



MANITOWOC COUNTY COUNTY BOARD OF SUPERVISORS MEETING NOTICE

DATE: March 19, 2024

TIME: 6:00 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 Zimmer.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the February 20, 2024 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 April Child Abuse and Neglect Prevention Month
 2. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation in Honor of National Public Safety Telecommunicators Week
 3. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamations Honoring Supervisors Baumann, Brey and Vogt
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
 1. Chris Culotta, WI Department of Health Services Regional Representative – Presentation of Manitowoc County Health Department's Level 3 Certification
- IX. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Ordinance 2023/2024-70 Amending Zoning Map (David and Cheryl Schneider)
 2. Ordinance 2023/2024-71 Amending Zoning Map (Aryln and Lori Eickert)
 3. Ordinance 2023/2024-72 Amending Zoning Map (Dennis and Mary Frenz)
 4. Resolution 2023/2024-73 Authorizing the 2024-2025 Snowmobile Trail Aids Program

Petitions: 1) Grassl Family Trust – Town of Schleswig
2) Trinity EV Lutheran Church – Town of Liberty
3) Janice Wehausen Irrevoc Trust – Town of Liberty
4) Steven and Virginia Schwoerer – Town of Eaton
5) Gerald Duchow – Town of Eaton
 - 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 2023/2024-74 Awarding the Sale of \$4,200,000 General Obligation Promissory Notes, Series 2024A
- 6. Resolution 2023/2024-75 Awarding the Sale of \$4,075,000 General Obligation Courthouse Improvement Bonds, Series 2024B

- H. Highway Committee
- I. Human Service Board
- J. Land Conservation Committee/UW-Extension Education and Agriculture Committee
- K. Personnel Committee
- L. Public Safety Committee

- 7. Ordinance 2023/2024-76 Amending Manitowoc County Code S. 4.13 (Sheriff's Department Fees)
- 8. Ordinance 2023/2024-77 Amending Manitowoc County Code Ch. 6.275 (Prostitution)

- M. Public Works Committee
- N. Transportation Coordinating Committee

X. ANNOUNCEMENTS

XI. ADJOURNMENT

Tyler Martell, Chairperson
Prepared by Melissa Tennant, 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.

ORDINANCE AMENDING ZONING MAP
(David and Cheryl Schneider)

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 February 26, 2024; 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 Government Lot 3 of Section Twenty-Four (24), Township
12 Seventeen (17) North, Range Twenty-One (21) East, Town of Schleswig, Manitowoc County,
13 Wisconsin more particularly described as follows:
14

15 Commencing at the west quarter corner of said Section 24; thence N89°-54'-09"E
16 along the north line of the SW1/4 of said Section 24, a distance of 5.24 feet; thence
17 S24°-31'-08"E along the west line of Lot 2 of Certified Survey Map recorded in
18 Volume 31 of Certified Survey Maps on Page 83 as Document No. 1140388 of
19 Manitowoc County Records, a distance of 195.92 feet to the point of beginning;
20 thence N69°-15'-52"E along a southerly line of said Lot 2, a distance of 134.65
21 feet; thence S27°-42'-14"E 83.22 feet; thence S00°-14'-39"W 156.37 feet; thence
22 S76°-28'-08"W 69.89 feet to the centerline of Cedar Lake Rd; thence N27°-42'-
23 14"W along said centerline a distance of 221.48 feet, thence N69°-15'-52"E 7.46
24 feet to the point of beginning, said parcel containing approximately 26,796 square
25 feet (0.616 acres) of land;
26

27 is hereby rezoned from Commercial Business (CB) District to Lake Residential (LR) District.

Dated this 19th day of March 2024.

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.

David & Cheryl Schneider, on December 19, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 0.46 acres of land located in the NW1/4, SW1/4, Section 24, T17N-R21E, Town of Schleswig, from CB, Commercial Business to LR, Lake Residential.

The Town of Schleswig adopted the Manitowoc County Zoning Ordinance on October 11, 2012. The uses permitted in the LR, Lake Residential zoning provides for areas with single-family residential and planned residential development with a minimum lot size of 10,000 square feet.

1. Action taken to date on this request includes:

- a. David & Cheryl Schneider petitioned for a zoning map amendment on December 19, 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 February 12, 2024 and on February 19, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 26, 2024.
- e. The Commission at their February 26, 2024 meeting recommended approval of a requested rezoning of approximately 0.46 acres of land located in the NW1/4, SW1/4, Section 24, T17N-R21E, Town of Schleswig, from CB, Commercial Business to LR, Lake 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. Brad Buechel, surveyor, 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 CB, Commercial Business District.
2. The Schleswig Town Board & Town Planning Commission support the proposed zone change to LR, Lake Residential.
3. The applicant wishes to operate a vacation home rental utilizing an existing cabin. Rezoning will permit this use if the applicant obtains a condition use permit from the Board of Adjustment.

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 David & Cheryl Schneider to rezone approximately 0.46 acres of land from CB, Commercial Business to LR, Lake Residential were approved.

The Manitowoc County Planning and Park Commission, at its February 26, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 0.46 acres of land located in the NW1/4, SW1/4, Section 24, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from CB, Commercial Business to LR, Lake 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

February 7th, 2024

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

and

Manitowoc County Supervisor Jonathan 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:

David & Cheryl Schneider
1115 Lisa Ln
New Holstein, WI 53061

Township:

Schleswig

Applicant/Agent

Brad Buechel
2020 Madison St
New Holstein, WI 53061

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 # **41010**

ZONING MAP AMENDMENT APPLICATION

Date of Application: 11/28/23

OWNER / APPLICANT/ AGENT

Owner

David
Dave & Cheryl Schneider

Applicant/Agent

Brad Buechel

Address (1)

1115 Lisa Ln

Address (1)

2020 Madison St

Address (2)

Address (2)

City/State/Zip

New Holstein, WI 53061

City/State/Zip

New Holstein, WI 53061

Phone

920-418-5803 Dave

Phone

920-993-0881

DEC 19 2023

PLANNING & PARK
COMMISSION

PROPERTY LEGAL DESCRIPTION

NW 1/4, SW 1/4, S 24 T 17 N R 21 E Town of Schleswig

House /Fire #

~~14108~~ 14133/14135

Tax Number

016-024-003-004.00

Cedar Lake Rd.

PROPERTY INFORMATION

Existing Zoning District CB

Proposed Zoning district LR

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)

BB

The existing property is being split into smaller parcels. Lots ~~1~~, 2 and ~~4~~ could apply for CUP's for vacation home rentals. Zoning classification "CB" doesn't allow for vacation home rentals.

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

Brad Buechel

11/28/23

Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Schleswig from CB to LR)

PETITIONER

Name: David & Cheryl Schneider
Address: 1115 Lisa Ln
New Holstein WI 53061
Town: Schleswig

PARCEL

Location: NW ¼, SW ¼, Section 24, T17N-R21E
Tax#: 016-024-003-004.00
Area: 0.46 acre(s)

ACTION TO DATE

Petition Submitted: 12/19/2023
Town Action: Approved December 14, 2023
Hearing Notice Published: 2/12/24 & 2/19/24
Advisory: 02/26/24
Hearing: 02/26/24

ADJACENT USES & ZONING

Direction:	District:	Use:
North	RR	Residential/Wooded
South	CB	Residential
East	CB	Parking lot/Future Storage Sheds
West	CB	Wooded/Wetland

PARCEL USES & ZONING

Existing Zoning District: CB, Commercial Business
Existing Land Use: Resort Cabin
Proposed Zoning District: LR, Lake Residential
Proposed Use: Convert Resort Cabin to
Vacation Home Rental

MAP INFORMATION

Farmland Preservation Designation:
Non-Farmland Preservation Area
Soil Type: LuD
Air Photo Date: 04/2023

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Cedar Lake Rd
Town Land Use Designation: Residential

Soil Test: May 21, 2004
Terrain: 0 – 12+ Percent Slopes
Vegetative Cover: Grassland/Trees

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.

County Future Land Use Designation: Shoreland Development

The Shoreland Development category consists primarily of single family and limited types of multi-family housing directly on the shoreline of a water feature, as well as second tier development. Additional growth in these areas is placing additional pressure on the natural environment which is, or may lead to poor water quality, loss of wildlife habitat, and a diminished quality of living on these significant natural features.

TOWN OF SCHLESWIG
Regular Monthly Town Board Meeting
December 14th, 2023
MINUTES



UNAPPROVED DRAFT

Meeting called to order by Supervisor Glomski at 7:05 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on December 12th and the media was notified. Town officials present for the meeting were Supervisor Glomski, Supervisor Schwantes, Supervisor Hoerth, Clerk Pieper, Treasurer Krebsbach, Deputy Treasurer Vondrachek and Road Superintendent Hartmann.

Motion – Hoerth/Schwantes to approve the agenda as presented; motion carried.

Motion – Hoerth/Schwantes to approve Regular Board meeting minutes of 11/9/2023; motion carried.

Motion – Hoerth/Schwantes to approve minutes of the Special Board meeting minutes to approve 2024 budget; motion carried.

Treasurer's report: Checkbook balance \$24,807.70; mobile home account \$2,079.16; tax savings account \$209,554.89; ARPA account \$1,534.81; capital outlay account \$77,125.23; equipment account \$202,402.02. Receipts since previous meeting were \$37,170.35.

Clerk's report: **Motion: Schwantes/Hoerth** to approve payments of the EFT for US Treasury to #16981 totaling \$ 177,831.36; motion carried.

Board Member's Report: Discussion regarding research on purchasing a tractor. Will wait for bids to come through before making any decisions. Table discussion for future meeting.

Assessor's report: Town is at 66% at this time. Reassessments will begin in October 2024 continuing through 2025. Invoice for reassessment will arrive in 2025.

Constable's report: No Update on any issues. Constable Schuler suggested that the Town Board consider backing a piece of legislation/bill that Andre Jacques has proposed regarding wake surfing on smaller lakes. Supervisor Glomski requested more information be presented to Board.

Visitors' input: No comment.

Building permits:

Seth Zipperer – Solar Panels
James Dhein – New Home
Dick Hasey – Siding

Old & New Business:

- A. Fair Market Assessments proposed a new Maintenance Contract for the 2024-2025 timeframe. **Motion Hoerth/Schwantes** to accept the maintenance contract as presented.
- B. Motion Hoerth/Schwantes to accept Insurance Policy Coverage from Rural Insurance as presented.
- C. Motion Schwantes/Hoerth: to approve the slate of election officials as presented.
- D. Motion Hoerth/Schwantes: to approve payment to Glacierland Phragmites for invoice of \$906
- E. Road Work Projects
 - o Louis Corners Road Update
All work has been completed and information has been gathered to now present for grant reimbursement
- F. City of Kiel Request for No Through Traffic: Motion Hoerth/Schwantes to table conversation regarding posting no through traffic on Rockville Road until Supervisors have a chance to review the material proposed.
- G. Fire Contract: Motion Hoerth/Schwantes to approve proposed contract to include \$10,000 increase yearly payment to City of Kiel beginning January 2024.

Miscellaneous Reports

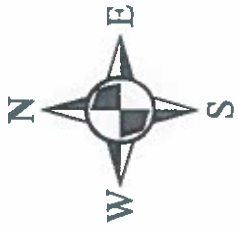
H. Planning Commission Update:

- o The Planning Commission recommended for approval the Re-zone Map Amendment request from Peter Propson Jr., of 10319 Steinthal Road for a rezone on a 10 acre parcel from NA {Natural Area} to be re-zoned GA (General Agriculture). Motion: Glomski/Schwantes to concur with the Planning Commission - Motion carried.
- o The Planning Commission recommended for approval the request from Peter Propson Jr., of 10319 Steinthal Road for a Variance Application on the driveway from the required 150' width for GA to a 109' width. Motion :Glomski/Schwantes to concur with the Planning Commission . Motion carried.
- o The Planning Commission recommended for approval the Re-zone Map Amendment request from David Schneider for a rezone of Lot #2 of the Cedar Lake property purchased by Mr. Schneider and sub-divided into 4 lots. All lots are currently zoned CB (Commercial Business). Lot #2 will move from CB to LR (Lake Residential). Motion: Glomski/Schwantes to concur with the Planning Commision's recommendation for approval - Motion carried.
- o The Planning Commission recommended for non-approval the Re-zone Map Amendment request from Michael D. Pfister of 11020 Wilke Lake Road. Mr. Pfister would like to sell a '1' acre lot to the North of the existing farm house/buildings lot and rezone the lot from GA {General Agriculture} to RR (Rural Residential).The '1' acre lot does not meet the Town of Schleswig " past practice " minimum requirements of RR (Rural Residential) which needs to be a '2' acre minimum. Motion: Schwantes/Glomski to concur with the Planning Commission's recommendation for non-approval - Motion carried.

- I. Entertainment for the Holiday Party – Treasurer Krebsbach has organized and secured entertainment for the evening.

Motion Schwantes/Hoerth: to adjourn; motion carried. Meeting adjourned at 8:30pm.

