'm filling out this application as a local businessman and area native with knowledge of the surrounding area. This application is asking for a change in zoning from SE to RR to accomodate the construction of storage units on the property. Within a 5 mile radius there are multiple lakes. Most of the individuals who own these properties have multiple recreational vehicles and personal property and very little area and ability to store it. With storage units near Cedar Lake and Pigeon Lake (both of which are full), this leaves a void for local property owners who are having to drive and store their personal property further away from their homes causing more inconvenience. The building of storage units would be beneficial to the town as an added tax benefit vs. a single family home being built there instead. Additionally, storage units help to organize personal property in a way that cleans up the surrounding area. I'm proposing to build both 10'x20' and 20'x40' storage units to help with these issues and to provide easy access and high visibility to the local community.

Return to:
Manitowoc County
Planning and Park Commission
4319 Expo Drive, PO Box 935
Manitowoc, WI 54220-0935
(920) 683-4185

[Signature] 1/4/23
Signature (applicant, owner, agent) Date

[Signature] 1/4/23
Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Schleswig from SE to RR)

PETITIONER

Name: Jayme & Stephanie Hetland
Address: 1436 Falls Rd
Grafton WI 53024
Town: Schleswig

PARCEL

Location: SW ¼, SW ¼, Section 2, T17N-R21E
Tax#: 016-002-009-014.00
Area: 3.28 acre(s)

ACTION TO DATE

Petition Submitted: 02/15/2023
Town Action: Approved February 9, 2023
Hearing Notice Published: 3/15/23 & 3/20/23
Advisory: 03/27/23
Hearing: 03/27/23

ADJACENT USES & ZONING

Direction:	District:	Use:
North	LR	Agricultural
South	GA	Residential
East	GA	Agricultural
West	LR & LE	Residential

PARCEL USES & ZONING

Existing Zoning District: SE, Small Estate
Existing Land Use: Agricultural
Proposed Zoning District: RR, Rural Residential
Proposed Use: Construct Storage Units

MAP INFORMATION

Farmland Preservation Designation:
Non-Farmland Preservation Area
Soil Type: LuB, PIC
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well – excessively drained
Soil Limitations: Moderate - Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Point Creek Rd
Town Land Use Designation: Residential

Soil Test: N/A
Terrain: 0 to 12 Percent Slopes
Vegetative Cover: Agricultural

This classification of development should address all types of housing within the town limits. This includes single-family homes, multi-family apartments, mobile home parks, and senior housing complexes. The town is committed to offering and providing a variety of housing choices for its residents, although some of these housing offerings may be physically located in the City of Kiel or in other neighboring cities and villages. New developments shall be sensitive to natural features and surrounding land uses by conforming to setback requirements and incorporating natural features into the landscape to preserve the town's natural beauty.

TOWN OF SCHLESWIG
Regular Monthly Town Board Meeting
February 9, 2023
MINUTES



UNAPPROVED DRAFT

Meeting called to order by Supervisor Neils at 7:00 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on February 6, 2023 and the media was notified. Town officials present for the meeting were Supervisor Glomski (via phone) Supervisor Neils, Deputy Clerk Hoepfner, Clerk Pieper, Deputy Clerk Meyer, Treasurer Vondrachek, Deputy Treasurer Krebsbach and Road Superintendent Hartmann, Chairman Meyer was excused.

Motion – Glomski/Neils to approve the agenda as presented; motion carried.

Motion - Glomski/Neils to approve Regular Board meeting minutes of 1/12/23; motion carried.

Motion - Neils/Glomski to approve Special Closed Session meeting minutes (Hartmann contract) of 1/12/23; motion carried.

Motion - Neils/Glomski to approve Special Closed Session meeting minutes (Clerk interviews) of 1/24/23; motion carried.

Motion- Glomski/Neils to approve Open Session meeting minutes (Clerk interviews) of 1/24/23; motion carried.

Treasurer's report: Checkbook balance \$48,351.40 mobile home account \$2,874.57 tax savings account \$256,000.21 ARPA account \$114,541.77; capital outlay account \$51,311.76; equipment account \$174,777.53. Receipts since previous meeting were \$43,132.53 which included interest income totaling \$0 (interest now paid quarterly).

Clerk's report: **Motion Neils/Glomski** to approve payments of the EFT for US Treasury and checks #16489 to #16528 totaling \$81,519.57; motion carried.

