



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: January 17, 2023

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 Weiss.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the December 20, 2022 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
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
 - A. Manitowoc-Calumet Library System Board of Trustees
Appoint one member to succeed Cheryl Kjelstrup for a three-year term expiring January 2026.
 1. Natasha Khan
- X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
Petitions:
 - 1) Manitowoc County – Map and Ordinance Text Amendment, County Code Chapter 31
 - 2) Muench Irrevocable Family Trust – Town of Liberty
 - 3) Brad & Jennifer Kurtzweil – Town of Manitowoc Rapids
 - 4) Soaring Eagle Dairy – Town of Manitowoc Rapids
 - B. Aging & Disability Board
 - C. Board of Health
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 1. Resolution 2022/2023-48 Expressing Intent to Explore Courthouse Dome Project and Establishing Ad Hoc Courthouse Dome Advisory Committee
 - F. Expo-Ice Center Board
 - G. Finance Committee
 2. Resolution 2022/2023-49 Denying Claim (Wisconsin Realtors Association)

- H. Highway Committee
- I. Human Services Board
- J. Land Conservation Committee/UW-Extension Education and Agriculture Committee
 - 3. Resolution 2022/2023-50 Authorizing West Foundation Grant Application
- K. Personnel Committee
- L. Public Safety Committee
- M. Public Works Committee
- N. Transportation Coordinating Committee

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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

**RESOLUTION EXPRESSING INTENT TO EXPLORE COURTHOUSE
DOME PROJECT AND ESTABLISHING AD HOC COURTHOUSE DOME
ADVISORY COMMITTEE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the current Manitowoc County courthouse (“Courthouse”) was originally built in
2 1907; and
3

4 WHEREAS, throughout the history of the Courthouse, multiple improvements have been
5 made, including in 1950 when the exterior dome was rebuilt and repaired after sustaining damage from
6 a severe wind and hail storm; and
7

8 WHEREAS, the 1950 repairs included replacing the original steel-framed exterior glass dome
9 with stainless steel panels altering the exterior appearance of the Courthouse; and
10

11 WHEREAS, in 2004, the county board of supervisors of the county of Manitowoc authorized
12 an Historic Structure Report (“2004 Report”) for the Courthouse to prioritize its restoration, focusing
13 on, *inter alia*, the exterior dome and tower and the interior dome; and
14

15 WHEREAS, the 2004 Report recommended restoration of the tower and exterior dome to a
16 condition that replicates the original construction as closely as feasible; and
17

18 WHEREAS, the 2004 Report further recommended that the interior dome also be restored
19 because the successful restoration of both domes must be viewed as a combined package as both domes
20 are integral to one another and the rotunda space below; and
21

22 WHEREAS, in 2022 the Public Works Department commissioned a study to assist the
23 department with project scope and budget considerations for restoration and repair of the Courthouse
24 tower and exterior dome, restoration of the atrium interior dome, replacement of the Courthouse
25 exterior windows, and courthouse HVAC system (“Project”); and
26

27 WHEREAS, the Courthouse is listed on the National Register of Historic Places; and
28

29 WHEREAS, the Courthouse is the civic image of the Manitowoc County government and is
30 central to the fiber of Manitowoc County; and
31

32 WHEREAS, investing in the Courthouse is a long term generational investment for the
33 community; and
34

35 WHEREAS, after careful consideration and review, the board of supervisors of the county of
36 Manitowoc wishes to explore the Project with the understanding that the following constitute major
37 decision checkpoints:
38

- 39 • Request for Proposals (RFP) for Engineering and Architectural work - beginning of
40 year 1;

- 41 • Decide whether to go out for bids on the three phases of the work (dome restoration,
42 windows, HVAC) - end of year 1;
- 43 • Decide on the funding mechanism - end of year 1;
- 44 • Accept or reject the bids - beginning of year 2;
- 45 • Monitor the bids and the work during construction and installation - years 2 and 3;

46
47 and

48
49 WHEREAS, prior to commencing construction, the project must bid in accordance with Wis.
50 Stat. § 66.0901; and

51
52 WHEREAS, if an acceptable bid is received by the County, construction on the Project would
53 commence in 2024; and

54
55 WHEREAS, to ensure the Project is completed in an efficient and cost effective manner, an ad
56 hoc Courthouse Restoration Advisory Committee should be formed to provide recommendations to
57 the Public Works Committee on project scope and budget considerations; and

58
59 WHEREAS, the Courthouse Restoration Advisory Committee should consist of the members
60 of the Executive Committee, the chair of the Public Works Committee, the chair of the Finance
61 Committee, six members of the County Board to be appointed by the County Board chair, two citizen
62 members, and one Manitowoc County circuit court judge;

63
64 NOW THEREFORE BE IT RESOLVED that the county board of supervisors of the county of
65 Manitowoc hereby establishes an ad hoc Courthouse Restoration Advisory Committee to provide
66 recommendations to the Public Works Committee regarding the Project; and

67
68 BE IT FURTHER RESOLVED that the ad hoc Courthouse Restoration Advisory Committee
69 shall consist of the members of the Executive Committee, the chair of the Public Works Committee,
70 the chair of the Finance Committee, six members of the County Board to be appointed by the County
71 Board chair, two citizen members to be appointed by the County Board chair, and one Manitowoc
72 County circuit court judge to be appointed by the County Board chair; and

73
74 BE IT FURTHER RESOLVED that the County Board chair shall appoint the chair of the ad
75 hoc Courthouse Restoration Advisory Committee; and

76
77 BE IT FURTHER RESOLVED that the ad hoc Courthouse Restoration Advisory Committee
78 shall have an indefinite term, but shall dissolve and cease to exist upon completion of the Project.

Dated this ____ day of January 2023.

Respectfully submitted by the
Executive Committee

Tyler Martell, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

A handwritten signature in black ink, appearing to be 'G. G.', is written over the line for the Corporation Counsel.

APPROVED:

_____ Date _____
Bob Ziegelbauer, County Executive

RESOLUTION DENYING CLAIM
(Wisconsin Realtors Association)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin Realtors Association filed a claim with Manitowoc County on
2 December 28, 2022 demanding the County repeal Manitowoc County Code § 13.32(2); and
3

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

7 WHEREAS, the insurance carrier has reviewed the information provided and determined
8 that there is no coverage for the claim; and
9

10 WHEREAS, the Corporation Counsel, investigated the facts, and determined that
11 Manitowoc County should deny the claim; and
12

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

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

Dated this 17th day of January 2022.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



APPROVED: _____

Bob Ziegelbauer, County Executive

Date

RESOLUTION AUTHORIZING WEST FOUNDATION GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Ruth St. John and John Dunham West Foundation, Inc. awards grants to
2 arts and humanitarian, cultural, and civic organizations centered on the Lakeshore area; and

3
4 WHEREAS, the University of Wisconsin Division of Extension Manitowoc County
5 (“UWEX Manitowoc County”) fosters civic leadership, empowering citizens to make positive,
6 transformative changes in their communities; and

7
8 WHEREAS, UWEX Manitowoc County works with community partners to address food
9 insecurity by increasing access to healthy affordable culturally appropriate safe food through
10 farmers markets and community gardens; and

11
12 WHEREAS, food insecurity is the limited or unknown availability of nutritional,
13 affordable, culturally appropriate, and safe food for everyone in a household to meet their basic
14 needs; and

15
16 WHEREAS, Manitowoc County is home to 8,000 people eligible for Supplemental
17 Nutrition Assistance Program, as well as seven census tracts where 30% or more of the residents
18 are under 200% of the federal poverty level indicating low-income people with limited access to
19 healthy food; and

20
21 WHEREAS, UWEX Manitowoc County desires to apply for a grant from the West
22 Foundation to pay for the start-up costs and technical assistance necessary to establish a program
23 to oversee and manage community gardens, provide farm market electronic benefits transfer
24 (“EBT”) machines, and engage other proven programs that are not currently provided by any
25 Manitowoc County entity to address food insecurity issues in the County; and

26
27 WHEREAS, UWEX Manitowoc County has identified a total cost of approximately
28 \$30,000.00 for this project; and

29
30 WHEREAS, after careful consideration and review, the Extension, Education, and
31 Agriculture Committee recommends UWEX Manitowoc County pursue available grants from the
32 Ruth St. John and John Dunham West Foundation, Inc.;

33
34 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
35 county of Manitowoc authorizes the UWEX Manitowoc County Area Extension Director to apply
36 for and accept a grant from the Ruth St. John and John Dunham West Foundation, Inc. in an
37 amount not to exceed \$30,000.00 to be used to create a plan to establish and maintain community
38 gardens, EBT at the farmer’s market, and engage other programs, to prepare marketing materials,
39 acquire services, educate market vendors, hire interns, and perform other work as outlined in the
40 grant proposal; and

41
42 BE IT FURTHER RESOLVED that the UWEX Manitowoc County Area Extension
43 Director, or his or her designee, is authorized to sign documents and take actions necessary to
44 complete the project as authorized in the grant application; and

45
46 BE IT FURTHER RESOLVED that the Finance Director is directed to record such
47 information in the official books of the County for the year ending December 31, 2023 as may be
48 required with carryover to 2024.

Dated this 17th day of January 2022.

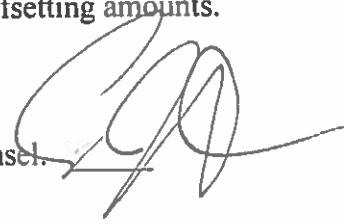
Respectfully submitted by the
Extension, Education, and Agriculture
Committee

Catherine Wagner, Chair

FISCAL IMPACT: No levy impact. Increases revenues and expenses by offsetting amounts.

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

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, January 17, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 17th day of January 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 24 members were present at the time of voting for resolutions: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Heller, Jadowski, Klein, Linsmeier, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisor Hansen was excused.

On a motion by Supervisor Behnke, seconded by Supervisor Heller, the December 20, 2022 meeting minutes were approved on a unanimous vote.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:02 p.m.

Sulynn Moore, City of Manitowoc, expressed disappointment regarding Resolution 2022/2023-48 and a financial concern if there is a tax increase due to the project.