Beth Pieper, Town Clerk
12/18/2023



David & Cheryl Schneider
NW 1/4, SW 1/4
Section 24, T17N-R21E
Town of Schleswig

From: CB To: LR
Approximatel 0.46 acre(s)
-87.941, 43.927

Map Overview

Schleswig

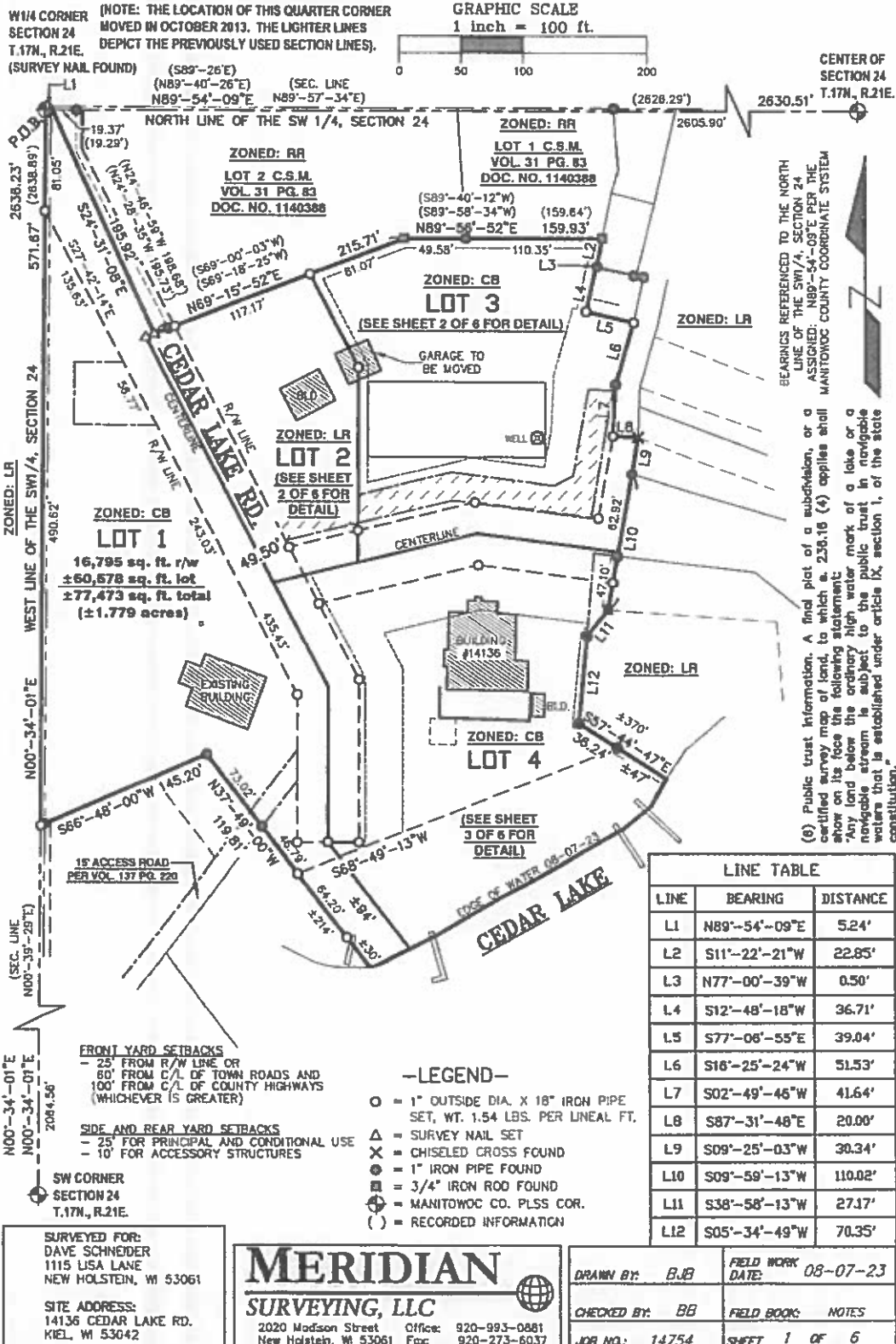
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



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

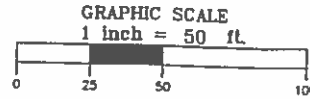
CERTIFIED SURVEY MAP

PART OF GOVERNMENT LOT 3 OF SECTION 24,
T.17N., R.21E., TOWN OF SCHLESWIG,
MANITOWOC COUNTY, WISCONSIN

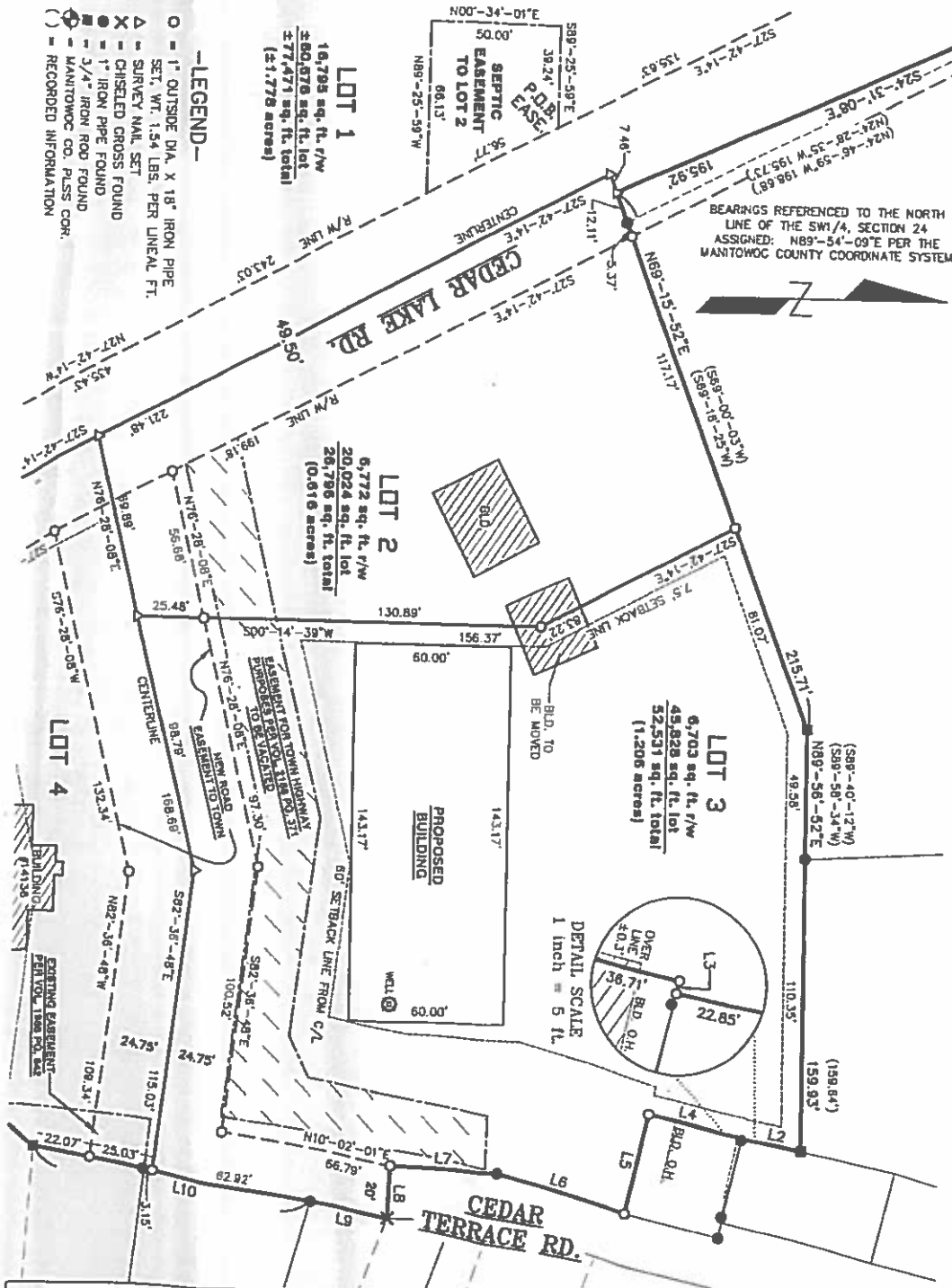


CERTIFIED SURVEY MAP

PART OF GOVERNMENT LOT 3 OF SECTION 24,
T.17N., R.21E., TOWN OF SCHLESWIG,
MANITOWOC COUNTY, WISCONSIN



- LEGEND**
- 1" OUTSIDE DIA. X 18" IRON PIPE
 - △ SET. WT. 1.54 LBS. PER LINEAL FT.
 - × SURVEY NAIL SET
 - CHISELED CROSS FOUND
 - 1" IRON PIPE FOUND
 - 3/4" IRON ROD FOUND
 - MANITOWOC CO. PLSS COR.
 - () RECORDED INFORMATION



SURVEYED FOR:
DAVE SCHNODDER
1115 LISA LANE
NEW HOLSTEIN, WI 53061

SITE ADDRESS:
14136 CEDAR LAKE RD.
KIEL, WI 53042

MERIDIAN
SURVEYING, LLC

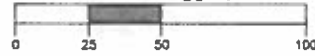
2020 Madison Street Office: 920-993-0881
New Holstein, WI 53061 Fax: 920-273-6037

DRAWN BY: BJB	FIELD WORK DATE: 08-07-23
CHECKED BY: BB	FIELD BOOK: NOTES
JOB NO.: 14754	SHEET 2 OF 6

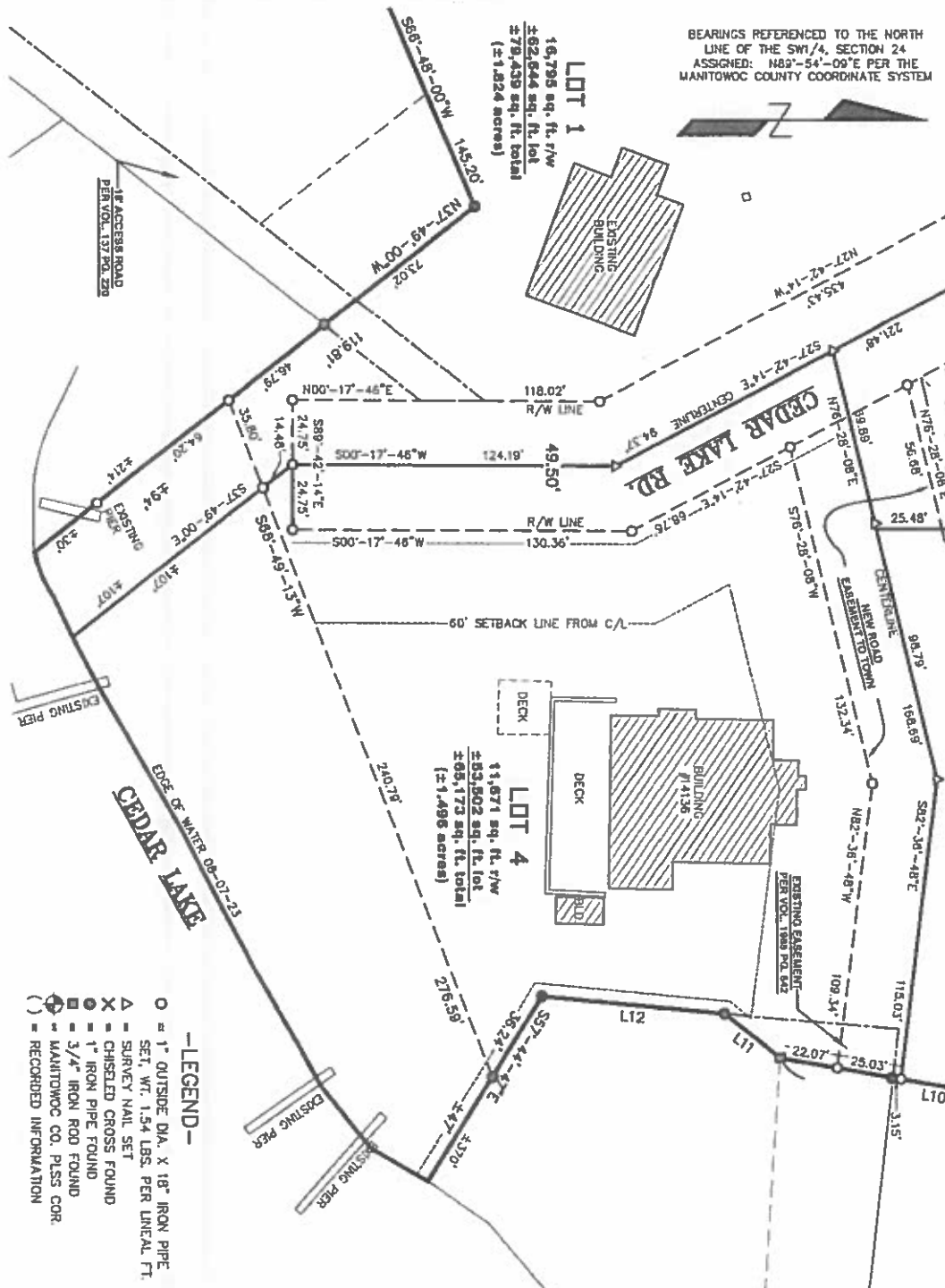
CERTIFIED SURVEY MAP

PART OF GOVERNMENT LOT 3 OF SECTION 24,
T.17N., R.21E., TOWN OF SCHLESWIG,
MANITOWOC COUNTY, WISCONSIN

GRAPHIC SCALE
1 inch = 50 ft.