Board Member's Report: None.

Assessor's report: None.

Constable's report: Currently have 2 cases pending in court; building to be taken down and garbage on highway.

Visitors' input: None.

Building permits: Supervisor Glomski to present these at our next Board meeting.

Old & New Business:

- A. Approve zoning change to RR for storage units for Hetland – At their February 2, 2023 meeting, the Plan Commission reviewed the application, surveyors map and proposed

layout of storage units at 19600 Point Creek Road. The Plan Commission approved the rezone and noted that a variance and conditional use permit would be needed for next steps. The zoning change to RR was questioned by Supervisor Glomski. The Board was informed by the Plan Commission that RR was proposed by Manitowoc County. After discussion of lot size (3.33 acres) and that a home or homes would not be built there, a motion was made to approve. **Motion Glomski/Neils** to concur with Plan Commission and approve the rezone; motion carried.

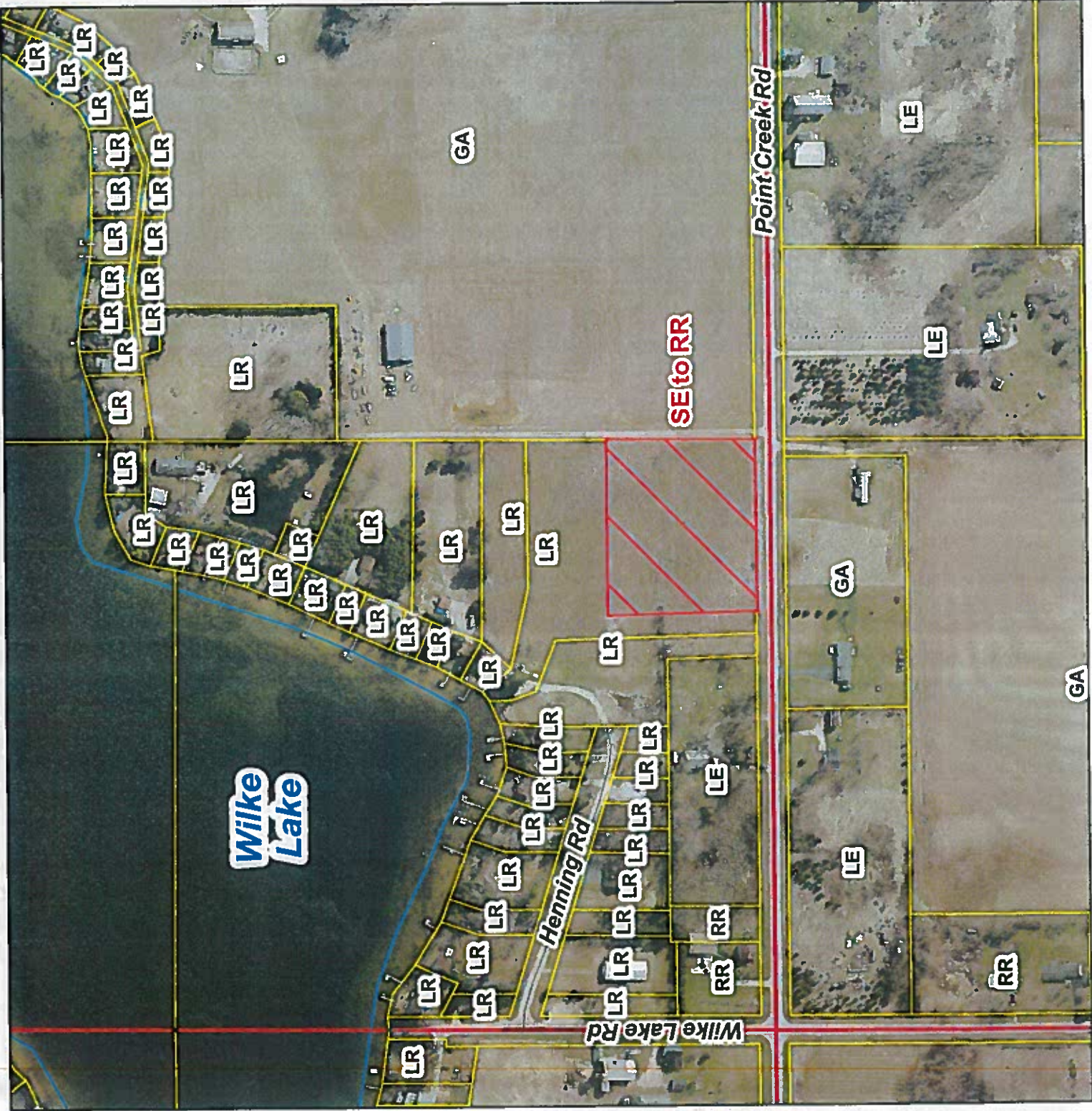
- B. Approve rezone to divide into two lots for Dederling – The Plan Commission reviewed, discussed, and approved this request at their meeting on February 2, 2023. **Motion Glomski/Neils** to concur with the Plan Commission and approve the rezone request for Lance and Holly Dederling to rezone a 15.09 parcel into 2 parcels of 3.08 acres and 12.01 acres; motion carried.
- C. Approve first amendment to promissory note for Point Creek Road, 3-1-23 maturity – **Motion Neils/Glomski** to approve the first promissory note amendment; motion carried.
- D. Approve operator (bartender) license for Jennifer Gleim, Conrad's 2nd Knot – **Motion Neils/Glomski** to approve operator license for Jennifer Gleim; motion carried.