Maura Yost, Town of Centerville, advocated for a half-cent sales tax resolution with a sunset clause along with advocating for an advisory referendum pertaining to the courthouse dome project.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:08 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Natasha Khan to the Manitowoc-Calumet Library System Board of Trustees. Supervisor Neils moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

Board of Health: Supervisor Metzger gave a brief report.

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

Executive Committee: Chairperson Martell gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Brey to adopt Resolution 2022/2023-48 Expressing Intent to Explore Courthouse Dome Project and Establishing Ad Hoc Courthouse Dome Advisory Committee. Discussion followed.

Amendment: Supervisor Behnke moved, seconded by Supervisor Falkowski to amend the resolution after line 38, add bullet point: "To go ahead, or not go ahead, with the project to repair the dome, replace the windows, and replace the HVAC system." Upon discussion and vote, the motion carried unanimously.

Supervisor Gerroll moved, seconded by Supervisor Brey to adopt Resolution 2022/2023-48 Expressing Intent to Explore Courthouse Dome Project and Establishing Ad Hoc Courthouse Dome Advisory Committee as Amended. Upon discussion and vote, the motion carried 23 ayes and 1 no. Supervisor Phipps voted no.

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

Finance Committee: Supervisor Brey gave a brief report.

Supervisor Brey moved, seconded by Supervisor Baumann to adopt Resolution 2022/2023-49 Denying Claim (Wisconsin Realtors Association). Upon vote, the motion carried unanimously.

Land Conservation Committee/UW-Extension Education and Agriculture Committee: Supervisor Wagner gave a brief report. Supervisor Wagner moved, seconded by Supervisor Engelbrecht to adopt Resolution 2022/2023-50 Authorizing West Foundation Grant. Upon vote, the motion carried unanimously.

Public Works Committee: Supervisor Gerroll gave a brief report.

ANNOUNCEMENT

Chairperson Martell announced the next County Board meeting will be February 21, 2023 with a start time of 5:30 p.m. because of the February Primary Election.

ADJOURNMENT

Supervisor Brey moved to adjourn, seconded by Supervisor Maresh, and the motion was adopted by acclamation. The meeting adjourned at 6:31 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=Z4d7bN2yKLM>



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: February 21, 2023

TIME: 5:30 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 Engelbrecht.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the January 17, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
 - A. Ethics Board

Appoint one member to succeed Atty. Katherine Reynolds for a three-year term expiring February 28, 2026.

 1. Atty. Katherine Reynolds
 - B. Local Emergency Planning Committee

Appoint one member to succeed Gary Shavlik for a two-year term expiring March 2025.

 1. Gary Shavlik
 - C. Traffic Safety Commission

Appoint two members to succeed Brian Kohlmeier and David Funkhouser.

 1. Benjamin Meinnert
 2. Joseph Jeanty
- X. APPOINTMENTS BY COUNTY BOARD CHAIR

Appoint members to the ad hoc Courthouse Restoration Advisory Committee for an indefinite term.

 1. Supervisor Jim Brey
 2. Supervisor Jim Baumann
 3. Supervisor Doug Klein
 4. Supervisor Leo Naidl
 5. Supervisor Ryan Phipps

6. Supervisor Ken Sitkiewitz
7. Circuit Court Judge Robert Dewane
8. Kaitlin Piazza, Citizen Member
9. John Delsman, Citizen Member

XI. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

A. Planning & Park Commission

1. Ordinance 2022/2023-51 Amending Zoning Map (Brad and Jennifer Kurtzweil)
2. Ordinance 2022/2023-52 Amending Zoning Map (Muench Irrevocable Family Trust)
3. Ordinance 2022/2023-53 Repealing and Recreating Manitowoc County Code Chapter 31 (Floodplain Zoning)

- Petitions:
- 1) Dick & Sandra Halverson – Town of Cato
 - 2) Daniel & Jacqueline Downey – Town of Eaton
 - 3) Mary Tisler et al – Town of Maple Grove
 - 4) George & Angela Mueller – Town of Two Rivers

B. Aging & Disability Board

C. Board of Health

D. Criminal Justice Coordinating Council

E. Executive Committee

F. Expo-Ice Center Board

G. Finance Committee

4. Resolution 2022/2023-54 Denying Claim (Troy Bierman)

H. Highway Committee

I. Human Service Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

XII. ANNOUNCEMENTS

XIII. ADJOURNMENTS

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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

ORDINANCE AMENDING ZONING MAP
(Brad and Jennifer Kurtzweil)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2023; and
3

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

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

11 A parcel of land in part of the NW 1/4 of the NW 1/4 of Section 15, Town 19 North, Range
12 23 East, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the W 1/4 Corner of said Section 15; Thence S 89°52'33" E,
15 1303.35 feet coincident with the south line of said NW 1/4 to the east line of the W
16 1/2 of said NW 1/4; Thence N 00°31'06" E, 1908.52 feet coincident with said east
17 line to the point of beginning; Thence N 00°31'06" E, 412.00 feet to the south line
18 of an existing parcel; Thence N 89°28'54" W, 374.85 feet coincident with said south
19 line; Thence S 00°05'32" W, 412.00 feet; Thence S 89°28'47" E, 371.79 feet to the
20 point of beginning, said parcel containing approximately 153,806 Square Feet
21 (3.531 Acres) of land and is hereby rezoned from Exclusive Agriculture (EA)
22 District to Rural Residential (RR) District.

Dated this 21st day of February 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

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

Brad & Jennifer Kurtzweil, on December 29, 2022, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.0 acres of land located in the NW1/4, NW1/4, Section 15, T19N-R23E, Town of Manitowoc Rapids, from EA, Exclusive Agriculture to RR, Rural Residential.

The Town of Manitowoc Rapids adopted the Manitowoc County Zoning Ordinance on December 14, 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. Brad & Jennifer Kurtzweil petitioned for a zoning map amendment on December 29, 2022.
 - 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 January 9, 2023 and on January 16, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on January 23, 2023.
 - e. The Commission at their January 23, 2023 meeting recommended approval of a modified request to rezone approximately 3.0 acres of land located in the NW1/4, NW1/4, Section 15, T19N-R23E, Town of Manitowoc Rapids, 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. Brad Kurtzweil, owner, spoke in favor of the rezone.

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 EA, Exclusive Agriculture District.
2. The Manitowoc Rapids Town Board & the Town Planning Commission supports the proposed zone change.
3. Rezoning will allow for a single family home to be built with a relatively

small impact on the area that is farmed.

4. Area to be rezoned is adjacent to a residential zoned parcel.

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 Brad & Jennifer Kurtzweil to rezone approximately 3.0 acres of land from EA, Exclusive Agriculture to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its January 23, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.0 acres of land located in the NW¼, NW¼, Section 15, T19N-R23E, Town of Manitowoc Rapids, 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 A-3) 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

January 9, 2023

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

and

Manitowoc County Supervisor Rick L. Gerroll
Supervisory District 21

ATTN: Tim Ryan and Supervisor Gerroll

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:

Brad and Jennifer Kurtzwell
2432 Fox Chase Dr
Manitowoc, WI 54220

Township:

Manitowoc Rapids

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



**Manitowoc County
Planning and Park Commission**

Fee (\$490) Received
Receipt # **40350**

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
DEC 29 2022
PLANNING & PARK
COMMISSION

Date of Application: 12/28/22 OWNER / APPLICANT/ AGENT

Owner	<u>Brad and Jennifer Kurtzweil</u>	Applicant/Agent	<u>N/A</u>
Address (1)	<u>2432 Fox Chase Dr</u>	Address (1)	_____
Address (2)	_____	Address (2)	_____
City/State/Zip	<u>Manitowoc, WI 54220</u>	City/State/Zip	_____
Phone	<u>920-629-6733</u>	Phone	_____

PROPERTY LEGAL DESCRIPTION

NW 1/4, NW 1/4, S 15 T 19 N R 23 E Town of Manitowoc Rapids

House /Fire # _____ Tax Number 010-015-006-001.00

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:

Official Legal Description and map will be submitted shortly.

Photo attached with size/location specified. Total acreage: 3.0

Proposed use: (Reason for change)

Would like to build a single family home and garage. Choose an area that is hilly and less desirable farmland.

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185		<u>12/28/22</u>
	Signature (applicant, owner, agent)	Date
		<u>12/28/22</u>
	Signature (applicant, owner, agent)	Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Brad & Jennifer Kurtzweil
Address: 2432 Fox Chase Dr.
Manitowoc WI 54220
Town: Manitowoc Rapids

PARCEL

Location: NW ¼, NW¼, Section 15, T19N-R23E
Tax#: 010-015-006-001.00
Area: 3 acres

ACTION TO DATE

Petition Submitted: 12/29/2022
Town Action: Approved December 7, 2022
Hearing Notice Published: 1/9/2023 & 1/16/2023
Advisory: 1/23/2023
Hearing: 1/23/2023

ADJACENT USES & ZONING

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

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmland
Proposed Zoning District: RR, Rural Residential
Proposed Use: Build Single Family Home & Garage

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: Knb, KnC2
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate – Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Logwood Ln

Soil Test: N/A
Terrain: 6 to 12 Percent Slopes
Vegetative Cover: Crops

Town Future Land Use Designation: Agricultural

These areas are primarily agriculture-related, woodlands, and open space land uses. Proposed non-farm developments or low density growth proposals should not significantly impact agricultural lands, agricultural productivity, or cause fragmentation or large woodland and open spaces.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

TOWN OF MANITOWOC RAPIDS

Jessica Backus, Clerk
PO Box 123
Manitowoc, WI 54221-0123
(920) 901-6559

Josh Stradal, Chairperson
3329 Branch River Rd
Manitowoc, WI 54220
(920) 323-0357

Manitowoc County Office Complex
4319 Expo Drive
P.O. Box 935
Manitowoc, WI 54221-0935

December 10, 2022

Re: Kurtzweil Rezone Request

Dear Planning and Zoning Department,

The Town Board for the Town of Manitowoc Rapids has decided to approve Brad Kurtzweil's rezone request.

Enclosed you will find the Plan Commission's rezone review and the minutes from December 7, 2022 Town Meeting with a motion was made by Supervisor Wetenkamp to approve the rezone request, seconded by Supervisor Jost. The Town Board unanimously approved.