BEARINGS REFERENCED TO THE NORTH
LINE OF THE SW1/4, SECTION 24
ASSIGNED: N83°-54'-09"E PER THE
MANITOWOC COUNTY COORDINATE SYSTEM



SURVEYED FOR:
DAVE SCHNEIDER
1115 LISA LANE
NEW HOLSTEIN, WI 53061

SITE ADDRESS:
14136 CEDAR LAKE RD.
KIEL, WI 53042

MERIDIAN

SURVEYING, LLC

2020 Madison Street Office: 920-993-0881
New Holstein, WI 53061 Fax: 920-273-6037



DRAWN BY: BJB

CHECKED BY: BB

JOB NO.: 14754

FIELD WORK DATE: 08-07-23

FIELD BOOK: NOTES

SHEET 3 OF 6

ORDINANCE AMENDING ZONING MAP
(Arlyn and Lori Eickert)

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 February 26, 2024; 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 NE 1/4 of the SE 1/4 of Section 30, Town 19 North, Range
12 21 East, Town of Rockland, Manitowoc County, Wisconsin, more particularly described as
13 follows:
14

15 Commencing at the E 1/4 Corner of Section 30; Thence N 89°35'16" W, 1020.05
16 feet coincident with the north line of said SE 1/4 to the point of beginning; Thence
17 continuing N 89°35'16" W, 300.00 feet to the west line of said NE 1/4 of the SE
18 1/4; Thence S 00°19'58" W, 440.00 feet coincident with said west line; Thence
19 S 89°35'16" E, 300.00 feet; Thence N 00°19'58" E, 440.00 feet to the point of
20 beginning, said parcel containing approximately 3.030 acres of land;
21

22 is hereby rezoned from Exclusive Agriculture (EA) District to Small Estate (SE) Residential
23 District.

Dated this 19th day of March 2024.

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 MARCH 19, 2024.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: ARLYN & LORI KAY EICKERT ZONING MAP AMENDMENT REQUEST

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.

Arlyn and Lori Kay Eickert, on January 22, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 2.63 acres of land located in the NE1/4, SE1/4, Section 30, T19N-R21E, Town of Rockland, from EA, Exclusive Agriculture to SE, Small Estate.

The Town of Rockland adopted the Manitowoc County Zoning Ordinance on November 14, 2011. The uses permitted in the 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. Arlyn and Lori Kay Eickert petitioned for a zoning map amendment on January 22, 2024.
- 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 February 12, 2024 and on February 19, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 26, 2024.
- e. The Commission at their February 26, 2024 meeting recommended approval of a requested rezoning of approximately 2.63 acres of land located in the NE1/4, SE1/4, Section 30, T19N-R21E, Town of Rockland, from EA, Exclusive 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. Josh Eickert, applicant, 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 EA, Exclusive Agriculture District.
2. The Rockland Town Board supports the proposed zone change to SE, Small Estate.
3. The area to be rezoned was previously used as a gravel pit, the soil is rocky with a good amount of clay.
4. A minimal amount of farmland will be affected by the proposed rezoning.
5. Rezoning will allow for a single family home to be built.

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 Arlyn & Lori Kay Eickert to rezone approximately 2.63 acres of land from EA, Exclusive Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its February 26, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 2.63 acres of land located in the NE1/4, SE1/4, Section 30, T19N-R21E, Town of Rockland, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive 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

February 7th, 2024

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

and

Manitowoc County Supervisor Nicholas Muench
Supervisory District 18

ATTN: Tim Ryan and Supervisor Muench

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:

Arlyn Eickert & Lori Kaye Eickert
23529 C.T.H. "JJ"
Brillion, WI 54110

Township:

Rockland

Applicant/Agent

Josh Eickert
204 S. Francis Street
Brillion, WI 54110

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 (\$531) Received ☒

Receipt # **41046**

PLANNING & PARK
ZONING MAP AMENDMENT APPLICATION

Date of Application: 1/19/24

OWNER / APPLICANT/ AGENT

Owner	<u>Arlyn Eickert + Lori Kaye Eickert</u>	Applicant/Agent	<u>JOSH EICKERT</u>
Address (1)	<u>23529 C.T.H. "JJ"</u>	Address (1)	<u>204 S. FRANCIS ST</u>
Address (2)	<u></u>	Address (2)	<u></u>
City/State/Zip	<u>Brillion, WI 54110</u>	City/State/Zip	<u>BRILLION WI 54110</u>
Phone	<u></u>	Phone	<u>920-901-0115</u>

PROPERTY LEGAL DESCRIPTION

NE 1/4, SE 1/4, S 30 T 19 N R 21 E Town of Rockland ☐

House /Fire # Tax Number 015-030-013-000.00

PROPERTY INFORMATION

Existing Zoning District EA ☐ 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:

SEE ATTACHED MAP

Proposed use: (Reason for change)

This request is being made to create a new home site for the son of the property owner.

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

Arlyn Eickert

Signature (applicant, owner, agent)

1/19/24

Date

Josh Eickert

Signature (applicant, owner, agent)

1/22/24

Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Rockland from EA to SE)

PETITIONER

Name: Arlyn & Lori Kaye Eickert
Josh Eickert (*Applicant*)
Address: 23529 CTH JJ
Brillion, WI 54110
Town: Rockland

PARCEL

Location: NE1/4, SE1/4 Section 30, T19N-R21E
Tax#: 015-030-013-000.00
Area: 2.63 acres

ACTION TO DATE

Petition Submitted: 01/22/2024
Town Action: Approved January 8, 2024
Hearing Notice Published: 2/12/2024 & 2/19/2024
Advisory: 2/26/2024
Hearing: 2/26/2024

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland, Wetland/Grassland
South	EA	Farmland
East	EA	Farmland, Wetland
West	GA	Residential, Wetland

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmland
Proposed Zoning District: SE, Small Estate
Proposed Use: Build a new home for son of owner.

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: KnB, KnC2
Air Photo Date: 04/2023

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Severe – Percs Slowly
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Brandes Rd

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

Town Future Land Use Designation: Agricultural

Protection of economically productive areas, including farmland and forests. To preserve valuable agricultural land and open spaces. Agricultural land within the town is foreseen to be in jeopardy due to development pressures. The town contains approximately 11,556 acres of agricultural lands. As the town grows, agricultural land within the town limits would be converted to uses such as residential, transportation, or other more productive uses.

County Future Land Use Designation: Agricultural

Provide for the continued viability of farming and agricultural uses, the raising of livestock, the conservation of agricultural land, and to maintain and promote the rural character of these farmlands into the future.

Town of Rockland

Manitowoc County

January 15, 2024

MANITOWOC COUNTY
RECEIVED

JAN 18 2024

PLANNING & PARKS
COMMISSION

From: Rockland Township Board

To: Manitowoc County Planning and Park Commission:

On Monday, January 8, 2024, Josh and Angie Eickert requested a rezoning of approximately 2 to 3 acres of land on Brandes Road in the Town of Rockland from general agricultural status to rural residential with the intent to someday build a home on that property. The approximate acreage is because they do not have a final plan, as it will be dependent on survey results etc. There is only a legal description of this land, so sharing that it is located on Brandes Road, about half mile south of County JJ on the east side of the road, in the Town of Rockland, Manitowoc County.

Included in this communication are the minutes from the Board Meeting. The board did approve the request.

In the event you have question regarding this, please feel free to contact any of the board members. The Eickert's were told to contact the County for next steps. Josh's phone number is 920.901.0115.

Sincerely,

Rosalie Geiger on behalf of the Board
Rockland Town Board,

Rosalie Geiger 920-772-4184

Tim Thor 920-772-4104

Mike Havlinek 920-772-4270

Collins Marsh Wildlife Area



January 22 2024

MANITOWOC COUNTY
RECEIVED

JAN 29 2024

PLANNING & PARK
COMMISSION

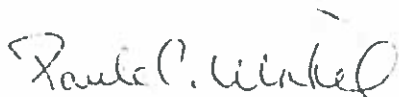
From: Rockland Township Board

To: Manitowoc County Planning and Park Commission:

This is a revision to a letter that was sent dated January 15, 2024. I was informed that the Town of Rockland had the incorrect zoning information on a rezoning request. I have followed up with the Board and Josh Eickert and they have approved the rezoning request for Josh and Angie Eickert of approximately 2 to 3 acres of land on Brandes Road in the Town of Rockland from exclusive agricultural status to small estate residential with the intent to someday build a home on that property. The approximate acreage is because they do not have a final plan, as it will be dependent on survey results etc. There is only a legal description of this land, so sharing that it is located on Brandes Road, about half mile south of County JJ on the east side of the road, in the Town of Rockland, Manitowoc County.

Please let me know if you need anything else on this request.

Sincerely,



Paula Winkel on behalf of the Town Board

Clerk/Treasurer

Minutes to be approved February 12, 2024.....

Town of Rockland January 8, 2024 Board Meeting

Rockland Town Hall @ 7:00 P.M.

Chairperson, Rosalie Geiger called the meeting to order at 6:50 p.m. Additional officials present were Mike Havlinek, Tim Thor, Paula Winkel, Laura Henze, and Dan Benter. There were twelve citizens present. Motion made by Mike Havlinek and second by Tim Thor to approve the secretary's report as posted and printed. Motion carried. Motion made by Tim Thor to accept the Treasurer's Report as read. Second by Mike Havlinek. Motion carried.

The agenda was followed as printed and posted.

Public Input: Nothing to report.

Reports and Communications: Paula Winkel shared communication from the County including ARPA matching funds for culvert replacement has been received and deposited (\$63,002.16) and bridge inspections are typically done every two years with some exceptions (this was a follow up from a question at the last meeting). The QuickBooks update to Enterprise Desktop has been completed as well as new Town website launched. The ExpressVote election voting equipment is on site. There is no February primary election for the Town of Rockland. Sue Rusch will work in the Treasurer/Clerk office for one week in February as Laura Henze and Paula Winkel are unavailable (office hours will be listed on the Town website). General Transportation Aid (\$36,211.00) was received in January. Attorney Kathryn Reynolds is retiring on January 31st 2024 and a new attorney for the Town will need to be identified.

Licenses & Permits: As listed on the agenda.

Josh Eickert Rezoning Request: Mr. Eickert shared his goal to convert two to three acres on Brandes Rd. from General Ag to Rural Residential in order to build a house and is just starting the process. Motion was made by Tim Thor and second by Mike Havlinek to approve the rezoning request. Motion Carried. Eickert's next step includes taking his request to the Manitowoc County Planning and Park Commission.

Personal Property Tax Elimination Plan: Westshore Retreat on Long Lake is affected by the shared revenue bill, 2023 Act 12. Most items that had been classified as personal property will be exempt from taxation. Mobile/manufactured homes will be reclassified as real property. Carol See (owner) of property has approximately 30 structures (owned by individuals and she owns the land) that could be impacted. About half of these are mobile homes. Town of Rockland will continue to assist/support in providing clarification as it becomes available and will invite Scott Tennessen (Town of Rockland tax assessor) to the March meeting to review options further.

Sanitary District Structure Overview and Update: Don and Linda Gilbertson: This agenda item was tabled until February meeting.

Board of Review Training for 2024: Dates of Board of Review Training were identified. Board members have been encouraged to attend as 2024 will be a reevaluation year.

Pay Structure Changes: Mike Havlinek made a motion to given employees the choice to be paid monthly or every two weeks starting in January 2024. Tim Thor seconded. Motion passed.

Reedsville EMS Contract and Budget: A request from Reedsville EMS was received for the 2024 budget, but this came after the Town had completed its budget. Motion was made by Tim Thor and second by Mike Havlinek to provide them with \$5500.00 which is an increase vs. the \$4706.00 identified in the budget. This increase is about one half of the additional money requested. Motion carried with two ayes (Geiger and Thor) and one nay (Havlinek). A revised contract shall be requested as well as a caveat which alerts them of the need for a timely EMS Protection Agreement and request for annual payment.

Extra Principal Payment on Loan: Motion made by Mike Havlinek and second by Tim Thor to pay \$50,000 extra on the principal of the loan (balance as of January 1st is \$425,077.72). Motion passed.

Camper Residency: The Board discussed a concern/complaint made by a resident who believes that an individual who is also allegedly a registered sex offender lives in a camper near his/her property. The Board has requested that follow up take place.

Short Term Vacation Rentals: A Bullhead Lake residence is being used as a short term vacation rental. Ron Gerrits received a conditional use permit from Manitowoc County Planning and Park Commission with a review of the permit in one year. Mike Havlinek provided WI State Statute information regarding short term vacation rentals. Paula Winkel provided a flowchart process a neighboring township utilizes. This will be a March agenda item with an anticipated ordinance to be considered in the Town of Rockland.