Miscellaneous Reports

- A. Review and discuss current recycling contract – The Board agreed to continue service with Waste Management, without a contract with them. If issues occur, the Town will obtain bids for services from other vendors.
- B. District Meeting – Saturday, March 4th at Farm Wisconsin Discovery Center, Manitowoc – Supervisors Neils and Glomski plan to attend.
- C. Wisconsin Town's Association Convention Oct 22-24 hotel reservations – Deputy Clerk Hoeppner requested that anyone who plans on attending the conference to make their own room reservations and submit an expense report to her for reimbursement. Conference agenda is not yet available.
- D. Town website update – Town Web Design will be working on our website updates over the next few weeks. Supervisor Glomski requested some type of bulletin board on the main page that highlights urgent issues.

Motion Glomski/Neils to adjourn; motion carried. Meeting adjourned at 7:27pm.

Deb Hoeppner, Deputy
Clerk 2-14-23



Jayne & Stephanie
Hetland
SW 1/4, SW 1/4
Section 2, T17N-R21E
Town of Schleswig

From: SE To: RR
Approximately 3.28 acre(s)
-87.958, 43.965 Degrees

Map Overview

Schleswig

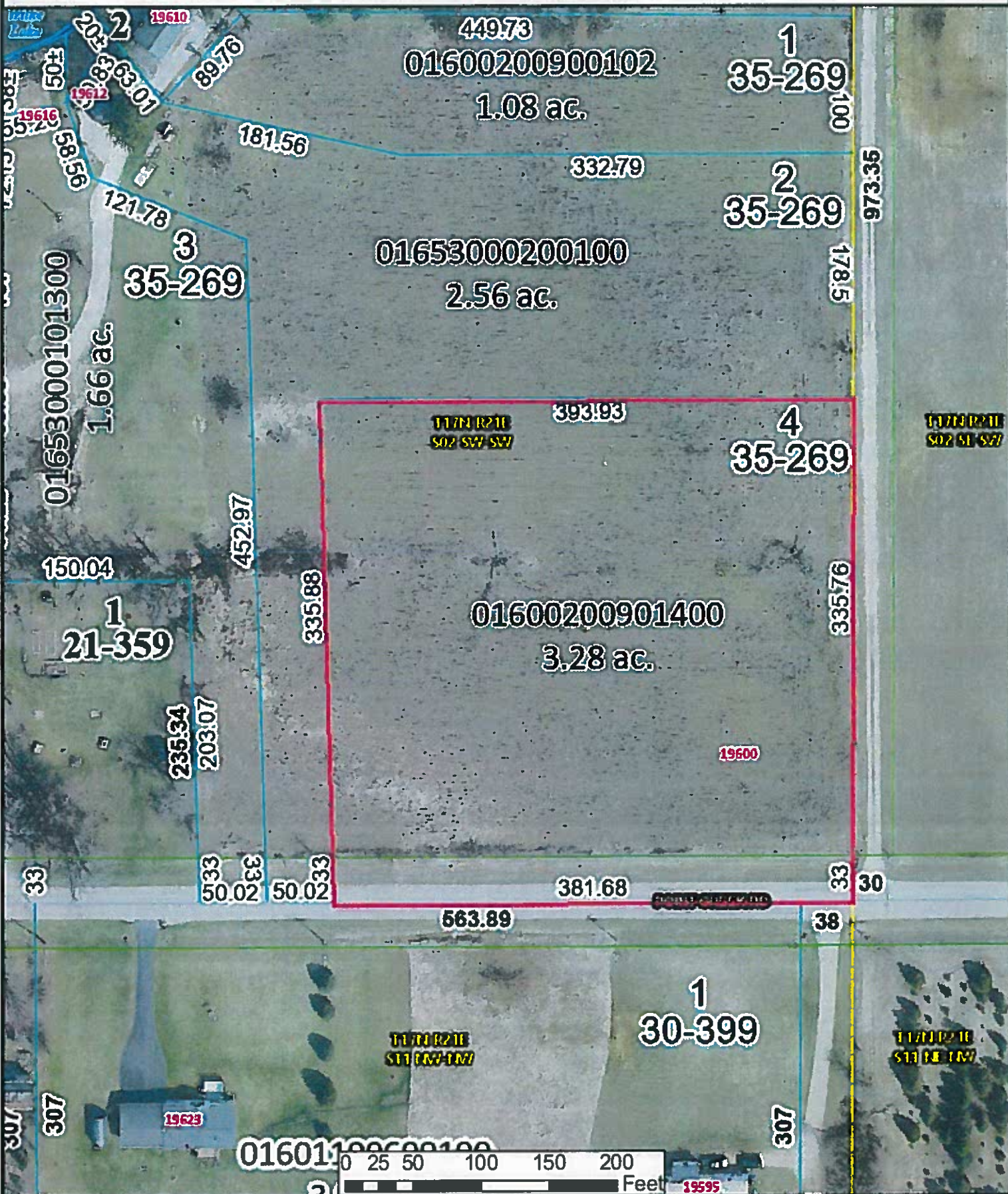
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