If there are any questions please contact me at (920) 901-6559.

Sincerely,

Jessica Backus, Clerk/Treasurer

PLAN COMMISSION RECOMMENDATIONS

Name: Brad Kurtzweil

Date Request Received: 11/28/2022 Fee Received: \$150.00

Date Committee Met: 12/7/2022

Committee Findings: (List the reasons why it is being recommended for approval – i.e. rocky, marginal farmland, marsh land, steep topography, etc)

Committee approved w/ conditions

- needed Right to Farm signed. (Done)

Recommendation to the Town Board:

Approved as petitioned.

Town Board Decision:

Town Board approved the rezone request
from EA to RR.

**Town of Manitowoc Rapids Planning Commission
Rezoning Review Criteria**

Applicant Brad Kurtzweil
 Address 2432 Fox Chase Dr, Manitowoc
 Location NW 1/4 NW 1/4
 Tax Parcel # 010-015-0016-001.00

Owner Brad Kurtzweil
 Address Same
 Section 15 Town 19 Range 23

Background Information

Is the Letter of Intent application complete for review purpose?

Yes No

Was applicant/agent present for review?

Yes No

Have all abutting property owners been properly notified?

Yes No

Existing Land Use EA

Proposed Land Use _____

The proposed rezoning will occur in the following Preferred Land Use Management Area(s) as identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*:

- | | |
|---|--|
| <input type="checkbox"/> Agriculture/Natural Features | <input type="checkbox"/> Primary Residential |
| <input checked="" type="checkbox"/> Rural Residential | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Branch Rural Center | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Planned Commercial District |

Existing Zoning District

- | | |
|---|--|
| <input checked="" type="checkbox"/> Agriculture (A-3) | <input type="checkbox"/> Industrial (I-1) |
| <input checked="" type="checkbox"/> Agriculture (A-2) | <input type="checkbox"/> Estate Residential (ES) |
| <input type="checkbox"/> Agriculture (A-1) | <input type="checkbox"/> Small Estate Residential (SE) |
| <input type="checkbox"/> Residential (R-1) | <input type="checkbox"/> Lake Residential (LR) |
| <input type="checkbox"/> Residential (R-2) | <input type="checkbox"/> Principal Agriculture (PA) |
| <input type="checkbox"/> Residential (R-3) | <input type="checkbox"/> General Agriculture (GA) |
| <input type="checkbox"/> Business (B-1) | <input type="checkbox"/> Natural Area (NA) |
| <input type="checkbox"/> Business (B-2) | <input type="checkbox"/> Conservancy (C1) |

Proposed Zoning District

- | | |
|---|--|
| <input checked="" type="checkbox"/> Agriculture (A-3) | <input type="checkbox"/> Industrial (I-1) |
| <input checked="" type="checkbox"/> Agriculture (A-2) | <input type="checkbox"/> Estate Residential (ES) |
| <input type="checkbox"/> Agriculture (A-1) | <input type="checkbox"/> Small Estate Residential (SE) |
| <input type="checkbox"/> Residential (R-1) | <input type="checkbox"/> Lake Residential (LR) |
| <input type="checkbox"/> Residential (R-2) | <input type="checkbox"/> Principal Agriculture (PA) |
| <input type="checkbox"/> Residential (R-3) | <input type="checkbox"/> General Agriculture (GA) |
| <input type="checkbox"/> Business (B-1) | <input type="checkbox"/> Natural Area (NA) |
| <input type="checkbox"/> Business (B-2) | <input type="checkbox"/> Conservancy (C1) |

Rural Res

Review Questions

1. Is the rezoning in compliance with the Zoning District Compliance Table? (Attached)

Yes No

2. If the subject parcel is currently zoned A-3, will the A-3 (Exclusive Agriculture) Rezoning Criteria be met? (See Attached)

Yes Yes with Conditions No N/A

If No, please list reasons: _____

3. If the rezoning is proposed to accommodate structures, do the subject parcels include an area with one or fewer criteria as identified by Map-8-8 within the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes No

4. Does the proposed use for the rezone meet the intent of the impacted Land Use Management Area objectives as identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes Yes with Conditions No N/A

If No, please list reasons: _____

5. Is the rezoning consistent with the General Land Use Policies identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*? (See attached.)

Yes Yes with Conditions No N/A

If No, please list reasons: _____

6. Is the proposed use compatible with the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes Yes with Conditions No N/A

If No, please list reasons: _____

Other Conditions (When Applicable)

- Farm Consolidation
- Non-Conforming Lot(s)
- Non-Conforming Use
- Family Transfer or Sale of Property

- Requires "Drainage" Statement
- Requires Road Dedication
- Requires Utility or Service Easements

Planning Committee Recommendation - Approve Approve with Conditions Deny Table

Justification/Comments: _____

Preferred Land Use Management Area
Zoning District Compliance

Preferred Land Use Management Area	Potential Zoning Districts (Relative Order of Priority)
Agriculture/Natural Areas Features	A-3, PA, NA, GA, C1 *(A-2 & A-1 – prior to plan adoption)
Planned Unit Development	A-3, PA, NA, GA, A-2, Create New PUD District
Rural Residential	A-3, PA, NA, GA, A-2, ES, SE *Land zoned LR, A-1, R-1 (<2.5 acre lot size) will require the use of conservation design principals.
Primary Residential	A-3, PA, NA, GA *Lands zoned A-1, R-1, R-2, R-3 will be subject to a utility policy that allows for the potential accommodations of public water and sewer.
Branch Rural Center	A-3, PA, NA, GA, A-2, ES, SE, A-1, R-1, B-1, B-2
Industrial	I-1, A-3, PA, NA, GA, A-2, B-2, B-1
Commercial	B-1, B-2, A-3, PA, NA, GA, A-2, I-1
Planned Commercial District	A-3, PA, NA, GA, A-2, Create New PCD District

A-3 (Exclusive Agriculture) Rezoning Criteria

The following standards should apply to all land proposed for rezoning out of Exclusive Agriculture (A-3).

Manitowoc County Standards

The following standards are contained in Section 91.77 of the Wisconsin Statutes and must be found to exist before land can be rezoned out of the Exclusive Agriculture District (A-3).

1. A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agricultural use only after findings are made based upon consideration of the following:
 - a. Adequate public facilities to accommodate development either exists or will be provided within a reasonable time.
 True False
Comments: _____
 - b. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
 True False
Comments: _____
 - c. The land proposed for rezoning is suitable for development and the development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.
 True False
Comments: _____

The following "standards" are applied when considering areas that may be excluded from agricultural preservation area in the county plan. It follows that these same types of conditions should exist when a consideration is being given to removing land from the protection of the exclusive agricultural zoning district. Therefore, the following findings should be made for land that is proposed to be rezoned out of an exclusive agricultural zoning district.

1. Existing or planned activities adjacent to the identified parcel to be rezoned are compatible with an agricultural use.
 True False
Comments: _____
2. The area to be rezoned is ~~not~~ economically viable for agricultural use.
 True False
Comments: _____
3. Substantial urban growth in the area to be rezoned or planned urban expansion has created a public need to convert agricultural land use to other uses.
 True False
Comments: _____
4. Maintenance of the area in agricultural use is not consistent with the goals and objectives of a county agricultural preservation plan. (To be determined by Manitowoc County.)

Finally, a proposed rezoning out of an Exclusive Agricultural District (A-3) may be approved if it can be determined that such a use would not conflict with agricultural use and is found to be necessary in light of alternative locations available for such uses. The "mistake" and/or "change of conditions" rules should apply also.

Town Standards

The following are local town standards which shall apply to all Exclusive Agriculture (A-3) rezones. These standards are in addition to the previously listed Manitowoc County standards. These standards are intended to fulfill the objectives of the Agriculture/Natural Features Management Area as identified within Map 8-9 of the *Manitowoc Rapids Year 20-Year Comprehensive Plan*.

- 1. The property owner is not an active participant in the Manitowoc County Farmland Preservation Program (i.e. receiving tax credit).
 True False
Comments: _____

- 2. A majority of the farmland included in the rezoning is not classified as "Best" for agricultural production as classified by Manitowoc County using the Land Evaluation and Site Assessment (LESA) system (see Map 8-6).
 True False
Comments: _____

- 3. A majority of the land proposed for rezoning contains one or fewer criteria as identified by Map 8-8 of the *Manitowoc Rapids 20-Year Comprehensive Plan*.
 True False
Comments: _____

- 4. The land proposed for rezoning is not within 1,000 feet of any active farming operation (see Map 8-7).
 True False
Comments: _____

- 5. The land proposed for rezoning does not fragment a useable farm field.
 True False
Comments: _____

- 6. The land owner for which the rezone is proposed is willing to sign appropriate documentation which would hold harmless area farmers/land owners and their farming operations and practices from normal nuisances which occur as part of farming procedures (nuisances include but are not limited to noise from farm equipment, hours of operation, inconvenience of farm equipment travel on public roads, occasional smell and dust).
 True False
Comments: _____

Other Considerations

- 7. The land is being rezoned to accommodate a use (i.e. housing unit or business) which will support commercial agricultural production (i.e. farm employee residence, equipment repair, etc.).
 True False
Comments: _____

- 8. Farmland contained within the rezoned area is of unique proportion which limits the ability of farm equipment to work efficiently.
 True False
Comments: _____

A-3 to A-2, PA, NA, and GA rezones should only be reviewed if the proposed rezoning includes proposed uses of agricultural nature or contains a conservation easement which restricts further fragmentation of the parcel. Limits of Disturbances (area accommodating buildings and accessory features) within the allowed rezone districts shall be limited to 2 acres in size.

**TOWN OF MANITOWOC RAPIDS
MINUTES FROM THE DECEMBER 7, 2022**

The December 7, 2022 meeting of the Town of Manitowoc Rapids meeting was called to order by Chairperson Stradal at 7:00 pm at the Town Hall, 8624 CTH JJ, Manitowoc, WI.

ROLL CALL

The roll was called, and members present were: Josh Stradal-Chairperson, Tom Wetenkamp-Supervisor 1, John Jost-Supervisor 2, Jeremy Stradal-Road Foreman, Jessica Backus-Clerk/Treasurer, and Jim Wiesner-Constable. Scott Tennessen-Assessor was excused.