Communication with Road Superintendent; Road/Culvert Status: Paula reported in Keith's absence. A sign will be replaced that was stolen at the intersection of Quarry Rd. and Einberger Road. Keith will be providing a ride along experience with a potential new snowplowing employee. Road patching needs were identified in a few areas including on Goodwin Rd.

Constable Report: Dan Benter reported bringing a surrendered dog to the shelter.

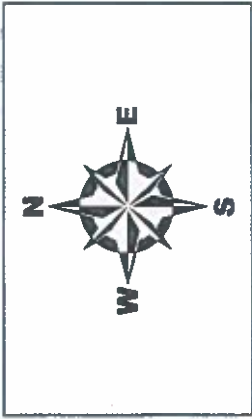
Vouchers Approved: Motion made by Tim Thor and second by Mike Havlinek. Motion carried to approve payments of vouchers #21766 to #21788 and EFT's in the amount of \$34,528.96.

Topics for February 12, 2024: Sanitary District Structure Overview and Update - Don and Linda Gilbertson, camper residency, revised Reedsville EMS contract and ARPA funds balance.

Adjournment: Motion made by Tim Thor and second by Mike Havlinek to adjourn the meeting at 8:18 p.m. Motion carried. Meeting adjourned.

Respectively Submitted,

Laura Henze, Deputy Clerk/Treasurer, Town of Rockland, Manitowoc County



Arlyn & Lori Eickert
 NE 1/4, SE 1/4
 Section 30, T19N-R21E
 Town of Rockland
 From: EA To: SE
 Approx. 2.63 acre(s)

Map Overview

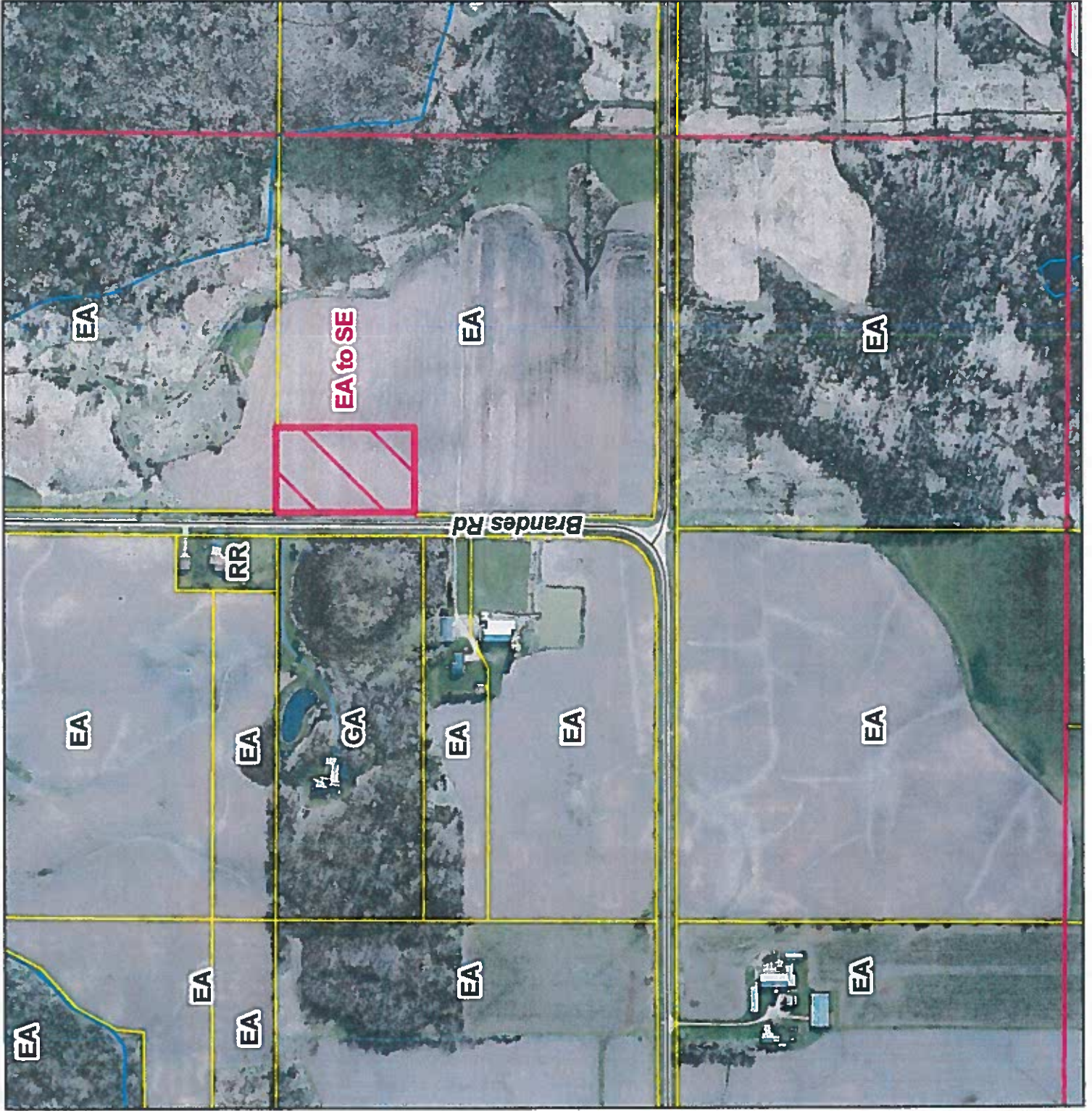
Rockland

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

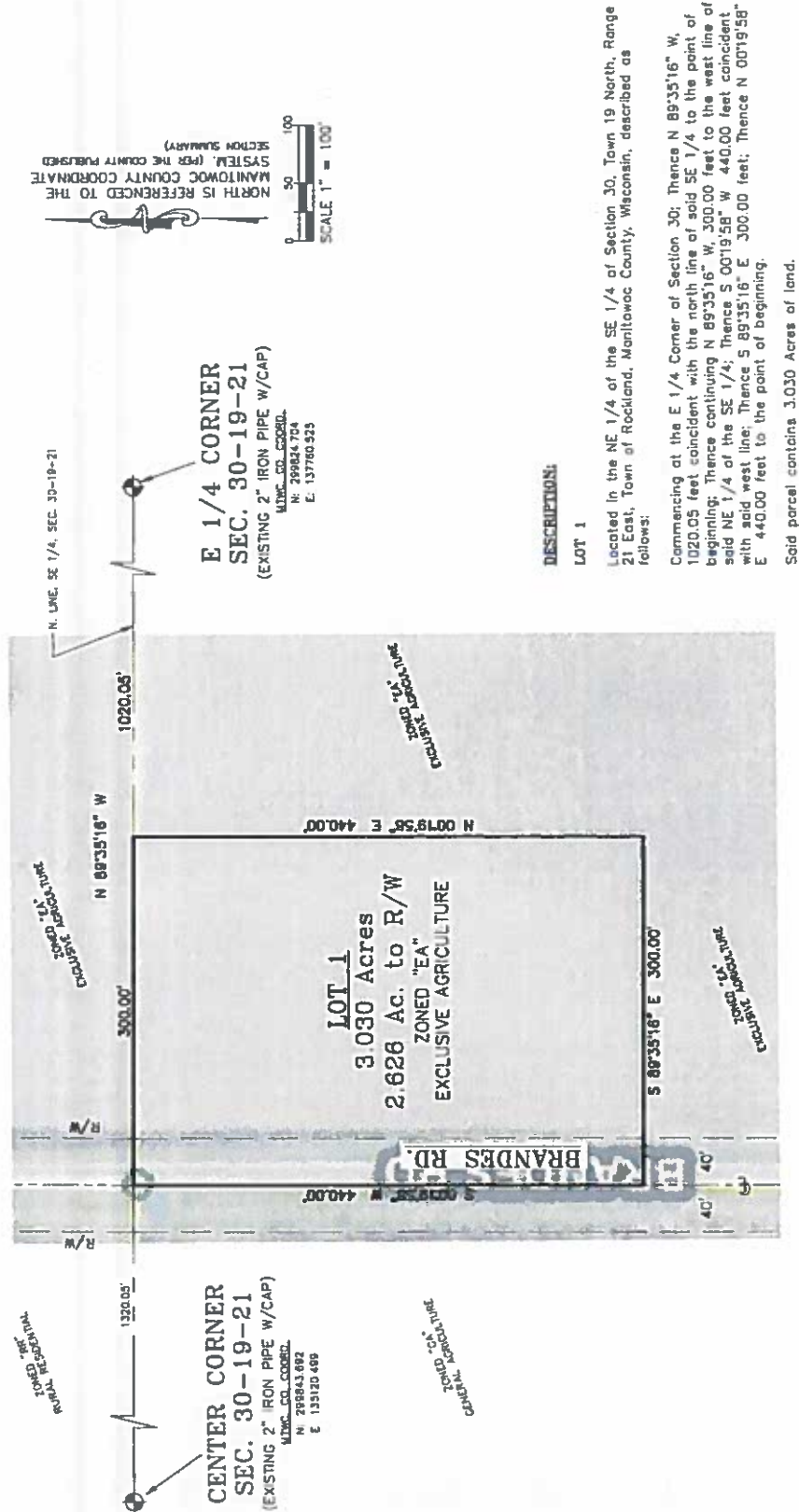


Legend

- Proposed Zone Change
- Zoning Line
- Lot Line
- Water Way
- Section Line



MAP OF PROPOSED ZONING CHANGE
LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 30, TOWN 19 NORTH,
RANGE 21 EAST, TOWN OF ROCKLAND, MANITOWOC COUNTY, WISCONSIN



ORDINANCE AMENDING ZONING MAP
(Dennis and Mary Frenz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Planning and Park Commission, after providing the required notice, held a public hearing on a petition for a zoning ordinance amendment on February 26, 2024; and

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

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

A parcel of land located in the NE 1/4 of the SW 1/4 of Section 9, Town 21 North, Range 23 East, Town of Gibson, Manitowoc County, Wisconsin, more particularly described as follows:

Commencing at the W 1/4 Corner of Section 9; Thence N 89°26'30" E, 1585.46 feet coincident with the north line of SW 1/4 to the point of beginning; Thence continuing N 89°26'30" E, 322.57 feet; Thence S 00°02'20" W, 446.51 feet; Thence N 89°38'25" W, 55.82 feet; Thence N 00°11'08" W, 245.60 feet; Thence S 89°26'30" W, 265.65 feet; Thence N 00°00'00" W, 200.01 feet to the point of beginning, said parcel containing approximately 78,351 Square Feet (1.799 Acres) of land;

is hereby rezoned from Exclusive Agriculture (EA) District to Rural Residential (RR) District.

Dated this 19th day of March 2024.

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 MARCH 19, 2024.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	DENNIS & MARY FRENZ ZONING MAP AMENDMENT REQUEST

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.

Dennis & Mary Frenz, on January 31, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 1.56 acres of land located in the NE1/4, SW1/4, Section 9, T21N-R23E, Town of Gibson, from EA, Exclusive Agriculture to RR, Rural Residential.

The Town of Gibson adopted the Manitowoc County Zoning Ordinance on December 5, 2011. The uses permitted in the 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. Dennis & Mary Frenz petitioned for a zoning map amendment on January 31, 2024.
- 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 February 12, 2024 and on February 19, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 26, 2024.
- e. The Commission at their February 26, 2024 meeting recommended approval of a requested rezoning of approximately 1.56 acres of land located in the NE1/4, SW1/4, Section 9, T21N-R23E, Town of Gibson, from EA, Exclusive Agriculture 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. Jeff DeZeeuw, surveyor, 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 EA, Exclusive Agriculture District.
2. The Gibson Town Board supports the proposed zone change to RR, Rural Residential.
3. The area to be rezoned is adjacent to a residential zoned parcel.
3. The rezoning will allow for the construction of a single family home next to a relative.
4. A minimal amount of farmland will be affected by the proposed rezoning.

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 Dennis & Mary Frenz to rezone approximately 1.56 acres of land from EA, Exclusive Agriculture to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its February 26, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 1.56 acres of land located in the NE1/4, SW1/4, Section 9, T21N-R23E, Town of Gibson, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture 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

February 7th, 2024

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

and

Manitowoc County Supervisor James Falkowski
Supervisory District 19

ATTN: Tim Ryan and Supervisor Falkowski

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:

Dennis & Mary Frenz
5003 Siehr Road
Mishicot, WI 54228

Township:

Gibson

Applicant/Agent

Jeff DeZeeuw
3510 S. 26th Street
Manitowoc, WI 54220

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 (\$531) Received ☒
Receipt # **41052**

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY

RECEIVED

JAN 31 2024

PLANNING & PARK
COMMISSION

Date of Application: 1/29/24

OWNER / APPLICANT/ AGENT

Owner Dennis & Mary Frenz

Applicant/Agent Jeff DeZeeuw

Address (1) 5003 Siehr Road

Address (1) 3510 S. 26th Street

Address (2) _____

Address (2) _____

City/State/Zip Mishicot, WI 54228

City/State/Zip Manitowoc, WI 54220

Phone 920-860-4013

Phone 920-323-5250

PROPERTY LEGAL DESCRIPTION

NE 1/4, SW 1/4, S 09 T 21 N R 23 E Town of Gibson

House /Fire # 5003

Tax Number 00600900900000

PROPERTY INFORMATION

Existing Zoning District EA

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

Proposed use: (Reason for change)

They are looking to create a new home site for themselves in order to sell the existing home and buildings to their child.