Legend

- Proposed Zone Change
- Parcel Line
- Water Way
- Zoning Line

Manitowoc County Parcel Viewer

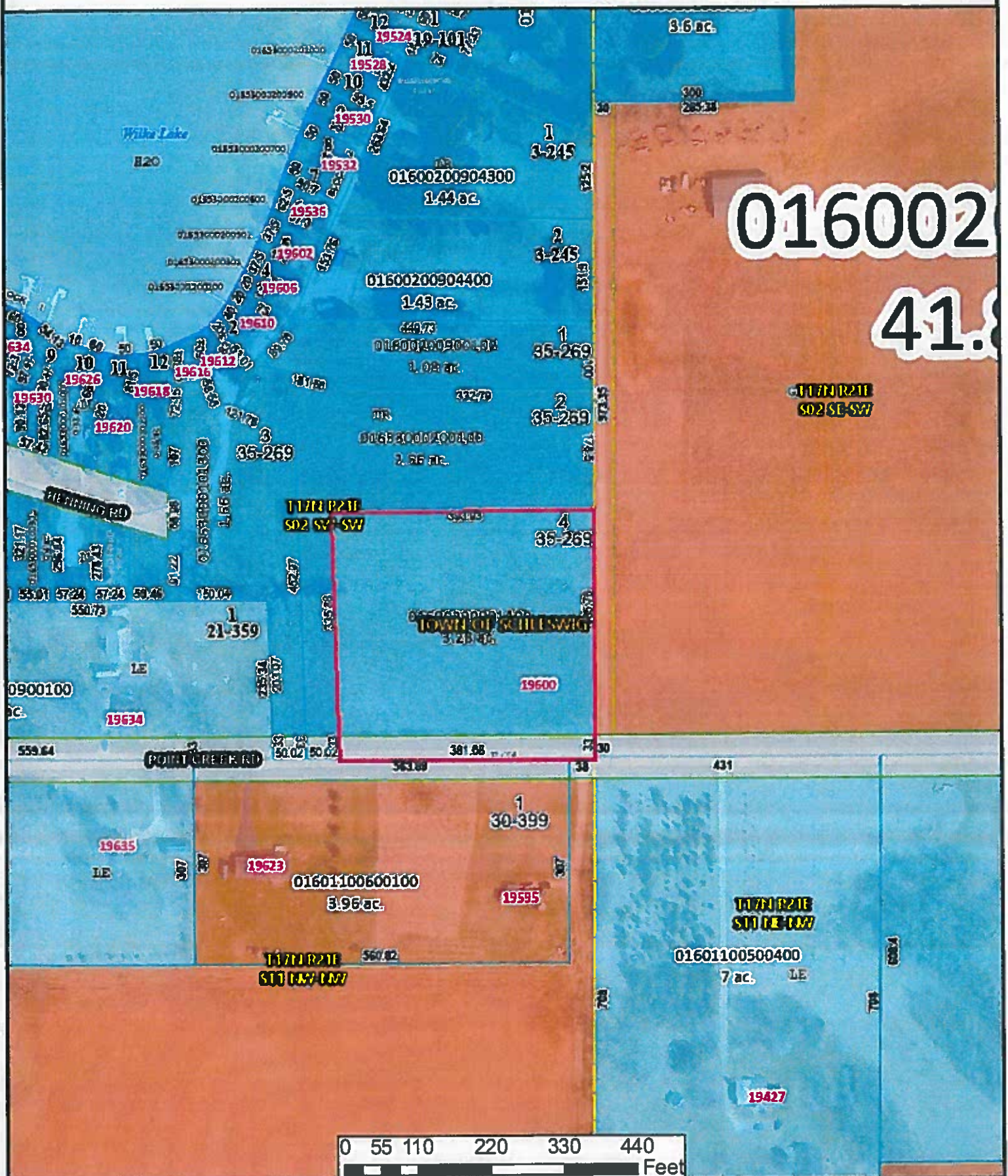


Author: Public
Date Printed: 2/10/2023



The burden for determining fitness for use rests entirely upon the user of this website. Manitowoc County and its co-producers will not be liable in any way for accuracy of the data and they assume no responsibility for direct, indirect, consequential, or other damages.

Manitowoc County Parcel Viewer



**ORDINANCE AMENDING MANITOWOC COUNTY CODE § 13.37(7)
(PRIVATE SEWAGE SYSTEMS - VIOLATIONS)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Chapter 13 of the Manitowoc County Code regulates private sewage systems;
and

WHEREAS, the purpose of the Private Sewage Systems Ordinance is to insure the safe
and proper use of land and water resources and to promote the public health, safety, and general
welfare by regulating the location, design, installation, alteration, inspection, management and use
of all private sewage systems; and

WHEREAS, the Manitowoc County Private Sewage Systems Ordinance is adopted
pursuant to Wis. Stat. §§ 59.70(1), 59.70(5), 145.04, 145.19, 145.20, and 145.245; and

WHEREAS, Section 13.37 of the Manitowoc County Code outlines what constitutes
violations of the Private Sewage Systems Ordinance; and

WHEREAS, the proposed amendment is to confirm Manitowoc County's intent when it
passed Ordinance No. 2017/2018-75 that use or occupancy of a building that is not in compliance
with M.C.C. § 13.32(2) is not itself unlawful; and