APPROVAL OF MINUTES – APPROVAL OF AGENDA

Chairperson Stradal presented the minutes from the November 9, 2022 meeting. Supervisor Wetenkamp moved to approve the meeting minutes, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Chairperson Stradal presented the December 7, 2022 agenda. Supervisor Jost moved to approve the agenda, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

TREASURER'S REPORT

Clerk Backus presented the cash flow report. Supervisor Wetenkamp moved to approve the cash flow report, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

PUBLIC COMMENT

Chairperson Stradal opened public comment at 7:06 p.m.

No one present wished to speak, subsequently Chairperson Stradal closed public input at 7:06 p.m.

REPORTS

Constable – Constable Wiesner reported he received one dog call and a complaint about mud on the road.

Highway – Road Foreman Stradal presented the two quotes for furnace in the back storage garage-Schaus Quote \$5070.00 and Lakeshore \$6,975.00. Supervisor Jost moved to accept the quote from Schaus, seconded by Supervisor Wetenkamp. Upon vote, unanimously approved.

He reported there are cedar trees that need to be trimmed on Cedar Lane. Clerk Backus will send a letter to notify property owners that the trees will be trimmed soon.

Assessor – Nothing to report.

NEW BUSINESS

Discussion and possible action to adopt the 2023 Proposed Budget and 2022 Tax Levy

Supervisor Wetenkamp moved to adopt the 2023 Proposed Budget and 2022 Tax Levy; seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action regarding Fire Department Contracts

Supervisor Wetenkamp moved to approve the Fire Department Contracts for Branch, Rockwood, and Silver Creek, seconded by Supervisor Jost. Upon vote, the motion carried with Supervisor Wetenkamp and Supervisor Jost voting aye, Chairperson Stradal abstained.

Discussion and possible action regarding First Responder Contracts

Supervisor Jost moved to approve the First Responder Contracts for Branch and Silver Creek, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action regarding Ambulance Agreement

Supervisor Wetenkamp moved to approve the City of Manitowoc Ambulance Agreement, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on Clerk/Treasurer Contract

Chairperson Stradal moved to approve the Clerk/Treasurer contract for 2023, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Fuel Contract

Supervisor Jost moved to approve the fuel contract with Maribel Grain Company, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Sand Contract

Supervisor Wetenkamp moved to approve the sand contract with Jim's Excavating, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on MOU between Wisconsin Election Commission and the Town

Clerk Backus informed the board that the Wisconsin Election Commission was providing a security grant which would cover the cost of our IT support, anti-virus software, and security seals for the tabulator. Chairperson Stradal moved to approve the MOU with WEC, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and action on the Rezone Request for Brad Kurtzweil

Randy Drumm reported on the rezone request and recommended approval of the rezone request. Supervisor Wetenkamp moved to approve the rezone request for Brad Kurtzweil from Exclusive Agriculture to Rural Residential, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and action on the Rezone Request for Soaring Eagle Dairy (Scott Mertens-Agent)

Randy Drumm reported on the rezone request and recommended approval of the rezone request. Supervisor Jost moved to approve the rezone request for Soaring Eagle Dairy (Scott Mertens-Agent) from Exclusive Agriculture to Rural Residential, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Resolution 2022-3 to Amend the 2022 Budget

Supervisor Wetenkamp moved to approve Resolution 2022-3 to Amend the 2022 Budget, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on Resolution 2022-4 Adopting Posting Legal Notices

Chairperson Stradal moved to approve Resolution 2022-4 Adopting Posting Legal Notices, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on Pay Schedule Policy

Clerk Backus explained the current pay schedule for the elected officials and clerk/treasurer and how it affects the new budget year with the year-end carryover. She requested the pay schedule for the elected officials be changed to the payroll checks being issued on the last day of the quarter serves were performed, along with the clerk/treasurer's payroll check being issued the last day of the month for the monthly services performed effect immediately. Chairperson Stradal moved to approve the new pay schedule policy, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Recycling Center Items

Supervisor Jost recommended increasing the garbage bags/stickers from \$1.00 to \$2.00 to subsidize the increase of garbage pickup as of the first of 2023. Chairperson Stradal moved to approve an increase in garbage bag/stickers fees, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Presentation on Rural Mutual Insurance Review

Insurance Agent Randy Pingel provided the presentation.

UNFINISHED BUSINESS

Update on N Union Rd/Branch River Bridge

Chairperson Stradal informed everyone the bridge was now open, but there is a list of small items that will be reviewed in the spring.

OTHER BUSINESS

Items for Next Month's Agenda

Reduced Speed Limit on Hwy H

Vouchers

Clerk Backus presented the December vouchers. Chairperson Stradal moved to approve the vouchers as presented for the month of November, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

NEXT MEETING DATES

Monthly Meeting – January 11, 2023 at 7:00 p.m.

There being no further discussion, Supervisor Wetenkamp moved to adjourn; seconded by Supervisor Jost, and the motion was adopted by acclamation. The meeting was adjourned at 7:49 p.m.

Respectfully submitted,
Jessica Backus, Clerk/Treasurer



Brad & Jennifer Kurtzweil
NW 1/4, NW 1/4
Section 15, T19N-R23E
Town of Manitowoc Rapids
From: EA To: RR
Approximately 3 acre(s)
-87.737, 44.122

Map Overview

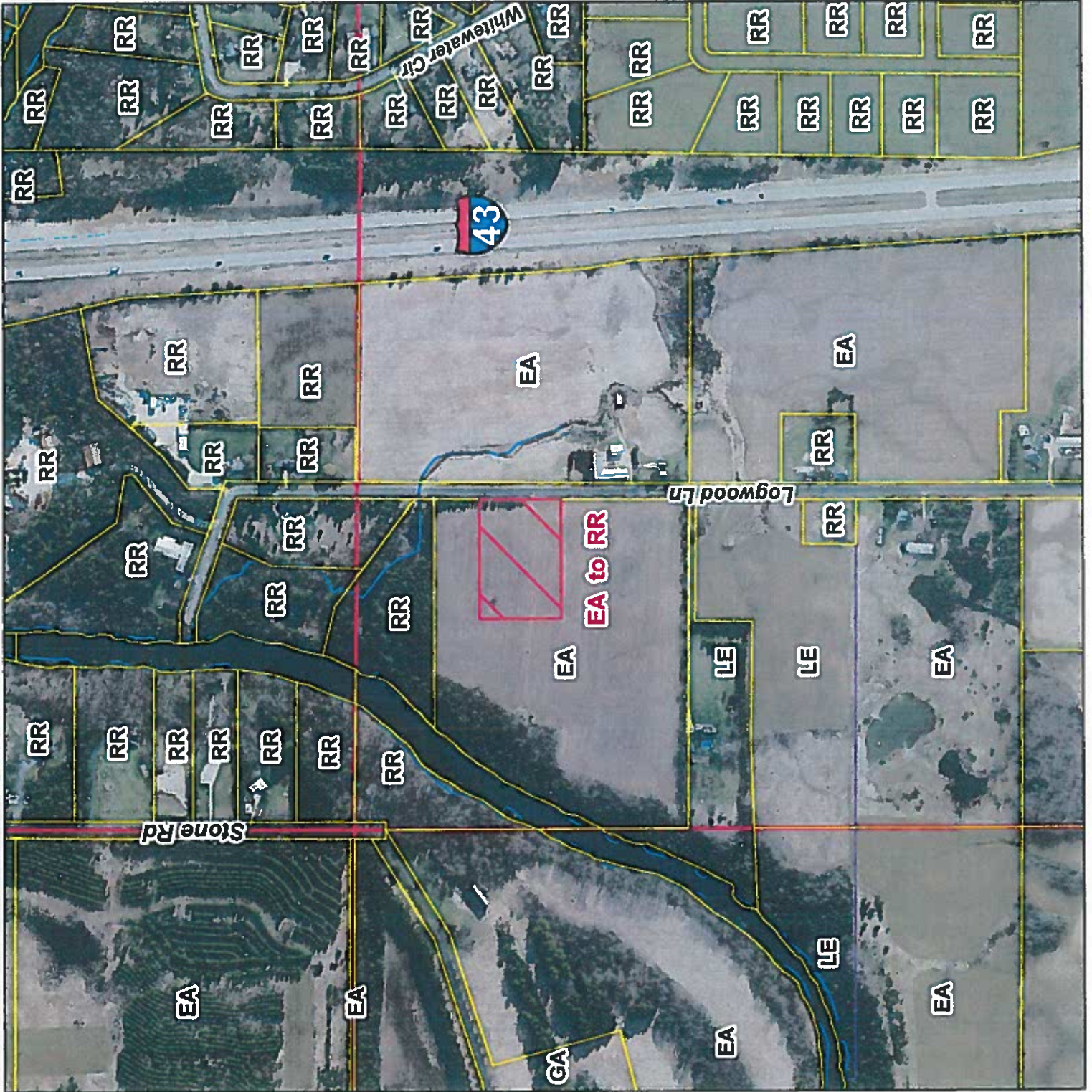
Manitowoc Rapids

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

-  Section Line
-  Zoning Line
-  Parcel Line
-  Streams





Brad & Jennifer Kurtzweil
 NW 1/4, NW 1/4
 Section 15, T19N-R23E
 Town of Manitowoc Rapids