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

Jeffrey A. DeZeeuw

Digitally signed by Jeffrey A. DeZeeuw
Date: 2024.01.30 09:52:14-06'00'

1/29/24

Signature (applicant, owner, agent) _____ Date _____

Signature (applicant, owner, agent) _____ Date _____

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Gibson from EA to RR)

PETITIONER

Name: Dennis & Mary Frenz
Address: 5003 Siehr Rd
Mishicot WI 54228
Town: Gibson

PARCEL

Location: NE1/4, SW1/4, Section 9, T21N-R23E
Tax#: 006-009-009-000.00
Area: 1.56 acres

ACTION TO DATE

Petition Submitted: 1/31/2024
Town Action: Approved January 8, 2024
Hearing Notice Published: 2/12/2024 & 2/19/2024
Advisory: 2/26/2024
Hearing: 2/26/2024

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA & LE	Farmland & Residential
South	EA	Farmland
East	RR	Residential
West	EA	Farmland & Farmstead

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmland, Buildings & Trees
Proposed Zoning District: RR, Rural Residential
Proposed Use: Build home on new site and sell existing home and buildings to their child.

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: HrB
Air Photo Date: 04/2023

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate (Percls Slowly)
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Siehr Rd

Soil Test: N/A
Terrain: 0 to <12 Percent Slopes
Vegetative Cover: Farmland, Grass & Trees

Town Future Land Use Designation: Agricultural

Encouraging the preservation of agricultural lands within the Town of Gibson. Any new development techniques and programs should preserve as much farmland as possible. Decisions to allow residential development in areas identified for agricultural uses should be based on sound land use planning criteria. If residential development is permitted, single family residences are recommended at densities that preserve natural areas, view sheds, open spaces, and areas deemed important for the town to keep preserved.

County Future Land Use Designation: Agricultural

Provide for the continued viability of farming and agricultural uses, the raising of livestock, the Conservation of agricultural land, and to maintain and promote the rural character of these farmlands Into the future.

Michelle Haupt

From: Town of Gibson <townofgibson@gmail.com>
Sent: Sunday, January 14, 2024 8:25 PM
To: Michelle Haupt
Subject: Dennis Frenz Rezone
Attachments: Frenz Rezone.pdf

**MANITOWOC COUNTY
RECEIVED
JAN 15 2024
PLANNING & PARK
COMMISSION**

WARNING: This message originated from outside of Manitowoc County's email system. Any attachments or links should be carefully considered before proceeding. Think before you click!

Good morning Michelle,

Attached is the town's Resolution No. 2024-1 Approving Rezoning Request of Dennis N. & Mary C. Frenz (Parcel No. 006-009-009-000.00). Here is the except from the draft copy of the January minutes.

Motion by Rabitz, second by Rahmlow, to adopt Resolution No. 2024-1 Approving Rezoning Request of Dennis N. & Mary C. Frenz (Parcel No. 006-009-009-000.00). All voting aye, motion carried. Resolution rezones 1.799 acres of referenced parcel from Exclusive Agriculture to Rural Residential and the balance of the parcel will remain zoned as Exclusive Agriculture.

Let me know if you need anything else. Thank you.

--

Linda S. Herman
Clerk/Treasurer
Town of Gibson
2211 Rockledge Road
Mishicot, WI 54228
920-973-2212

STATE OF WISCONSIN
TOWN OF GIBSON
MANITOWOC COUNTY

MANITOWOC COUNTY
RECEIVED
JAN 15 2024
PLANNING & ZONING
COMMISSION

No. 2024- 1

**RESOLUTION APPROVING REZONING REQUEST
DENNIS N. & MARY C. FRENZ
PARCEL NO. 006-009-009-000.00**

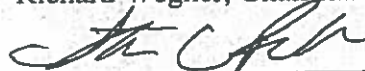
WHEREAS, the Town Board of the Town of Gibson of Manitowoc County, Wisconsin, by this resolution, adopted by a majority vote of 3 to 0 of the town board on a roll call vote with a quorum present at a meeting on January 8, 2024, at the Gibson Town Hall, 14920 County Trunk Highway Q, Mishicot, Wisconsin; and voting and proper notice having been given; resolves and orders as follows:

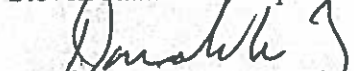
The request of Dennis N. & Mary C. Frenz to rezone approximately 1.799 acres of land located in the NE 1/4, SW 1/4, Section 9, T21, R23E, Town of Gibson (Parcel No. 006-009-009-000.00) from Exclusive Agriculture to Rural Residential (RR) with the balance of this parcel remaining zoned as Exclusive Agricultural was approved by a vote of 3 to 0 of the Gibson Town Board on January 8, 2024.


The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

Adopted this 8th day of January, 2024.


Richard Wegner, Chairman


Steven Rahmlow, Supervisor


Donald Rabitz, Supervisor


Attest: 
Linda S. Herman, Town Clerk

STATE OF WISCONSIN)

COUNTY OF MANITOWOC)

I, Linda S. Herman, Clerk/Treasurer of the Town of Gibson, do hereby certify that the attached resolution is a true and correct copy of the original resolution in my custody and which was adopted by the Town Board of the Town of Gibson at a meeting held on the 8th day of January, 2024. I further certify that the attached Resolution was posted by me, as required by law, in three public places on the 9th day of January, 2024.

Set my hand and official seal this 9th day of January, 2024.


Linda S. Herman, Clerk/Treasurer



Dennis & Mary Frenz
NE 1/4, SW 1/4
Section 9, T21N-R23E
Town of Gibson
From: EA To: RR
Approximately 1.56 acre(s)
-87.719, 44.305

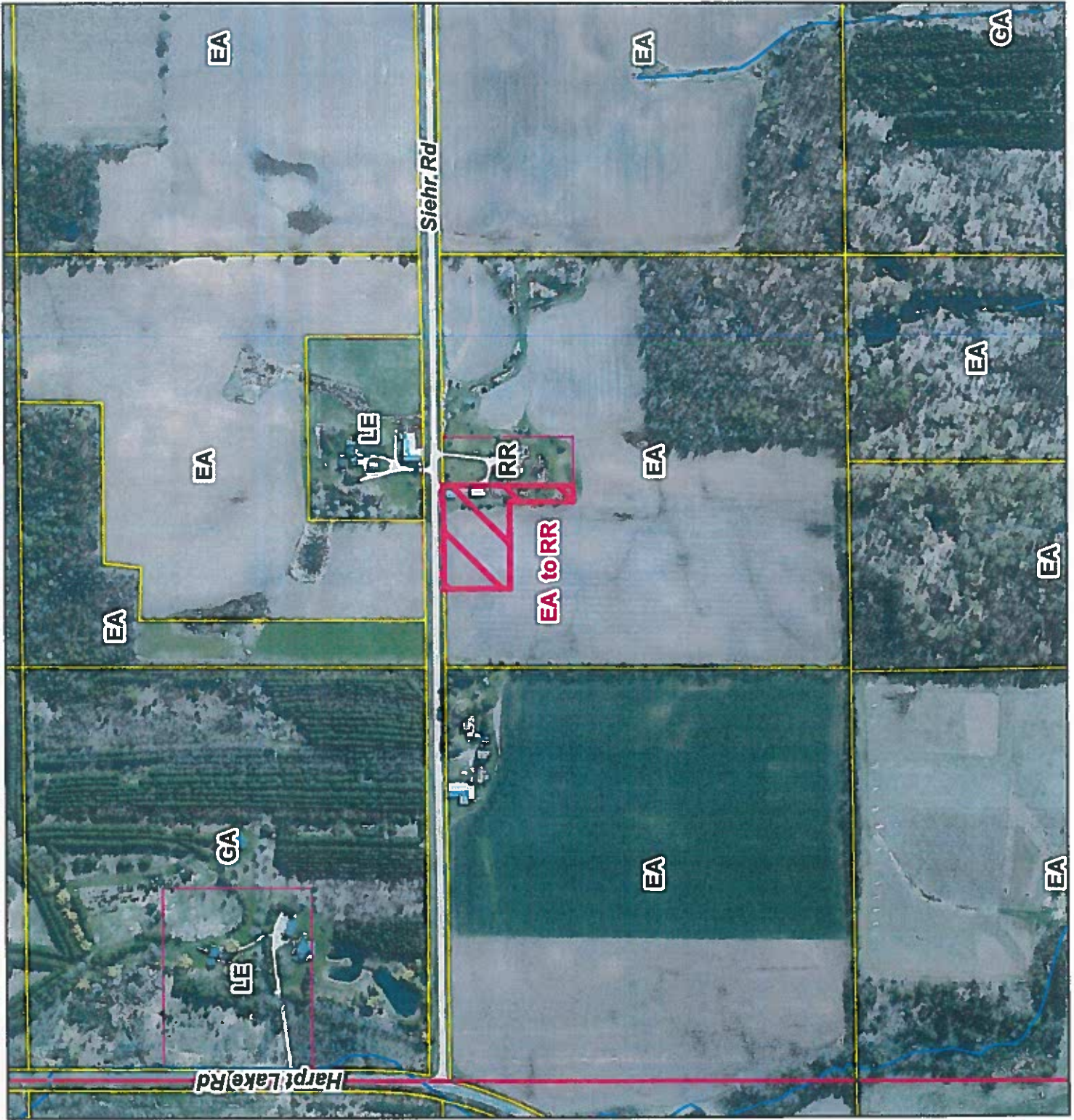
Map Overview

Gibson											
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							



Legend

- Proposed Zone Change (Red hatched box)
- Zoning Line (Pink line)
- Section Line (Red line)
- Lot Line (Yellow line)
- Water Way (Blue line)



W 1/4 CORNER
SEC. 9-21-23

(EXISTING "R.R." SPIKE)

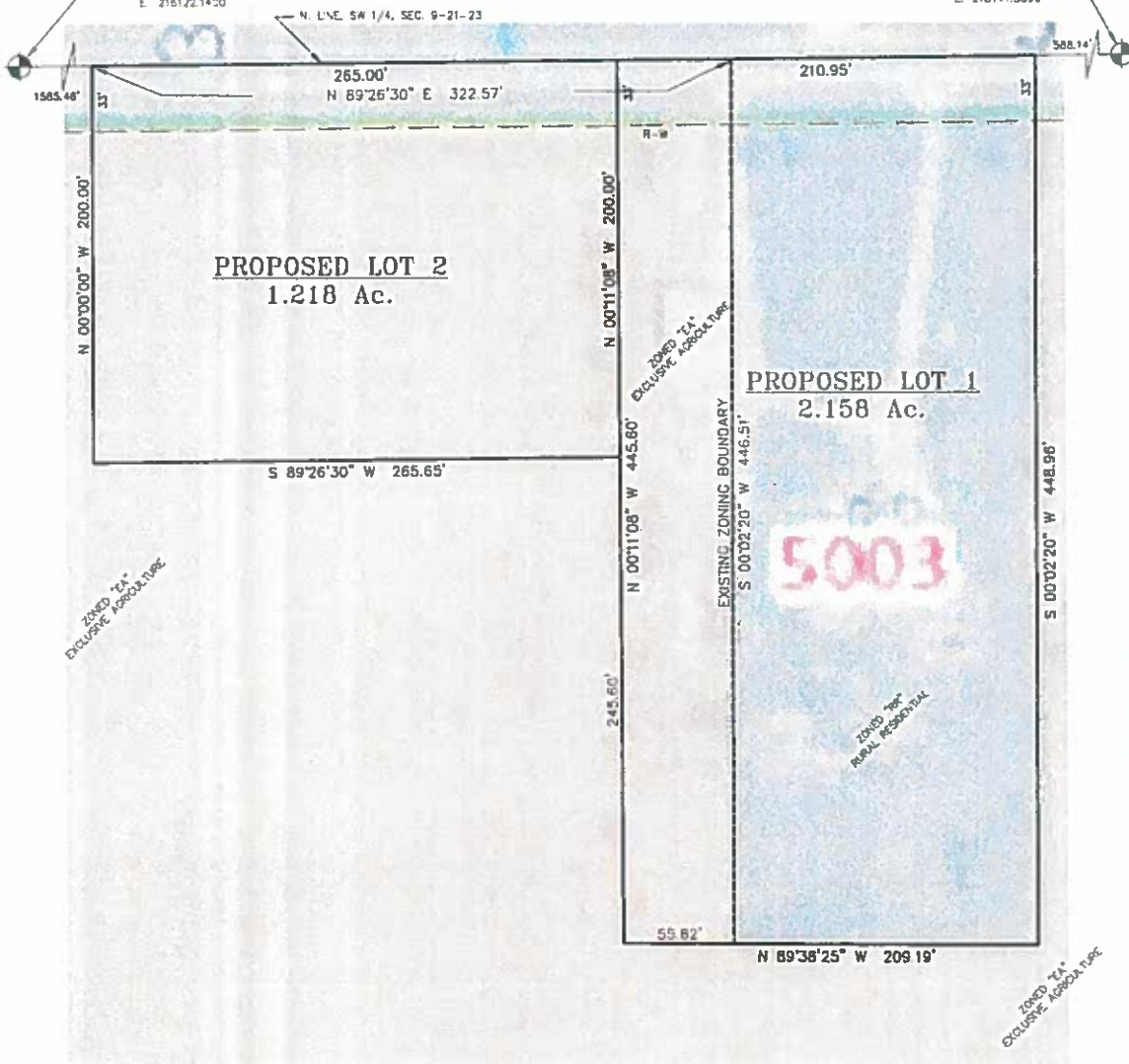
MTWC CO. COORD.
N 378774.7663
E 216122.1450

CENTER CORNER
SEC. 9-21-23

(EXISTING NAIL)

MTWC CO. COORD.
N 378800.5920
E 218771.5590

SIEHR RD. (WIDTH VARIES)



DESCRIPTION: (AREA BEING REZONED TO RURAL RESIDENTIAL "R")

Located in the NE 1/4 of the SW 1/4 of Section 9, Town 21 North, Range 23 East, Town of Gibson, Manitowoc County, Wisconsin, described as follows:

Commencing at the W 1/4 Corner of Section 9; Thence N 89°26'30" E, 1585.46 feet coincident with the north line of SW 1/4 to the point of beginning; Thence continuing N 89°26'30" E, 322.57 feet; Thence S 00°02'20" W, 446.51 feet; Thence N 89°38'25" W, 55.82 feet; Thence N 00°11'08" W, 245.60 feet; Thence S 89°26'30" W, 265.65 feet; Thence N 00°00'00" W, 200.01 feet to the point of beginning.