WHEREAS, the Planning and Park Commission, after providing the required notice, held
a public hearing on March 27, 2023 to consider the proposed amendment to the Manitowoc County
Private Sewage Systems Ordinance; and

WHEREAS, the Planning and Park Commission, after careful consideration of the
testimony at the hearing and an examination of the facts, recommends that the following
amendment of the Manitowoc County Private Sewage Systems Ordinance be approved;

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

Manitowoc County Code § 13.37(7) is amended to read as follows:

(7) It is unlawful to use or occupy any building that requires a private sewage system,
which is not serviced by a private sewage system that complies with the Private Sewage Systems
Ordinance. A violation of s. 13.32(2) does not constitute a violation of this sub. (7).

and

BE IT FURTHER ORDAINED that if applicable, the table of contents shall be updated to
reflect this amendment; and

40
41

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS APRIL 18, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: ORDINANCE AMENDMENT FOR CHAPTER 13, PRIVATE SEWAGE SYSTEMS.

This report, recommendation, Ordinance, proof of publication are hereby presented in accordance with Section 59.69(5)(e)4 Wisconsin Statutes.

The Manitowoc County Planning and Park Commission, on March 8, 2023, petitioned the Manitowoc County Board of Supervisors for an ordinance amendment for Chapter 13 of the Manitowoc County Code, Chapter 13, titled "Private Sewage Systems" to allow for amendment to sec. 13.37(7) Violations.