From: EA To: RR
 Approximately 3 acre(s)
**Amended and
 Approved Request**

Map Overview

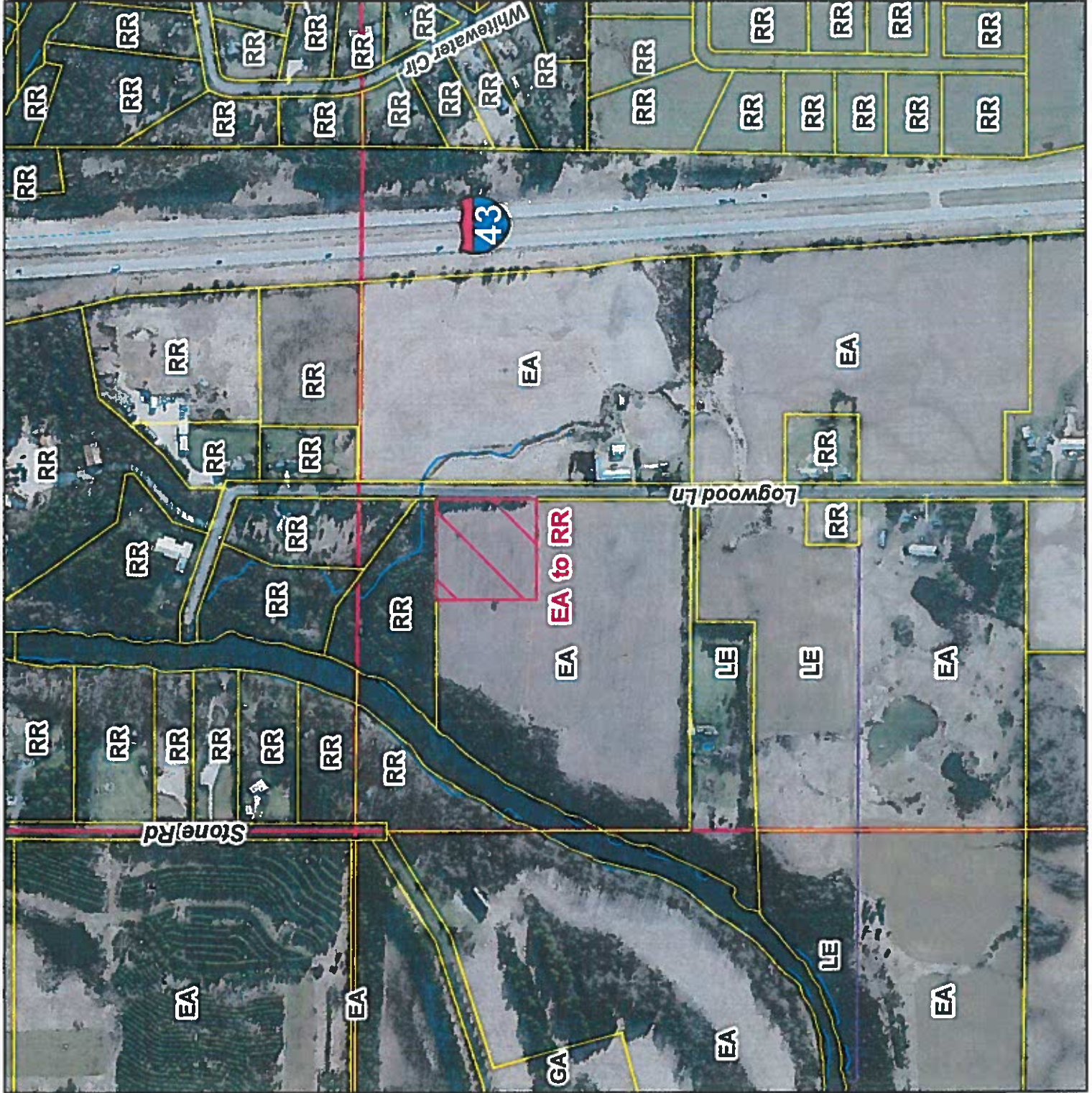
Manitowoc Rapids

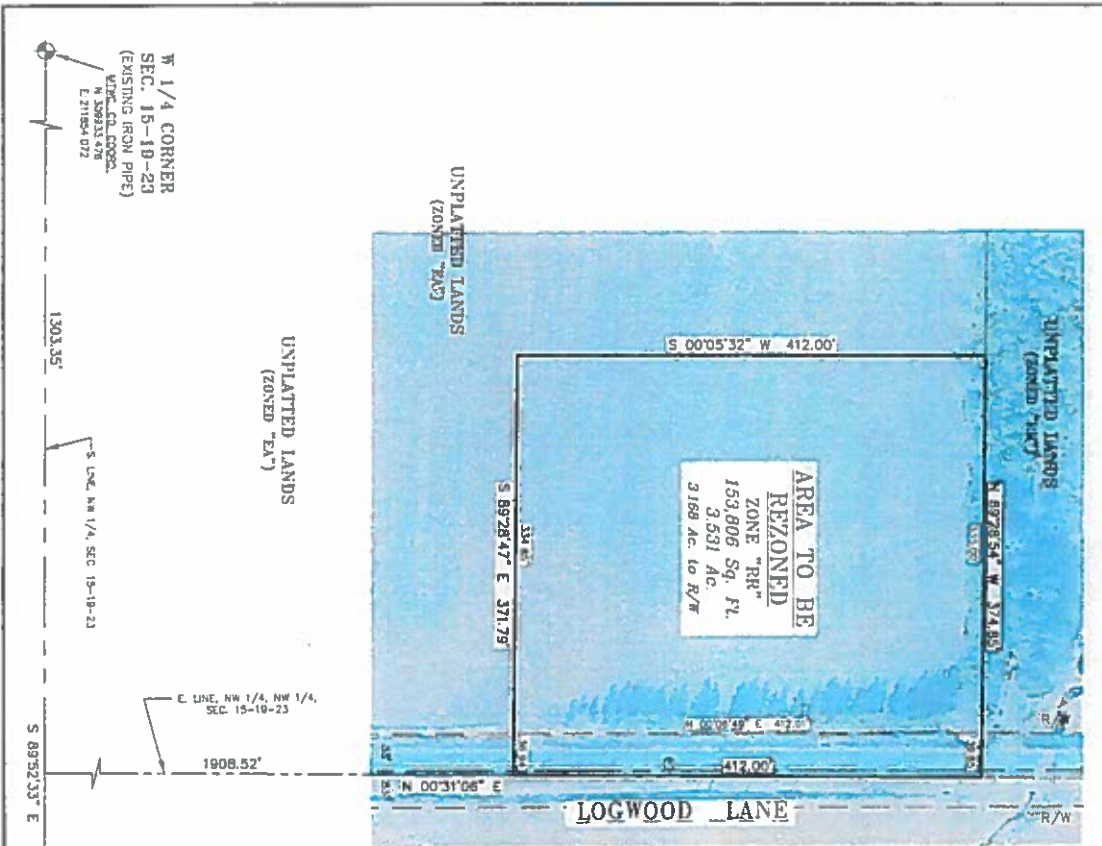
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7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



Legend

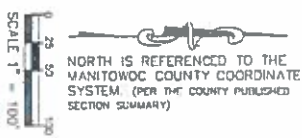
-  Section Line
-  Zoning Line
-  Parcel Line
-  Streams





AREA TO BE REZONED
 ZONE "RR"
 153,806 SQ. FT.
 3.531 AC.
 3,188 AC. TO R/W

MANITOWOC COUNTY
 RECEIVED
 FEB 01 2023
 PLANNING & PARK
 COMMISSION



DESCRIPTION: (Area to be rezoned from "EA" to "RR")

Part of the NW 1/4 of the NW 1/4 of Section 15, Town 19 North, Range 23 East, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, described as follows:
 Commencing at the W 1/4 Corner of said Section 15; Thence S 83°52'33" E, 1303.35 feet coincident with the south line of said NW 1/4 to the east line of the W 1/2 of said NW 1/4; Thence N 00°31'06" E, 1908.52 feet coincident with said east line to the point of beginning; Thence N 00°31'06" E, 412.00 feet to the south line of an existing parcel; Thence N 83°28'54" W, 374.85 feet coincident with said south line; Thence S 00°05'32" W, 412.00 feet; Thence S 83°28'47" E, 371.79 feet to the point of beginning.
 Said parcel contains 153,806 Square Feet (3.531 Acres) of land

MAP OF AREA TO BE REZONED

LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 15, TOWN 19 NORTH, RANGE 23 EAST, TOWN OF MANITOWOC RAPIDS, MANITOWOC COUNTY, WISCONSIN

FIELD WORK COMPLETION DATE:	1/3/2023
DRAWN BY:	JAD
JOB NO.:	S608022
CAD FILE:	DWG\19-23\15\KURTZWEIL\SG08022
SCALE:	1" = 100'

BRAD KURTZWEIL
 2432 FOX CHASE DR.
 MANITOWOC, WI 54220

Corner Point
 A DIVISION OF
 3505 28th Street
 Manitowoc, WI 54220
 PH 920.662.600

ORDINANCE AMENDING ZONING MAP
(Muench Irrevocable Family Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on January 23, 2023; and
3

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

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

11 A tract of land in part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4)
12 of Section 36, Township 18 North, Range 22 East, Town of Liberty, Manitowoc County,
13 Wisconsin being described as follows:
14

15 Commencing at the Southeast Corner of said Section 36; thence S89°-49'-56"W
16 along the South line of the SE1/4 of said Section 36 a distance of 455.90 feet to the
17 point of beginning; thence continuing S89°-49'-56"W along said South line 223.51
18 feet to the Southeast Corner of Lot 1 of Certified Survey Map recorded in Volume
19 31 of Certified Survey Maps, on Pages 197-198, as Document No. 1148560; thence
20 N00°-29'-40"W 157.80 feet to a corner of said Lot 1; thence S89°-50'-06"W 22.19
21 feet to a corner of said Lot 1; thence N36°-19'-18"W 21.65 feet to a corner of said
22 Lot 1; thence N00°-29'-40"E 19.51 feet to the North line of said Lot 1; thence S89°-
23 50'-06"W along said North line 272.41 feet; thence N00°-29'-40"E 131.36 feet;
24 thence N89°-49'-56"E 531.08 feet; thence S00°-29'-40"W 326.21 feet to the point
25 of beginning, said parcel containing approximately 114,492 square feet (2.63 acres)
26 of land and is hereby rezoned from Exclusive Agriculture (EA) District to Rural
27 Residential (RR) District;
28

29 and
30

31 A tract of land in part of Lot 1 of Certified Survey Map recorded in Volume 31, on Pages
32 197-198, as Document No. 1148560; being a part of the Southeast Quarter (SE1/4) of the Southeast
33 Quarter (SE1/4) of Section 36, Township 18 North, Range 22 East, Town of Liberty, Manitowoc
34 County, Wisconsin being described as follows:
35

36 Commencing at the Southeast Corner of said Section 36; thence S89°-49'-56"W
37 along the South line of the SE1/4 of said Section 36, a distance of 986.98 feet to
38 the point of beginning; thence continuing S89°-49'-56"W along said South line
39 124.00 feet to the West line of Lot 1 of said Certified Survey Map; thence N00°-

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.