Said parcel contains 78,351 Square Feet (1.799 Acres) of land.

SITE ADDRESS:

DENNIS FRENZ
5003 SIEHR RD.
MISHICOT, WI 54228



0 30 60
SCALE 1" = 60'

MAP OF PROPOSED ZONING CHANGE
LOCATED IN THE NE 1/4 OF SECTION 9, TOWN 21 NORTH, RANGE 23
EAST, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN

1401 OF 3741	FIELD WORK COMPLETION DATE: 12/4/2023
	DRAWN BY: JAD/BLB
	JOB NO: S763023
	CAD FILE: C:\GIBSON-23\A\CERTIFIED BUILDERS\S763023
	SCALE 1" = 60'

CERTIFIED BUILDERS
1380 N. 30TH STREET
MANITOWOC, WI 54220



**RESOLUTION AUTHORIZING THE 2024-2025 SNOWMOBILE TRAIL
AIDS PROGRAM**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Snowmobile Trail Aids Program provides funds for the
2 acquisition, development, and maintenance of public snowmobile trails in eligible counties; and
3

4 WHEREAS, Manitowoc County has completed 51 years of participation in the Wisconsin
5 Snowmobile Trail Aids Program by acquiring, developing, insuring, and maintaining public
6 snowmobile trails in the county in accordance with Wisconsin Department of Natural Resources
7 standards; and
8

9 WHEREAS, Manitowoc County is eligible to continue its participation in the Snowmobile
10 Trail Aids Program and has budgeted \$72,120.00 to cover the costs for 240.4 miles of trail; and
11

12 WHEREAS, the Planning and Zoning Department has provided the county board with a
13 trail system map showing the 240.4 miles of trail that are included in the Manitowoc County Public
14 Snowmobile Trail System;
15

16 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
17 county of Manitowoc approves the trail system map provided by the Planning and Zoning
18 Department; and
19

20 BE IT FURTHER RESOLVED that the Planning and Zoning Department is hereby
21 designated as the agency to act on behalf of Manitowoc County in submitting applications for state
22 snowmobile aids for acquisition, bridge rehabilitation, development, insurance, and maintenance
23 costs of the county's public snowmobile trail system; and
24

25 BE IT FURTHER RESOLVED that the Planning and Zoning Director is authorized to sign
26 documents and take the actions necessary to undertake, direct, and complete the 2024-2025
27 Snowmobile Trail Aids Program; and
28

29 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and
30 redevelopment of the snowmobile trails through the Snowmobile Trail Aids Program, the trails
31 will be designated as public snowmobile trails; and
32

33 BE IT FURTHER RESOLVED that Manitowoc County will, subject to the limits of funds
34 appropriated for such purposes, provide for adequate maintenance of the trails and facilities that
35 have been funded for acquisition and maintenance through the Wisconsin Snowmobile Trail Aids
36 Program in accordance with DNR requirements and funding criteria; comply with state and federal
37 rules for the program; maintain the completed project in an attractive, inviting, and safe manner;
38 keep facilities open to the general public during reasonable hours consistent with the type of

39 facility; and obtain approval in writing from the DNR before any changes are made in the use of
40 the project site.

Dated this 19th day of March 2024.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. \$72,120.00 is included in the 2025 approved budget.
The State of Wisconsin reimburses the County the total amount spent on the
program.

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 AWARDING THE SALE OF \$4,200,000
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2024A**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, on February 20, 2024, by a vote of at least 3/4 of the members-elect, the
2 County Board of Supervisors of Manitowoc County, Wisconsin (the "County") adopted an initial
3 resolution (the "Initial Resolution") authorizing the issuance of general obligation promissory
4 notes (the "Notes") in an amount not to exceed \$4,200,000 for the public purpose of financing
5 the construction and improvement of highways (the "Project");
6

7 WHEREAS, the County Board of Supervisors hereby finds and determines that the
8 Project is within the County's power to undertake and therefore serves a "public purpose" as that
9 term is defined in Section 67.04(1)(b), Wisconsin Statutes;
10

11 WHEREAS, the County is authorized by the provisions of Section 67.12(12), Wisconsin
12 Statutes, to borrow money and issue general obligation promissory notes for such public
13 purposes;
14

15 WHEREAS, none of the proceeds of the Notes shall be used to fund the operating
16 expenses of the general fund of the County or to fund the operating expenses of any special
17 revenue fund of the County that is supported by property taxes;
18

19 WHEREAS, pursuant to the Initial Resolution, the County has directed PMA Securities,
20 LLC ("PMA") to take the steps necessary to sell the Notes to pay the cost of the Project;
21

22 WHEREAS, PMA, in consultation with the officials of the County, prepared an Official
23 Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this
24 reference) setting forth the details of and the bid requirements for the Notes and indicating that
25 the Notes would be offered for public sale on March 19, 2024;
26

27 WHEREAS, the County Clerk (in consultation with PMA) caused a form of notice of the
28 sale to be published and/or announced and caused the Official Notice of Sale to be distributed to
29 potential bidders offering the Notes for public sale on March 19, 2024;
30

31 WHEREAS, the County has duly received bids for the Notes as described on the Bid
32 Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid
33 Tabulation"); and
34

35 WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by
36 the financial institution listed first on the Bid Tabulation fully complies with the bid
37 requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous
38 to the County. PMA has recommended that the County accept the Proposal. A copy of said
39 Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and
40 incorporated herein by this reference.

41
42 NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the
43 County that:

44 Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The
45 County Board of Supervisors hereby ratifies and approves the details of the Notes set forth in
46 Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any
47 other offering materials prepared and circulated by PMA are hereby ratified and approved in all
48 respects. All actions taken by officers of the County and PMA in connection with the
49 preparation and distribution of the Official Notice of Sale, and any other offering materials are
50 hereby ratified and approved in all respects.

51 Section 1B. Award of the Notes. For the purpose of paying the cost of the Project, there
52 shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of FOUR
53 MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000) from the Purchaser in
54 accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser
55 offering to purchase the Notes for the sum set forth on the Proposal [(as modified on the Bid
56 Tabulation and reflected in the Pricing Summary referenced below and incorporated herein)],
57 plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the
58 Proposal, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of
59 the County are authorized and directed to execute an acceptance of the Proposal on behalf of the
60 County. The good faith deposit of the Purchaser shall be applied in accordance with the Official
61 Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly
62 returned. The Notes shall bear interest at the rates set forth on the Proposal.
63

64 Section 2. Terms of the Notes. The Notes shall be designated "General Obligation
65 Promissory Notes, Series 2024A"; shall be issued in the aggregate principal amount of
66 \$4,200,000; shall be dated April 9, 2024; shall be in the denomination of \$5,000 or any integral
67 multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per
68 annum and mature on April 1 of each year, in the years and principal amounts as set forth on the
69 Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference.
70 Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on
71 April 1, 2025. Interest shall be computed upon the basis of a 360-day year of twelve 30-day
72 months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.
73 The schedule of principal and interest payments due on the Notes is set forth on the Debt Service
74 Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the
75 "Schedule").
76

77 Section 3. Redemption Provisions. The Notes maturing on April 1, 2033 and thereafter
78 shall be subject to redemption prior to maturity, at the option of the County, on April 1, 2032 or
79 on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from
80 maturities selected by the County, and within each maturity, by lot, at the principal amount
81 thereof, plus accrued interest to the date of redemption.

82 【The Proposal specifies that 【some of】 the Notes shall be subject to mandatory
83 redemption. The terms of such mandatory redemption are set forth on an attachment hereto as
84 Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of
85 the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed
86 shall be credited against the mandatory redemption payments established in Exhibit MRP for
87 such Notes in such manner as the County shall direct.】

88 Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be
89 executed and delivered in substantially the form attached hereto as Exhibit E and incorporated
90 herein by this reference.

91 Section 5. Tax Provisions.

92 (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the
93 principal of and interest on the Notes as the same becomes due, the full faith, credit and
94 resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of
95 the taxable property of the County a direct annual irrepealable tax in the years 2024 through
96 2033 for the payments due in the years 2025 through 2034 in the amounts set forth on the
97 Schedule.

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

106 (C) Additional Funds. If at any time there shall be on hand insufficient funds
107 from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due,
108 the requisite amounts shall be paid from other funds of the County then available, which sums
109 shall be replaced upon the collection of the taxes herein levied.
110

111 Section 6. Segregated Debt Service Fund Account.
112

113 (A) Creation and Deposits. There shall be and there hereby is established in the
114 treasury of the County, if one has not already been created, a debt service fund, separate and
115 distinct from every other fund, which shall be maintained in accordance with generally accepted
116 accounting principles. Debt service or sinking funds established for obligations previously
117 issued by the County may be considered as separate and distinct accounts within the debt service
118 fund.
119

120 Within the debt service fund, there hereby is established a separate and distinct account
121 designated as the "Debt Service Fund Account for General Obligation Promissory Notes,
122 Series 2024A" (the "Debt Service Fund Account") and such account shall be maintained until the

indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

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

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

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

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause

the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

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

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

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County

hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter into a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

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

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

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

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

258
259 Section 16. Official Statement. The County Board of Supervisors hereby approves the
260 Preliminary Official Statement with respect to the Notes and deems the Preliminary Official
261 Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the
262 Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the
263 "Rule"). All actions taken by officers of the County in connection with the preparation of such
264 Preliminary Official Statement and any addenda to it or final Official Statement are hereby
265 ratified and approved. In connection with the Closing, the appropriate County official shall
266 certify the Preliminary Official Statement and any addenda or final Official Statement. The
267 County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final
268 Official Statement to be distributed to the Purchaser.

269
270 Section 17. Undertaking to Provide Continuing Disclosure. The County hereby
271 covenants and agrees, for the benefit of the owners of the Notes, to enter into a written
272 undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of
273 certain financial information and operating data and timely notices of the occurrence of certain
274 events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the
275 Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and
276 the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific
277 performance of the obligations thereunder and any failure by the County to comply with the
278 provisions of the Undertaking shall not be an event of default with respect to the Notes).

279
280 To the extent required under the Rule, the Chairperson and County Clerk, or other officer
281 of the County charged with the responsibility for issuing the Notes, shall provide a Continuing
282 Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and
283 terms of the County's Undertaking.

284
285 Section 18. Record Book. The County Clerk shall provide and keep the transcript of
286 proceedings as a separate record book (the "Record Book") and shall record a full and correct
287 statement of every step or proceeding had or taken in the course of authorizing and issuing the
288 Notes in the Record Book.

289
290 Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond
291 insurance with respect to the Notes, the officers of the County are authorized to take all actions
292 necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are
293 authorized to agree to such additional provisions as the bond insurer may reasonably request and
294 which are acceptable to the Chairperson and County Clerk including provisions regarding
295 restrictions on investment of Note proceeds, the payment procedure under the municipal bond
296 insurance policy, the rights of the bond insurer in the event of default and payment of the Notes
297 by the bond insurer and notices to be given to the bond insurer. In addition, any reference
298 required by the bond insurer to the municipal bond insurance policy shall be made in the form of
299 Note provided herein.

300
301 Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,
302 rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the
303 provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so
304 conflict. In the event that any one or more provisions hereof shall for any reason be held to be
305 illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The
306 foregoing shall take effect immediately upon adoption and approval in the manner provided by
307 law.

Dated this 19th day of March, 2024.