1. Action taken to date on this request includes:
 - a. The Manitowoc County Planning and Park Commission petitioned for an Ordinance amendment of the Manitowoc County Code, Chapter 13 on March 8, 2023.
 - b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
 - c. The public hearing notices were published in the Herald-Times-Reporter on March 15, 2023 and on March 20, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on March 27, 2023.
 - e. The Commission at their March 27, 2023 meeting recommended approval of the requested Ordinance Amendment of the Manitowoc County Code, Chapter 13.
2. Testimony from the March 27, 2023 hearing is available at the Planning and Zoning office in the form of a digital recording.
3. Testimony from the March 27, 2023 hearing is summarized as follows:
 - a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

The County Planning and Park Commission made the following findings from testimony at the hearing, staff analysis, and discussions at the public hearing and meeting.

1. This amendment updates the Private Sewage Systems Ordinance maintenance requirements to be consistent with Wis. Stats. § 706.22 relating to building occupancy. The proposed ordinance text amendment may be obtained from the Planning and Park Commission.

RECOMMENDATION

The Manitowoc County Planning and Park Commission, at its March 27, 2023 meeting, therefore by unanimous vote and after careful consideration of testimony and an examination of the facts, recommends that an Ordinance Amendment of the Manitowoc County Code Chapter 13, Private Sewage Systems Ordinance, related to sec 13.37(7) Violations be approved.



COUNTY OF MANITOWOC COUNTY CLERK

1010 South 8th St., Ste. 115
Manitowoc, WI 54220

Jessica Backus
Manitowoc County Clerk

Telephone: (920) 683-4004
Email: jessicabackus@manitowoccountymi.gov

March 13, 2023

Tim Ryan, Director
Planning & Park Commission
4319 Expo Dr., P.O. Box 935
Manitowoc, WI 54220-0935

and

Manitowoc County Board of Supervisors

ATTN: Tim Ryan and Manitowoc County Board of Supervisors

Enclosed is a copy of a petition for an ordinance text amendment to:

-Manitowoc County Code, Chapter 13 titled "Private Sewage Systems", sec. 13.37(7) Violations, to update Private Sewage Systems Ordinance maintenance requirements to be consistent with Wis. Stats. § 706.22 relating to building occupancy.

Name Petitioner

Manitowoc County Planning and Park Commission

This notice is made in compliance with Section 59.69(5)(e)(1) of the Wisconsin Statutes.
A report of the above petition will be made to the County Board at its next succeeding meeting.

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Planning & Zoning Department

Manitowoc County Office Complex
4319 Expo Drive, P.O. Box 935 • Manitowoc WI 54220
Phone: 920.683.4185

APPLICATION FOR AN ORDINANCE TEXT AMENDMENT

Date: March 8, 2023

To: The Chairperson and Members of the County Board of Supervisors, Manitowoc County, Wisconsin

From: The Manitowoc County Planning and Park Commission
4319 Expo Drive
Manitowoc, WI 54220

Subject: Application for Text Amendment
Manitowoc County Code Chapter 13

The Manitowoc County Planning and Park Commission hereby petitions the Manitowoc County Board of Supervisors for an ordinance text amendment of the Manitowoc County Code Chapter 13, sec. 13.37 (7) violations.

This amendment updates the Private Sewage Systems Ordinance maintenance requirements to be consistent with Wis. Stats. § 706.22 relating to building occupancy. The proposed ordinance text amendment may be obtained from the Planning and Park Commission.

Manitowoc County Planning and Zoning Commission

By: 
James Falkowski, Chair



Planning & Zoning Department

Manitowoc County Office Complex
4319 Expo Drive, P.O. Box 935 • Manitowoc WI 54220
Phone: 920.683.4185

APPLICATION FOR AN ORDINANCE TEXT AMENDMENT

Manitowoc County Code Chapter 13 Private Sewage Systems

Part I. Introduction.

- | | |
|---------------------|--|
| 13.01 Title. | 13.05 Abrogation and Greater Restrictions. |
| 13.02 Authority. | 13.06 Severability. |
| 13.03 Purpose. | 13.07 Warning and Disclaimer of Liability. |
| 13.04 Jurisdiction. | 13.08 Interpretation. |

Part II. Definitions.

- 13.09 Definitions.

Part III. General Requirements.

- | | |
|------------------------------------|-------------------------------------|
| 13.10 Compliance. | 13.13 Floodplain. |
| 13.11 Limitation and Prohibitions. | 13.14 Issuance of Building Permits. |
| 13.12 Holding Tanks. | 13.15 Abandonment. |

Part IV. Permits and Applications.