The Muench Irrevocable Family Trust, on December 1, 2022, petitioned the Manitowoc County Board of Supervisors to rezone approximately 2.63 acres of land located in the SE1/4, SE1/4, Section 36, T18N-R22E, Town of Liberty, from EA, Exclusive Agriculture to RR, Rural Residential and approximately 0.55 acres of land located in the SE1/4, SE1/4 Section 36, T18N-R22E, Town of Liberty, from RR, Rural Residential to EA, Exclusive Agriculture.

The Town of Liberty adopted the Manitowoc County Zoning Ordinance on November 14, 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 while EA, Exclusive Agriculture zoning provides areas for agricultural development and to prevent scattered nonagricultural development that could displace agricultural uses

1. Action taken to date on this request includes:

- a. The Muench Irrevocable Family Trust petitioned for a zoning map amendment on December 1, 2022.
- 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 January 9, 2023 and on January 16, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on January 23, 2023.
- e. The Commission at their January 23, 2023 meeting recommended approval of the requested rezoning of approximately 2.63 acres of land located in the SE1/4, SE1/4, Section 36, T18N-R22E, Town of Liberty, from EA, Exclusive Agriculture to RR, Rural Residential and approximately 0.55 acres of land located in the SE1/4, SE1/4 Section 36, T18N-R22E, Town of Liberty, from RR, Rural Residential to EA, Exclusive Agriculture.

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.

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 EA, Exclusive Agriculture District and RR, Rural Residential District.
2. The Liberty Town Board & the Town Planning Commission supports the proposed zone change.
3. The rezone will allow for the house and buildings to be combined on one parcel and segregated from the crop land.
4. Both proposed zoning districts are currently adjacent to said parcels.

RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheet 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 the Muench Irrevocable Family Trust to rezone approximately 2.63 acres of land from EA, Exclusive Agriculture to RR, Rural Residential and approximately 0.55 acres of land from RR, Rural Residential to EA, Exclusive Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its January 23, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 2.63 acres of land located in the SE¼, SE¼, Section 36, T18N-R22E, Town of Liberty and approximately 0.55 acres of land located in the SE¼, SE¼, Section 36, T18N-R22E, Town of Liberty, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to RR, Rural Residential and RR, Rural Residential to EA, Exclusive Agriculture.

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 A-3) 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

January 9, 2023

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

and

Manitowoc County Supervisor Ryan W. Phipps
Supervisory District 11

ATTN: Tim Ryan and Supervisor Phipps

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:

Muench Irrevocable Family Trust
Keith Muench & Brenda Sunby
23041 Fish & Game Road
Kiel, WI 53042

Township:

Liberty

Applicant/Agent:

Anthony P. Lulloff
AP Lulloff Land Survey LLC
17625 Matznick Road
Kiel, WI 53042

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County Planning and Park Commission

Fee (\$490) Received
Receipt # **40319**

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
DEC 01 2022
PLANNING & PARK
COMMISSION

✓ Date of Application: 11/30/22 OWNER / APPLICANT/ AGENT

Owner	<u>Muench Irrevocable Family Tru</u>	Applicant/Agent	<u>Anthony P Lulloff</u>
Address (1)	<u>Keith Muench & Brenda Sunby</u>	Address (1)	<u>AP Lulloff Land Survey LLC</u>
Address (2)	<u>23041 Fish & Game Road</u>	Address (2)	<u>17625 Matznick Road</u>
City/State/Zip	<u>Kiel, WI 53042</u>	City/State/Zip	<u>Kiel, WI 53042</u>
Phone	<u>920.374.1153 (Keith)</u>	Phone	<u>920.894.2151</u>

✓ PROPERTY LEGAL DESCRIPTION

SE 1/4, SE 1/4, S 36 T 18 N R 22 E Town of Liberty

House /Fire # 10308 CTH F Tax Number 00803601600100

*** 008-036-016-003.00**

* RR PROPERTY INFORMATION * EA

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:

AIR PHOTO, MAP & LEGAL DESCRIPTION INCLUDED.

Proposed use: (Reason for change)

FAMILY WOULD LIKE TO SELL ALL THE BUILDINGS TOGETHER ON 1 LOT AND PRESERVE THE REMAINDER OF THE EA LAND.

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185	<p><u>Anthony P. Lulloff</u> 11/30/22</p> <p>Signature (applicant, owner, agent) Date</p> <hr/> <p>Signature (applicant, owner, agent) Date</p>
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MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Liberty from EA to RR and RR to EA)

PETITIONER

Name: Muench Irrevocable Family Trust
Address: 23041 Fish & Game Rd
Kiel, WI 53042
Town: Liberty

PARCEL

Location: SE1/4, SE1/4, Section 36, T18N-R22E
Tax#: 008-036-016-001.00 and 008-036-016-003.00
Area: 2.63 acres / 0.55 acres

ACTION TO DATE

Petition Submitted: 12/01/2022
Town Action: Approved December 12, 2022
Hearing Notice Published: 1/9/2023 & 1/16/2023
Advisory: 1/23/2023
Hearing: 1/23/2023

ADJACENT USES & ZONING

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

PARCEL USES & ZONING

Existing Zoning District: RR, Rural Residential & EA, Exclusive Agriculture
Existing Land Use: Farmland, Residential & Ministorage
Proposed Zoning District: EA, Exclusive Agriculture & RR, Rural Residential
Proposed Use: Consolidate Buildings to one lot and preserve the remainder of the farmland.

MAP INFORMATION

Farmland Preservation Designation: Both Non-Farmland and Farmland Preservation
Soil Type: HrB, HrC2, KnB, KnD2, SyA
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

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

Soil Test: 12/26/2019 – Mound System
Terrain: 0 to >12 Percent Slopes
Vegetative Cover: Grass, Farmland

Town Future Land Use Designation: Agricultural Zoning District

The designated “agricultural zoning district” is established to support the agricultural industry and heritage of the town. The “agricultural zoning district” is where most of the farm income is generated in the Town Liberty. “Agricultural lands” include lands dedicated to crop production, dairy operations, livestock grazing, timber/pulp/forests, and similar uses.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

Michelle Haupt

From: Town of Liberty Manitowoc <liberty@lakefield.net>
Sent: Tuesday, December 27, 2022 4:45 PM
To: Michelle Haupt
Subject: Re: Muench Irrevocable Family Trust Rezone

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!

Here are the notes of action on the Muench Family Trust rezone requests.

- *Dave Christel presented information on two rezone requests by the Muench Family Trust – Keith Muench and Brenda Sunby. The two rezones are for: 1). Approximate 2.63 acres of EA to RR and 2). 0.55 acres of RR to EA. Goal is to separate buildings from ag land, each on its own parcel. This request is for property located at 10308 CTH F. The Planning Commission met on December 5th and approved the request by a 4-0 vote.*

David Petersen made the motion to approve the two rezone requests with four special considerations. JimKrim seconded the motion. Motion carried 3-0.

Pam Petersen, Clerk
Town of Liberty Manitowoc
(920) 758-3707
liberty@lakefield.net

From: "Michelle Haupt" <michellehaupt@manitowoccountywi.gov>
To: "Town Of Liberty" <liberty@lakefield.net>
Cc: "Andrea Raymakers" <AndreaRaymakers@manitowoccountywi.gov>, "Tim Ryan" <TimRyan@manitowoccountywi.gov>
Sent: Friday, December 23, 2022 2:42:31 PM
Subject: Muench Irrevocable Family Trust Rezone

Good Morning,

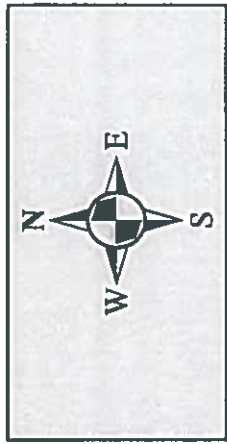
I noticed the Muench Irrevocable Family Trust was on your December agenda, when you have time can you please forward a correspondence to our office regarding the town action.

Any questions please let me know.

Thank you,

Michelle Haupt
Administrative Assistant
Planning, Zoning & Parks Department
Manitowoc County
4319 Expo Drive, PO Box 935
Manitowoc, WI 54221-0935
Phone: (920) 683-4185
www.manitowoccountywi.gov

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**Muench Irrevocable
 Family Trust**
 SE 1/4, SE 1/4
 Section 36, T18N-R22E
 Town of Liberty
 From: EA To: RR
 Approximately 2.63 acre(s)
 From: RR To: EA
 Approximately 0.55 acre(s)
 -87.804, 43.980