Respectfully submitted by

Supervisor _____

FISCAL IMPACT: _____

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

EXHIBIT A

Official Notice of Sale

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B

Bid Tabulation

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

Winning Bid

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-1

Pricing Summary

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

【EXHIBIT MRP

Mandatory Redemption Provision

The Notes due on April 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)】

EXHIBIT E

(Form of Note)

REGISTERED
NO. R- _____ UNITED STATES OF AMERICA
STATE OF WISCONSIN
MANITOWOC COUNTY DOLLARS
\$ _____
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2024A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
April 1, _____ April 9, 2024 _____ % _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, Manitowoc County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2025 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$4,200,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for the public purpose of financing the construction and improvement of highways, as authorized by resolutions adopted on February 20, 2024 and March 19, 2024. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Notes maturing on April 1, 2033 and thereafter are subject to redemption prior to maturity, at the option of the County, on April 1, 2032 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

【The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolutions referred to above, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the County Board of Supervisors as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the County appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such

registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Manitowoc County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

MANITOWOC COUNTY, WISCONSIN

By: _____
Tyler Martell
Chairperson

(SEAL)

By: _____
Jessica Backus
County Clerk

Date of Authentication: _____, ____.

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolutions of Manitowoc County, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

**RESOLUTION AWARDING THE SALE OF
\$4,075,000 GENERAL OBLIGATION COURTHOUSE
IMPROVEMENT BONDS, SERIES 2024B**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, on January 16, 2024, by a vote of at least 3/4 of the members-elect, the
2 County Board of Supervisors of Manitowoc County, Wisconsin (the "County") adopted an initial
3 resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds (the
4 "Bonds") in an amount not to exceed \$4,075,000 for the public purpose of financing Courthouse
5 improvement projects, including engineering and design and replacement of Courthouse HVAC
6 system and windows (the "Project");
7

8 WHEREAS, the County Board of Supervisors hereby finds and determines that the
9 Project is within the County's power to undertake and therefore serves a "public purpose" as that
10 term is defined in Section 67.04(1)(b), Wisconsin Statutes;
11

12 WHEREAS, the County is authorized by the provisions of Section 67.04, Wisconsin
13 Statutes, to borrow money and issue general obligation bonds for such public purposes;
14

15 WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating
16 expenses of the general fund of the County or to fund the operating expenses of any special
17 revenue fund of the County that is supported by property taxes;
18

19 WHEREAS, pursuant to the Initial Resolution, the County has directed PMA Securities,
20 LLC ("PMA") to take the steps necessary to sell the Bonds to pay the cost of the Project;
21

22 WHEREAS, PMA, in consultation with the officials of the County, prepared an Official
23 Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this
24 reference) setting forth the details of and the bid requirements for the Bonds and indicating that
25 the Bonds would be offered for public sale on March 19, 2024;
26

27 WHEREAS, the County Clerk (in consultation with PMA) caused a form of notice of the
28 sale to be published and/or announced and caused the Official Notice of Sale to be distributed to
29 potential bidders offering the Bonds for public sale on March 19, 2024;
30

31 WHEREAS, the County has duly received bids for the Bonds as described on the Bid
32 Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid
33 Tabulation"); and
34

35 WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by
36 the financial institution listed first on the Bid Tabulation fully complies with the bid
37 requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous
38 to the County. PMA has recommended that the County accept the Proposal. A copy of said

Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by PMA are hereby ratified and approved in all respects. All actions taken by officers of the County and PMA in connection with the preparation and distribution of the Official Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of FOUR MILLION SEVENTY-FIVE THOUSAND DOLLARS (\$4,075,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal [(as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein)], plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Courthouse Improvement Bonds, Series 2024B"; shall be issued in the aggregate principal amount of \$4,075,000; shall be dated April 9, 2024; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2025. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on April 1, 2035 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on April 1, 2034 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

82 [The Proposal specifies that [some of] the Bonds shall be subject to mandatory
83 redemption. The terms of such mandatory redemption are set forth on an attachment hereto as
84 Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of
85 the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed
86 shall be credited against the mandatory redemption payments established in Exhibit MRP for
87 such Bonds in such manner as the County shall direct.]

88 Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be
89 executed and delivered in substantially the form attached hereto as Exhibit E and incorporated
90 herein by this reference.

91 Section 5. Tax Provisions.

92 (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the
93 principal of and interest on the Bonds as the same becomes due, the full faith, credit and
94 resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of
95 the taxable property of the County a direct annual irrepealable tax in the years 2024 through
96 2043 for the payments due in the years 2025 through 2044 in the amounts set forth on the
97 Schedule.

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

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

110
111 Section 6. Segregated Debt Service Fund Account.

112
113 (A) Creation and Deposits. There shall be and there hereby is established in the
114 treasury of the County, if one has not already been created, a debt service fund, separate and
115 distinct from every other fund, which shall be maintained in accordance with generally accepted
116 accounting principles. Debt service or sinking funds established for obligations previously
117 issued by the County may be considered as separate and distinct accounts within the debt service
118 fund.

119
120 Within the debt service fund, there hereby is established a separate and distinct account
121 designated as the "Debt Service Fund Account for General Obligation Courthouse Improvement
122 Bonds, Series 2024B" (the "Debt Service Fund Account") and such account shall be maintained

123 until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There
124 shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the
125 County at the time of delivery of and payment for the Bonds; (ii) any premium which may be
126 received by the County above the par value of the Bonds and accrued interest thereon; (iii) all
127 money raised by the taxes herein levied and any amounts appropriated for the specific purpose of
128 meeting principal of and interest on the Bonds when due; (iv) such other sums as may be
129 necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies
130 in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be
131 required by Section 67.11, Wisconsin Statutes.

132
133 (B) Use and Investment. No money shall be withdrawn from the Debt Service
134 Fund Account and appropriated for any purpose other than the payment of principal of and
135 interest on the Bonds until all such principal and interest has been paid in full and the Bonds
136 canceled; provided (i) the funds to provide for each payment of principal of and interest on the
137 Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be
138 invested in direct obligations of the United States of America maturing in time to make such
139 payments when they are due or in other investments permitted by law; and (ii) any funds over
140 and above the amount of such principal and interest payments on the Bonds may be used to
141 reduce the next succeeding tax levy, or may, at the option of the County, be invested by
142 purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or
143 in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes
144 ("Permitted Investments"), which investments shall continue to be a part of the Debt Service
145 Fund Account. Any investment of the Debt Service Fund Account shall at all times conform
146 with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any
147 applicable Treasury Regulations (the "Regulations").

148
149 (C) Remaining Monies. When all of the Bonds have been paid in full and
150 canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service
151 Fund Account shall be transferred and deposited in the general fund of the County, unless the
152 County Board of Supervisors directs otherwise.

153
154 Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of
155 the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be
156 paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above)
157 shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from
158 all other funds of the County and disbursed solely for the purpose or purposes for which
159 borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating
160 expenses of the general fund of the County or of any special revenue fund of the County that is
161 supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested
162 in Permitted Investments. Any monies, including any income from Permitted Investments,
163 remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have
164 been issued have been accomplished, and, at any time, any monies as are not needed and which
165 obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service
166 Fund Account.

167 Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be
168 Permitted Investments, but no such investment shall be made in such a manner as would cause

the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

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

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

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County

hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter into a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

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

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

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

258
259 Section 16. Official Statement. The County Board of Supervisors hereby approves the
260 Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official
261 Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the
262 Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the
263 "Rule"). All actions taken by officers of the County in connection with the preparation of such
264 Preliminary Official Statement and any addenda to it or final Official Statement are hereby
265 ratified and approved. In connection with the Closing, the appropriate County official shall
266 certify the Preliminary Official Statement and any addenda or final Official Statement. The
267 County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final
268 Official Statement to be distributed to the Purchaser.

269
270 Section 17. Undertaking to Provide Continuing Disclosure. The County hereby
271 covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written
272 undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of
273 certain financial information and operating data and timely notices of the occurrence of certain
274 events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the
275 Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and
276 the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific
277 performance of the obligations thereunder and any failure by the County to comply with the
278 provisions of the Undertaking shall not be an event of default with respect to the Bonds).

279
280 To the extent required under the Rule, the Chairperson and County Clerk, or other officer
281 of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing
282 Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and
283 terms of the County's Undertaking.

284
285 Section 18. Record Book. The County Clerk shall provide and keep the transcript of
286 proceedings as a separate record book (the "Record Book") and shall record a full and correct
287 statement of every step or proceeding had or taken in the course of authorizing and issuing the
288 Bonds in the Record Book.

289
290 Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond
291 insurance with respect to the Bonds, the officers of the County are authorized to take all actions
292 necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are
293 authorized to agree to such additional provisions as the bond insurer may reasonably request and
294 which are acceptable to the Chairperson and County Clerk including provisions regarding
295 restrictions on investment of Bond proceeds, the payment procedure under the municipal bond
296 insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds
297 by the bond insurer and notices to be given to the bond insurer. In addition, any reference
298 required by the bond insurer to the municipal bond insurance policy shall be made in the form of
299 Bond provided herein.

300
301 Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,
302 rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the
303 provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so
304 conflict. In the event that any one or more provisions hereof shall for any reason be held to be
305 illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The
306 foregoing shall take effect immediately upon adoption and approval in the manner provided by
307 law.

Dated this 19th day of March, 2024.

Respectfully submitted by

Supervisor _____

FISCAL IMPACT: _____

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

EXHIBIT A

Official Notice of Sale

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B

Bid Tabulation

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

Winning Bid

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-1

Pricing Summary

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

DRAFT

【EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on April 1, ____, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)】

EXHIBIT E

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA
NO. R- STATE OF WISCONSIN DOLLARS
MANITOWOC COUNTY \$
GENERAL OBLIGATION COURTHOUSE IMPROVEMENT BOND, SERIES 2024B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
April 1, April 9, 2024 %

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: THOUSAND DOLLARS
(\$)

FOR VALUE RECEIVED, Manitowoc County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2025 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$4,075,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the public purpose of financing Courthouse improvement projects, including engineering and design and replacement of Courthouse HVAC system and windows, as authorized by resolutions adopted on January 16, 2024 and March 19, 2024. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Bonds maturing on April 1, 2035 and thereafter are subject to redemption prior to maturity, at the option of the County, on April 1, 2034 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

【The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolutions referred to above, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the County Board of Supervisors as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the County appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such

registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Manitowoc County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

MANITOWOC COUNTY, WISCONSIN

By: _____
Tyler Martell
Chairperson

(SEAL)

By: _____
Jessica Backus
County Clerk

Date of Authentication: _____, ____.

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolutions of Manitowoc County, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____
Authorized Signatory

DRAFT

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 6.275
(Prostitution)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County recognizes the inherent dignity and rights of all individuals
2 within its jurisdiction, and is committed to ensuring the safety, well-being, and equality of its
3 residents; and
4

5 WHEREAS, Manitowoc County acknowledges that prostitution poses significant public
6 health and safety risks, including the spread of sexually transmitted diseases, exploitation, human
7 trafficking, and community disruption; and
8

9 WHEREAS, Manitowoc County acknowledges that the presence of prostitution negatively
10 impacts neighborhoods, local businesses, property values, and the overall quality of life for
11 residents; and
12

13 WHEREAS, Manitowoc County recognizes its responsibility to protect vulnerable
14 populations, including those who may be coerced, trafficked, or otherwise exploited in the sex
15 trade; and
16

17 WHEREAS, Manitowoc County acknowledges the importance of addressing the demand
18 for commercial sex as a means to effectively combat prostitution and related criminal activities;
19 and
20

21 WHEREAS, Manitowoc County acknowledges the need for comprehensive measures to
22 deter, prevent, and address prostitution, including enforcement, education, outreach, and support
23 services; and
24

25 WHEREAS, implementing an ordinance expressly prohibiting prostitution will assist in
26 preventing prostitution along with the public health and safety risks that go with it; and
27

28 WHEREAS, after careful consideration and review, the Public Safety Committee
29 recommends that the county adopt as part of its Code the state law prohibiting prostitution;
30

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

34 Manitowoc County Code s. 6.275 is created to read as follows:
35

36 **6.275 Prostitution.**

- 37 (1) Under authority of Wis. Stat. § 59.54(22), the provisions of Wis. Stat. §§ 944.30,
38 944.31, and 944.33(1) are adopted and incorporated into this code by reference.

- 39 (2) Penalty.
- 40 (a) A person shall upon the first conviction for a violation of this section forfeit
- 41 \$1,000, together with any applicable assessment, cost, surcharge, and the
- 42 cost of prosecution.
- 43 (b) A person shall forfeit \$2,000, together with any applicable assessment,
- 44 cost, surcharge, and the cost of prosecution, upon conviction for a second
- 45 and any subsequent offense that occurs within one (1) year of the most
- 46 recent conviction of this section.

47

48 and

49

50 BE IT FURTHER ORDAINED that if applicable, the table of contents shall be updated to

51 reflect this amendment; and

52

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

Dated this 19th day of March 2024.