- | | |
|--------------------------------------|--|
| 13.16 Soil and Site Evaluation. | 13.22 Change of Plumbers. |
| 13.17 Sanitary Permits. | 13.23 Permit Denial. |
| 13.18 Application Requirements. | 13.24 Withholding Permit Approval. |
| 13.19 Permit Cards. | 13.25 POWTS Reconnection. |
| 13.20 Permit Expiration and Renewal. | 13.26 Emergency Repairs and Installations. |
| 13.21 Transfer of Ownership. | 13.27 Fees. |

Part V. Inspections and Testing.

- | | |
|---|---------------------|
| 13.28 Inspections; General. | 13.30 Reinspection. |
| 13.29 Inspections; Site Constructed
Holding Tanks. | 13.31 Testing. |

Part VI. Management and Maintenance.

- | | |
|--|-------------------------------------|
| 13.32 Maintenance Program. | 13.34 Maintenance Responsibilities. |
| 13.33 Holding Tank Maintenance and
Agreement. | |
-

Part VII. Administration and Enforcement.

13.35 Administration.

13.36 Appeals.

13.37 Violations.

13.38 Enforcement.

13.39 Penalties.

13.40 Effective Date.

13.37 Violations

- (1) It is unlawful to violate any provision of this Private Sewage Systems Ordinance, any order or directive issued pursuant Private Sewage Systems Ordinance, or to or fail to comply with any requirement contained within or issued pursuant to this Private Sewage Systems Ordinance.
- (2) It is unlawful to fail to comply with any permit condition, plan component, management plan requirement, or other permit requirement as provided by the Department or DSPS.
- (3) It is unlawful to install, construct, replace, repair, reconnect, or modify any private sewage system or any part or component thereof without a valid sanitary permit issued by the Department.
- (4) It is unlawful to alter, construct, repair, or cause work to be performed on a private sewage system in violation of any order, certificate, directive, or permit issued under the provisions of this Private Sewage Systems Ordinance.
- (5) It is unlawful to interfere, resist, or obstruct the Director or any other person in the discharge of duties authorized under the provisions of this Private Sewage Systems Ordinance.
- (6) It is unlawful to own or operate a failing POWTS.
- (7) It is unlawful to use or occupy any building that requires a private sewage system, which is not serviced by a private sewage system that complies with the Private Sewage Systems Ordinance.
A violation of s. 13.32(2) does not constitute a violation of this sub. (7).
- (8) It is unlawful for any person to knowingly provide false information, make a false statement, fail to provide, or misrepresent any material fact to any Manitowoc County agent, board, commission, committee, department, employee, official, or officer acting in an official capacity under this Private Sewage Systems Ordinance.

**RESOLUTION AUTHORIZING FUND BALANCE DESIGNATIONS,
CARRY-OVER, TRANSFERS, AND REAPPROPRIATION OF
SPECIFIED FUNDS FROM 2022 TO 2023**

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 2022
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 reappropriated 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 the County; and
24

25 WHEREAS, the General Fund had another good year in 2022 to the point that funds are
26 available to transfer to the Debt Service to pay off a portion of the remaining balance of our 2012
27 General Obligation Note; and
28

29 WHEREAS, any additional items or adjustments that may be required at the completion of
30 the County's external audit will be brought to the County Board in a separate resolution at the
31 conclusion of the field work of the external audit;
32

33 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors
34 that the following funds and their designations are authorized to be carried over from the official
35 books of the county for the year ended December 31, 2022 to the official books of the county for
36 the year ending December 31, 2023; that the funds be re-appropriated and expended as may be
37 required; and that the 2023 Annual Budget is amended and the appropriate line items in the General
38 Fund or Debt Service Fund may be increased as necessary:

NON-SPENDABLE FUND BALANCE

Account Number	Description	Amount
100.34100	Resrvd-Property Taxes	\$829,473.94
100.34115	Resrvd-Prepaid Items	\$22,560.21
100.34120	Resrvd-Inventory	\$63,251.06
TOTAL		\$915,285.21