Map Overview

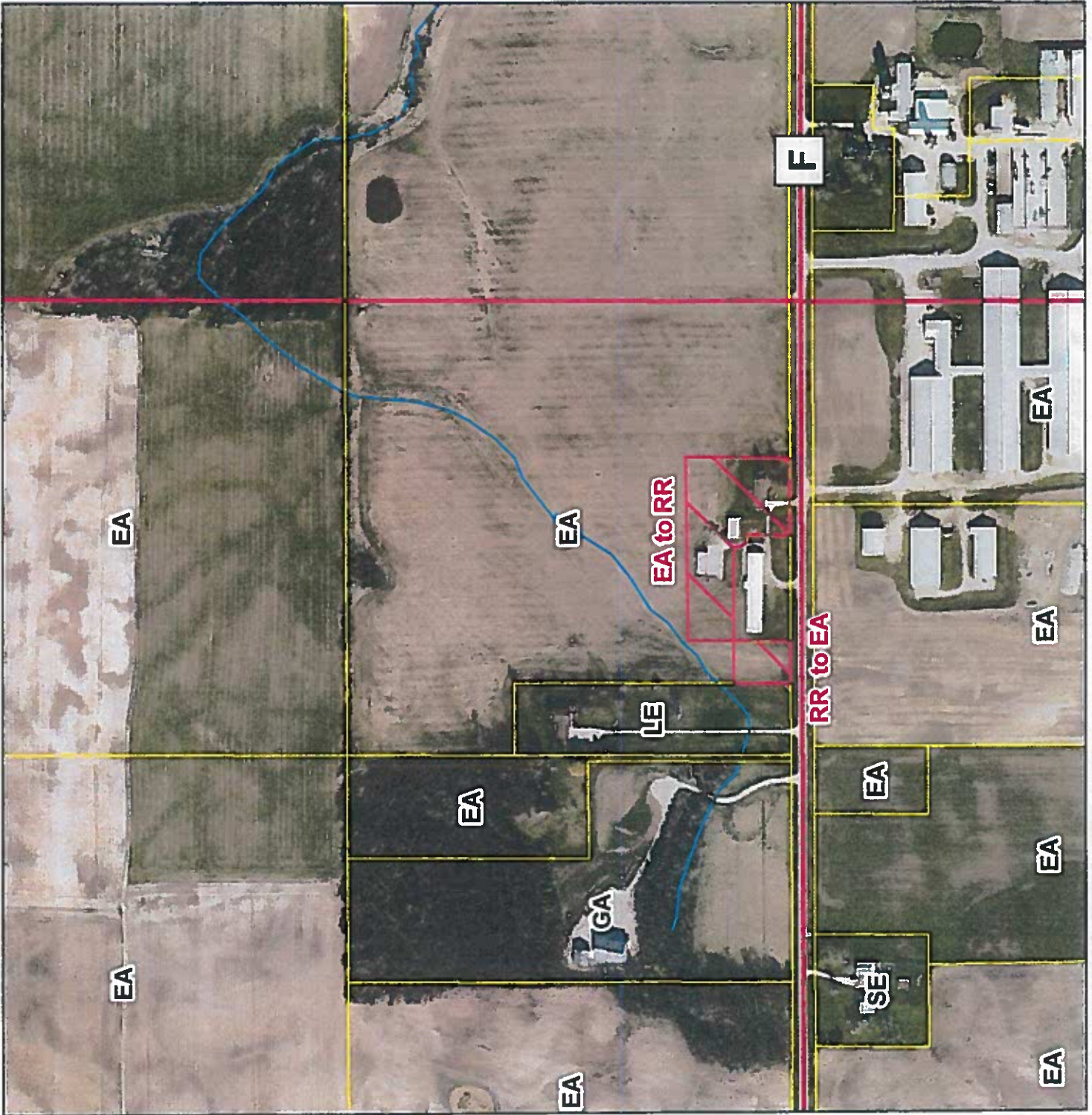
Liberty

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
- Section Line
- Parcel Line
- Water Way



MANITOWOC COUNTY
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 PLANNING & PARK
 COMMISSION

CERTIFIED SURVEY MAP

A PART OF CERTIFIED SURVEY MAP IN VOLUME 31, PAGES 197-198, PLUS ADDITIONAL LAND, LOCATED IN THE
 SE1/4 OF THE SE1/4 OF SECTION 36, T. 18 N., R. 22 E., TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN.

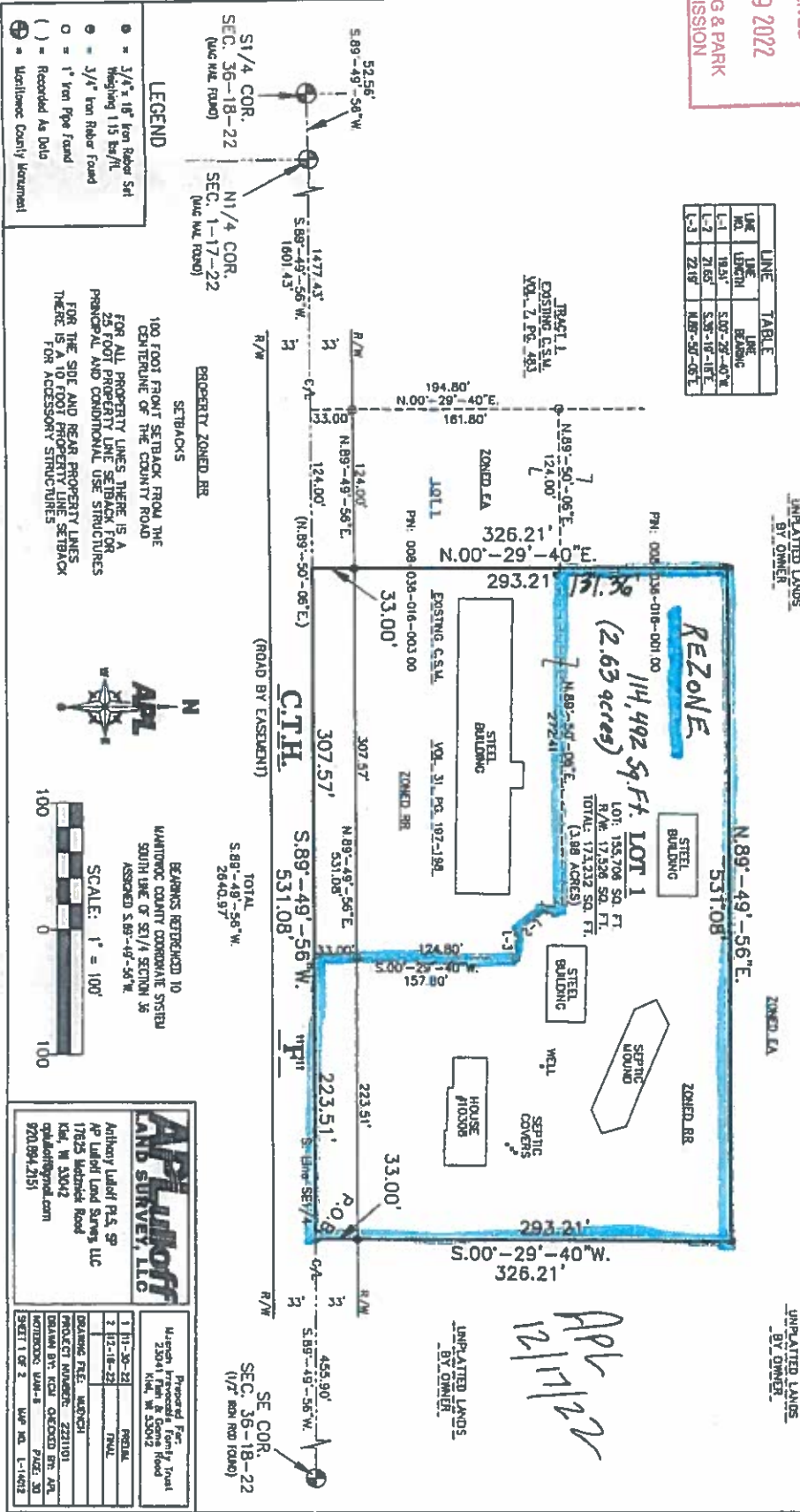
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MANTOWOC COUNTY
RECEIVED
DEC 19 2022
PLANNING & PARK
COMMISSION

A PART OF CERTIFIED SURVEY MAP IN VOLUME 31, PAGES 197-198, PLUS ADDITIONAL LAND, LOCATED IN THE
SE1/4 OF THE SE1/4 OF SECTION 36, T. 18 N., R. 22 E., TOWN OF LIBERTY, MANTOWOC COUNTY, WISCONSIN.

CERTIFIED SURVEY MAP

LINE NO.	LINE LENGTH	LINE BEARING
L-1	19.51'	S.00°-29'-40"W
L-2	21.65'	S.89°-49'-56"E
L-3	22.19'	N.89°-50°-06"E



LEGEND

- = 3/4" x 18" Iron Rebar Set
- = 3/4" Iron Rebar Found
- = 1" Iron Pipe Found
- () = Recorded As Data
- ⊕ = Westlawn County Monument

FOR ALL PROPERTY LINES THERE IS A 25 FOOT PROPERTY LINE SETBACK FOR PRINCIPAL AND CONDITIONAL USE STRUCTURES FOR THE SIDE AND REAR PROPERTY LINES THERE IS A 10 FOOT PROPERTY LINE SETBACK FOR ACCESSORY STRUCTURES



BEARINGS REFERENCED TO
MANTOWOC COUNTY COORDINATE SYSTEM
SOUTH LINE OF SE1/4 SECTION 36
ASSIGNED S.89°-49'-56"W

APL
Anthony Luloff P.L.S. SR
AP Luloff Land Survey, LLC
17825 Westside Road
Kiel, WI 53042
apl@apluloff.com
920.894.2151