Respectfully submitted by the
Public Safety Committee

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

ORDINANCE AMENDING MANITOWOC COUNTY CODE S. 4.13
(Sheriff's Department Fees)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Sheriff is required by state statute to serve civil process papers, conduct
2 Sheriff's sales, replevin actions, answer open record requests, house prisoners, provide special
3 duty deputies under certain circumstances, and perform other services and duties as requested; and
4

5 WHEREAS, Wisconsin law allows the Sheriff to charge a fee as reimbursement for such
6 services as set by the county board of supervisors; and
7

8 WHEREAS, the current fees charged by the Sheriff were last reviewed and approved in
9 2016; and
10

11 WHEREAS, the Sheriff, Chief Deputy, and Jail Administrator recommend adjustments be
12 made to certain fees; and
13

14 WHEREAS, a copy of the proposed Sheriff's Office fee schedule has been provided to the
15 County Board; and
16

17 WHEREAS, currently the Sheriff's Office fees are directly incorporated into the Manitowoc
18 County Code; and
19

20 WHEREAS, for administrative ease, it is more efficient to adopt the fees for the Sheriff's
21 Office in a fee schedule that can be updated from time to time by resolution rather than an
22 ordinance amendment; and
23

24 WHEREAS, after careful consideration and review, the Public Safety Committee
25 recommends amending the Manitowoc County Code to adopt the fees for the Sheriff's Office by
26 through a resolution rather than directly incorporating those fees directly into the ordinance; and
27

28 WHEREAS, the Public Safety Committee further recommends adopting the attached
29 Sheriff's Office fee schedule;
30

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

34 Manitowoc County Code ss. 4.13(3a), (3d), (3g), (3j), (3m), (3p), (3q), (3s), (3u), (3w), and (3y)
35 are repealed in their entirety as follows:
36

37 ~~(3a) — Booking Fee.~~
38

39 ~~(a) This Ordinance is adopted pursuant to authority granted by Wis.~~
40 ~~Stat. § 302.372.~~

41
42 ~~(b) The Sheriff is authorized to charge a booking fee of \$25.00, tax included,~~
43 ~~to each prisoner sentenced to a period of incarceration in the Manitowee~~
44 ~~County jail to pay for the cost of the prisoner's intake processing and~~
45 ~~release.~~

46
47 ~~(c) The Sheriff is authorized to obtain payment of the booking fee by deducting~~
48 ~~the fee from the prisoner's institutional account. If the prisoner's~~
49 ~~institutional account lacks sufficient funds to pay the booking fee, the~~
50 ~~sheriff may employ any means authorized by law to collect the fee.~~

51
52 ~~(3d) Jail Expense Reimbursement.~~

53
54 ~~(a) This Ordinance is adopted pursuant to authority granted by Wis.~~
55 ~~Stat. §§ 302.372 and 302.38.~~

56
57 ~~(b) The Sheriff is authorized to seek and secure reimbursement from prisoners~~
58 ~~for expenses incurred by the county in relation to the crime for which the~~
59 ~~person was sentenced to the county jail or for which the person was placed~~
60 ~~on probation and confined in the county jail.~~

61
62 ~~(c) The Sheriff is authorized to seek and secure reimbursement of the following~~
63 ~~expenses incurred by prisoners who are incarcerated in the county jail for~~
64 ~~state criminal law violations or Manitowee County Code violations:~~

65
66 ~~2. Dental, hospital, medical, prescription, or vision expenses incurred~~
67 ~~by the county on behalf of the prisoner.~~

68
69 ~~3. Expenses incurred to investigate the prisoner's financial status.~~

70
71 ~~4. Expenses incurred by the county to collect payments under this~~
72 ~~ordinance.~~

73
74 ~~5. Any other expenses incurred by the county on behalf of a specific~~
75 ~~prisoner, such as for personal care, transportation, or special~~
76 ~~materials or supplies.~~

77
78 ~~(em) The Sheriff shall charge a fee of \$22 per day for room, board, and utilities~~
79 ~~to each person who is incarcerated in the county jail for a state criminal law~~
80 ~~violation, a Manitowee County Code violation, or as a sanction for~~
81 ~~contempt.~~

82
83 ~~(d) The Sheriff is authorized to obtain payment of jail expenses by deducting~~
84 ~~the amount of such expenses from the prisoner's institutional account. If~~

85 the prisoner's institutional account lacks sufficient funds to pay the jail
86 expenses, the Sheriff may employ any means authorized by law to collect
87 the expenses.
88

89 ~~(3g) Huber Law Inmate Charges.~~

90
91 ~~(a) Every inmate of the Manitowoc County Jail who is granted privileges under~~
92 ~~Wis. Stat. § 303.08 and who is gainfully employed for wages or salary,~~
93 ~~gainfully self-employed, or receiving unemployment insurance or~~
94 ~~employment training benefits while in custody in the jail shall be liable for~~
95 ~~charges not to exceed the full per person maintenance and cost of the~~
96 ~~prisoner's board in the jail.~~

97
98 ~~(b) By order of the court, the wages, salary, and unemployment insurance and~~
99 ~~employment training benefits received by prisoners shall be disbursed by~~
100 ~~the Sheriff for the purposes and in the order stated in Wis. Stat. § 303.08(5)~~
101 ~~and shall be used to pay for the board of the prisoner. If the prisoner is~~
102 ~~gainfully self-employed, the prisoner shall pay the sheriff for such board, in~~
103 ~~default of which the prisoner's privilege under the Huber law is~~
104 ~~automatically forfeited.~~

105
106 ~~(c) The Sheriff is authorized to charge a transfer fee of \$100, booking fee and~~
107 ~~tax included, to each prisoner who transfers into the Manitowoc County Jail~~
108 ~~from another jurisdiction and to each prisoner who transfers out of the~~
109 ~~Manitowoc County Jail to another facility.~~

110
111 ~~(3j) Contract Prisoner Fee. The Sheriff's Department may contract with federal, state,~~
112 ~~county, or other local law enforcement or correctional agencies to house prisoners~~
113 ~~for those agencies. When a prisoner is held at the County Jail for another agency,~~
114 ~~the agency shall pay the rate provided for by contract between the Sheriff's~~
115 ~~Department and that agency for the per capita maintenance of each prisoner.~~

116
117 ~~(3m) Electronic Monitoring Program Fees.~~

118
119 ~~(a) This Ordinance is adopted pursuant to authority granted by Wis.~~
120 ~~Stat. § 302.372.~~

121
122 ~~(b) The Sheriff is authorized to charge a one-time processing fee of \$50, tax~~
123 ~~included, for each period of time that a prisoner participates in the electronic~~
124 ~~monitoring program; a daily fee of \$25 per day, tax included, for each day~~
125 ~~that a prisoner participates in the electronic monitoring program; the actual~~
126 ~~cost of any alert notification resulting from the violation of program~~
127 ~~conditions; and the actual cost of any damage to electronic monitoring~~
128 ~~program equipment caused by a prisoner.~~
129

(e) ~~The Sheriff is authorized to obtain payment of the electronic monitoring fee by deducting the fee from the prisoner's institutional account. If the prisoner's institutional account lacks sufficient funds to pay the electronic monitoring fee, the Sheriff may employ any means authorized by law to collect the fee.~~

(3p) ~~Process Service Fee. The Sheriff is authorized to charge a process service fee of \$40 for each person served, plus \$30 for each attempted service. In the event that a process server is able to serve more than one person at the same address on the same date and at the same time, the fee for the second and each additional service will be \$40.~~

(3q) ~~Writs and Standby Time. The Sheriff is authorized to charge a fee of \$75 for a writ of assistance, writ of replevin, or writ of restitution. The fee covers all parties served at a single address and includes 1 hour of deputy standby time. Additional standby time may be charged at a rate of \$40 per hour.~~

(3s) ~~Sheriff's Sale Fee. The Sheriff is authorized to charge a fee of \$150.00 for the Sheriff's sale of real estate. In the event that a Sheriff's sale of real estate is cancelled, the Sheriff is authorized to retain one-half of the Sheriff's sale fee.~~

(3u) ~~Mileage. The Sheriff is authorized to charge the standard mileage rate for business use of a car or truck as set and periodically adjusted by the United States Internal Revenue Service for warrant pickups or other reimbursable transportation.~~

(3w) ~~Juvenile Fees. In the case of a juvenile prisoner, reimbursement for the costs of custody, sanctions, and court and legal services shall be governed by the Wisconsin Statutes, including Wis. Stat. § 938.275.~~

(3y) ~~Collection Methods. The Sheriff is authorized to seek reimbursement in the manner authorized by the Manitowoc County Code or as otherwise provided in Wis. Stat. chs. 301 to 303 and the Sheriff is authorized to use a combination of methods to seek and secure reimbursement, but may not collect for the same expense twice.~~

Manitowoc County Code s. 4.13(3) is amended to read as follows:

(3) Sheriff's ~~Department~~Office Fees.

(a) The county board shall, by resolution, establish the fees that the sheriff's office is authorized to charge.

(b) The sheriff's office fee schedule shall be attached to this ordinance as an appendix and a copy will be on file at the sheriff's office.

- (c) The public safety committee may review the fee schedule as needed and may recommend changes to the fee schedule to the county board.
- (d) The Sheriff is authorized to obtain payment of any jail expenses, electronic monitoring fee, and booking fee by deducting the fee from the prisoner's institutional account. If the prisoner's institutional account lacks sufficient funds to pay the jail expenses, electronic monitoring fee, and booking fee, the sheriff may employ any means authorized by law to collect the fee.
- (e) In addition to any fee listed in the fee schedule adopted pursuant to this s. 4.13(3), the Sheriff is authorized to seek and secure reimbursement of the following expenses incurred by prisoners who are incarcerated in the county jail for state criminal law violations or Manitowoc County Code violations:
1. dental, hospital, medical, prescription, or vision expenses incurred by the county on behalf of the prisoner;
 2. expenses incurred by the county to collect payments under this ordinance;
 3. any other expenses incurred by the county on behalf of a specific prisoner, such as for personal care, transportation, or special materials or supplies.
- (f) For each inmate of the Manitowoc County Jail who is granted privileges under Wis. Stat. § 303.08, by order of the court, the wages, salary, and unemployment insurance and employment training benefits received by such inmates shall be disbursed by the Sheriff for the purposes and in the order stated in Wis. Stat. § 303.08(5) and shall be used to pay for the board of the inmate. If the inmate is gainfully self-employed, the inmate shall pay the Sheriff for such board, in default of which the inmate's privilege under the Huber law is automatically forfeited.
- (g) The sheriff's office may contract with federal, state, county, or other local law enforcement or correctional agencies to house prisoners for those agencies. When a prisoner is held at the County Jail for another agency, the agency shall pay the rate provided for by contract between the sheriff's office and that agency for the per capita maintenance of each prisoner.
- (h) In addition to any fee listed in the fee schedule adopted pursuant to this s. 4.13(3), the Sheriff is authorized to charge the standard mileage rate for business use of a car or truck as set and periodically adjusted by the United States Internal Revenue Service for warrant pickups or other reimbursable transportation.

- (i) In the case of a juvenile prisoner, reimbursement for the costs of custody, sanctions, and court and legal services shall be governed by the Wisconsin Statutes, including Wis. Stat. § 938.275.
- (j) The Sheriff is authorized to seek reimbursement in the manner authorized by the Manitowoc County Code or as otherwise provided in Wis. Stat. chs. 301 to 303 and the Sheriff is authorized to use a combination of methods to seek and secure reimbursement, but may not collect for the same expense twice.
- (k) In addition to any other authority authorizing the implementation of the fees in this s. 4.13(3), such fees are adopted pursuant to Wis. Stat. §§ 302.38 and 302.372.

and

BE IT FURTHER ORDAINED that county board of supervisors of the county of Manitowoc adopts the proposed Sheriff's Office Fee Schedule, and directs that a copy of the fee schedule be included as an appendix to Manitowoc County Code Chapter 4, Finances; and

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

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

Dated this 19th day of March 2024.

Respectfully submitted by the
Public Safety Committee

James Falkowski, Chair

FISCAL IMPACT: Indeterminable.

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

CHAPTER 4
APPENDIX

SHERIFF'S OFFICE FEE SCHEDULE

JAIL FEES	
Jail Booking Fee	\$ 25.00
Jail Room and Board – All Inmates Including Huber (per day)	\$ 25.00
Jail Transfer Fee	\$ 100.00
Electronic Monitoring - Processing Fee	\$ 50.00
Electronic Monitoring (per day)	\$ 25.00
Electronic Monitoring – Dual Bracelet (per day)	\$ 26.00
Electronic Monitoring - Alert Notification Resulting From the Violation of Program Condition(s)	Actual Cost
Electronic Monitoring - Damage to Electronic Monitoring Program Equipment Caused by Inmate	Actual Cost
Health Services Visit	\$ 7.50
Drug Test	\$ 25.00
Video Visitation (per minute)	\$.25

SHERIFF'S FEES	
Contracted Services (deputy per hour)	\$ 85.00
Escorts (deputy per hour – one hour minimum)	\$ 85.00
Reserve Deputy (per hour – four hour minimum)	\$ 45.00
Civil Process Fee (first attempt/per person)	\$ 60.00
Civil Process Fee (each additional attempt/per person – limit three attempts)	\$ 30.00
Execution of Writ (assistance, replevin, restitution)	\$ 85.00
Deputy Standby Time on Execution of Writ (per hour)	\$ 85.00
Sheriff's Sale Posting	\$ 75.00
Sheriff's Sale	\$ 75.00
Impound Storage Fee (per day)	\$ 15.00