RESTRICTED FUND BALANCE

Account Number	Description	Amount
100.34240	Unres/Desig-Public Health	\$2,308.43
100.34245	Unres/Desig-Veterans Srv	\$49,880.16
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
100.34259	Unres/Desig-Prepay debt	\$300,000.00
100.34275	Unres/Desig-Sheriff	\$7,909.62
100.34277	Unres/Desig-Vehicle Pool PW	\$138,926.00
100.34280	Unres/Desig-Emgt Hazmat	\$288,741.51
100.34282	Unres/Desig-Personnel	\$14,965.27
100.34289	Unres/Desig-Elections CC	\$141,231.66
100.34293	Unres/Desig-Communications Pro	\$354,869.20
100.34294	Unres/Desig-PW-PBX Phone Sys	\$227,537.10
100.34295	Unres/Desig-Future Cap Proj	\$60,000.00
100.34298	Unres/Desig-Vehicle	\$35,000.00
TOTAL		\$1,849,589.62

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 reappropriated in the 2023 budget as may be required; and

BE IT FURTHER RESOLVED that the Finance Director is directed to record such information in the official books of the County for the year ended December 31, 2022 and for the year ending December 31, 2023 as may be required.

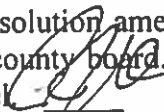
Dated this 18th day of April 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: Carries over and transfers the amounts specified from the 2022 budget to the 2023 budget and amends the 2023 Annual Budget as may be required.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel.  _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION DENYING CLAIM
(Donna Diaz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Donna Diaz filed a claim with Manitowoc County on March 14, 2023 seeking
2 reimbursement of \$1,537.00 for medical and other expenses, in addition to unidentified future
3 expenses that she may have, which were purportedly incurred as a result of slipping on ice on a
4 courthouse sidewalk; 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 April 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION AUTHORIZING REALLOCATION OF HUMAN
SERVICES DEPARTMENT 1.0 FULL-TIME EQUIVALENT POSITION
(CCS Rehabilitation Specialist to Clinical Division Deputy Director)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the human services department has four divisions, each of which has a deputy
2 director, except for the clinical services division; and

3
4 WHEREAS, the previous clinical services deputy director was promoted to human services
5 department director; and

6
7 WHEREAS, the vacated clinical services deputy director position was not refilled and was
8 removed from the "Full Time Equivalent Report (FTE) by Department" included in the Manitowoc
9 County, WI 2023 Adopted Annual Budget; and

10
11 WHEREAS, the job duties of the human services director make it unmanageable to
12 perform both the department director and clinical services deputy director duties; and

13
14 WHEREAS, the 2023 budget included two CCS rehabilitation specialist position that have
15 not been filled; and

16
17 WHEREAS, amending the Full Time Equivalent Report (FTE) by Department in the 2023
18 budget to reallocate the FTE positions in the human services department by reducing the number
19 of CCS rehabilitation specialist positions by 1.0 FTE and including a 1.0 FTE clinical service
20 deputy director position will permit the human services director to effectively perform the duties'
21 of that position; and

22
23 WHEREAS, after careful consideration and review, the Human Services Board and the
24 Personnel Committee recommend amending the "Full Time Equivalent Report (FTE) by
25 Department" included in the Manitowoc County, WI 2023 Adopted Annual Budget to reallocate
26 the FTEs in the human services department by reducing the number of CCS rehabilitation
27 specialist positions by 1.0 FTE and including a 1.0 FTE clinical service deputy director position;
28

29 NOW, THEREFORE, BE IT RESOLVED that county board of supervisors of the county
30 of Manitowoc amend the "Full Time Equivalent Report (FTE) by Department" included in the
31 Manitowoc County, WI 2023 Adopted Annual Budget to reallocate the FTEs in the human services
32 department by reducing the number of CCS rehabilitation specialist positions by 1.0 FTE and
33 creating a 1.0 FTE clinical service deputy director position; and

34
35 BE IT FURTHER RESOLVED that the Finance Director is directed to record such
36 information in the official books of the County for the year ending December 31, 2023 as may be
37 required.

Dated this 18th day of April 2023.

Respectfully submitted by the
Personnel Committee

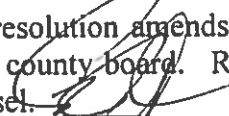
Susie Maresh, Chair

Human Services Board

Jim Brey, Chair

FISCAL IMPACT: The position costs roughly \$126,000 annually of which approximately \$12,260 would come from levy dollars with the remainder paid from grant funds.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel. 

APPROVED: _____
Bob Ziegelbauer, County Executive Date