NO.	DATE	DESCRIPTION
1	11-30-22	PRELIM
2	12-16-22	FINAL

Prepared For:
Mantowoc County
22041 Park & Corns Road
Kiel, WI 53042

PROJECT NUMBER: 2221101
DRAWN BY: KCD
CHECKED BY: APL
DATE: 12/17/22
SHEET 1 OF 2 MAP NO. E-14912

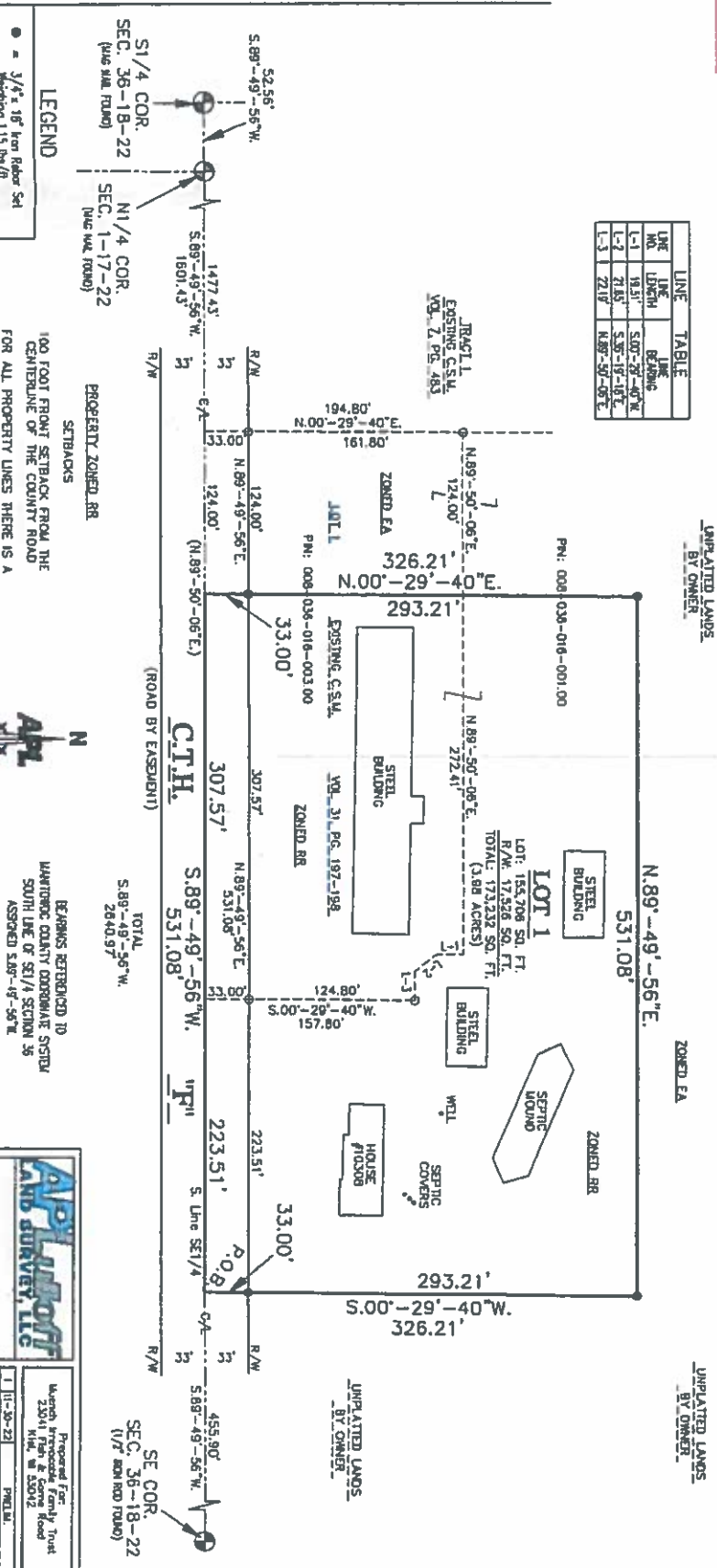
APL
12/17/22

MANITOWOC COUNTY
 RECEIVED
 DEC 19 2022
 PLANNING & PARK
 COMMISSION

CERTIFIED SURVEY MAP

A PART OF CERTIFIED SURVEY MAP IN VOLUME 31, PAGES 197-198, PLUS ADDITIONAL LAND, LOCATED IN THE
 SBI/4 OF THE SBI/4 OF SECTION 36, T. 18 N., R. 22 E., TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN.

LINE	TABLE
LINE	LINE
MEASUREMENT	BEARING
1-1	S.00°-29'-40"W
1-2	S.30°-19'-40"E
1-3	N.89°-50'-06"E



- LEGEND**
- = 3/4" x 16" Iron Rebar Set
 - = Blasting 1.19 lbm/ft.
 - = 3/4" Iron Rebar Found
 - = 1" Iron Pipe Found
 - () = Recorded As Data
 - = Maniac County Monument

100 FOOT FRONT SETBACK FROM THE
 CENTRELINE OF THE COUNTY ROAD
 FOR ALL PROPERTY LINES THERE IS A
 25 FOOT PROPERTY LINE SETBACK FOR
 PRINCIPAL AND CONDITIONAL USE STRUCTURES
 FOR THE SIDC AND REAR PROPERTY LINES
 THERE IS NO ACCESSORY STRUCTURE SETBACK



BEARINGS REFERENCED TO
 MANITOWOC COUNTY COORDINATE SYSTEM
 SOUTH LINE OF SBI/4 SECTION 36
 ASSUMED S.89°-49'-56"W

APL AND SURVEY LLC
 Anthony Ludloff P.L.S. SP
 AP Landfall Land Survey, LLC
 17625 Walbridge Road
 Kiel, WI 53042
 ap@aplorsurvey.com
 920.894.2151

NO.	DATE	DESCRIPTION
1	11-30-22	PRELIM.
2	12-16-22	FINAL

Proposed For: March Frazzetta Family Trust
 23041 Fish & Game Road
 Kiel, WI 53042

DRAWING FILE: LEGEND
 PROJECT NUMBER: 222101
 DRAWN BY: KCM CHECKED BY: AJS
 APPROVED: KCM-8 DATE: 12-16-22
 SHEET 1 OF 2 MAP NO. 1-1482

STATE OF WISCONSIN) SS
MANITOWOC COUNTY)

CERTIFIED SURVEY MAP

Sheet 2 of 2

SURVEYOR'S CERTIFICATE:

I, Anthony P. Lulloff, Wisconsin Professional Land Surveyor of AP Lulloff Land Survey LLC, certify that I have surveyed, divided and mapped under the direction of Keith Muench, a part of Certified Survey Map recorded in Volume 31 of Certified Survey Maps, on Pages 197-198, as Document No. 1148560, plus additional land; being a part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 36, Township 18 North, Range 22 East, Town of Liberty, Manitowoc County, Wisconsin containing 173,232 square feet (3.98 acres) of land and being described by:

Commencing at the Southeast Corner of said Section 36; thence S89°-49'-56"W along the South line of the SE1/4 of said Section 36, a distance of 445.90 feet to the point of beginning; thence continuing S89°-49'-56"W along said South line 531.08 feet; thence N00°-29'-40"E 326.21 feet; thence N89°-49'-56"E 531.08 feet; thence S00°-29'-40"W 326.21 feet to the point of beginning; being subject to any and all easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes, Section 12.07 of the Manitowoc County Subdivision Regulations and the Town of Liberty in surveying, dividing and mapping the same.

Dated this _____ day of _____, 2022.

Wisconsin Professional Land Surveyor
Anthony P. Lulloff, S-1655

OWNER'S CERTIFICATE:

As owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this map.

Dated this _____ day of _____, 2022.

In the presence of:

Muench Irrevocable Family Trust

Brenda Sunby - Trustee

Keith Muench - Trustee

**ORDINANCE REPEALING AND RECREATING MANITOWOC COUNTY CODE
CHAPTER 31
(FLOODPLAIN ZONING)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Federal Emergency Management Administration has published new Flood
2 Insurance Rate Maps and Flood Insurance Study for Manitowoc County that becomes effective on
3 February 23, 2023; and
4

5 WHEREAS, the Wisconsin Department of Natural Resources (“WDNR”) has promulgated
6 a new model ordinance for counties to maintain compliance with Wis. Admin. Code ch. NR 116
7 and the National Flood Insurance Program 44 CFR Parts 59-72; and
8

9 WHEREAS, Manitowoc County must adopt an updated Floodplain Ordinance to incorporate
10 the new Flood Insurance Rate Maps, Flood Insurance Study, and changes to the WDNR floodplain
11 model ordinance standards to continue participation in the National Flood Insurance Program; and
12

13 WHEREAS, the Planning and Park Commission, after providing the required notice, held a
14 public hearing on January 23, 2023, to discuss and consider the proposed revision to the Floodplain
15 Zoning Ordinance for Manitowoc County; and
16

17 WHEREAS, the Planning and Park Commission, after careful consideration of the testimony
18 at the hearing and an examination of the facts, recommends that the county board approve the
19 following comprehensive revision of the Floodplain Ordinance;
20

21 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
22 ordain as follows:
23

24 Manitowoc County Code Chapter 31, Floodplain Zoning is repealed and reenacted to read
25 as follows:
26

27 **FLOODPLAIN ZONING**

28
29 **Part I. General Provisions.**

- 30
31 31.01 Title.
32 31.02 Statement of Purpose.
33 31.03 Statutory Authorization.
34 31.04 Finding of Fact.
35 31.05 Warning and Disclaimer of Liability.
36

37 **Part II. Definitions.**
38

39 31.06 Definitions.
40
41 Part III. Applicability and Compliance.
42
43 31.07 Areas to Be Regulated.
44 31.08 Municipalities and State Agencies Regulated.
45 31.09 Compliance.
46 31.10 Abrogation and Greater Restrictions.
47 31.11 Interpretation.
48 31.12 Severability.
49
50 Part IV. Floodplain Districts and Maps.
51
52 31.13 Establishment of Districts.
53 31.14 Official Maps and Revisions.
54 31.15 Locating Floodplain Boundaries.
55 31.16 Removal of Land From Floodplain.
56
57 Part V. General Standards Applicable to All Floodplain Districts.
58
59 31.17 General Development Standards.
60 31.18 Hydraulic and Hydrologic Analyses.
61 31.19 Watercourse Alterations.
62 31.20 Development and Wis. Stat. Chs. 30 and 31.
63 31.21 Public or Private Campgrounds.
64
65 Part VI. Floodway District (FW).
66
67 31.22 Applicability.
68 31.23 Permitted Uses.
69 31.24 Standards for Developments in Floodway Areas.
70 31.25 Prohibited Uses.
71
72 Part VII. Floodfringe District (FF).
73
74 31.26 Applicability.
75 31.27 Permitted Uses.
76 31.28 Standards for Development in Floodfringe Areas.
77
78 Part VIII. General Floodplain District (GFP).
79
80 31.29 Applicability.
81 31.30 Floodway Boundaries.
82 31.31 Permitted Uses.
83 31.32 Standards for Development in the General Floodplain District.
84 31.33 Determining Floodway and Floodfringe Limits.

85	
86	Part IX. Coastal Floodplain District.
87	
88	31.34 Applicability.
89	31.35 Standards for Development in the Coastal Floodplain District.
90	
91	Part X. Nonconforming Uses.
92	
93	31.36 General.
94	31.37 Floodway Areas.
95	31.38 Floodfringe Areas.
96	31.39 Coastal Floodplain Areas.
97	
98	Part XI. Administration.
99	
100	31.40 Administration.
101	31.41 Planning and Zoning Department.
102	31.42 Planning and Park Commission.
103	31.43 Board of Adjustment.
104	
105	Part XII. Procedure.
106	
107	31.44 Land Use Permit.
108	31.45 Floodproofing Requirements.
109	31.46 Certificate of Compliance.
110	31.47 Other Permits.
111	31.48 Appeals.
112	31.49 Appeals of Permit Denials.
113	31.50 Boundary Disputes.
114	31.51 Variances.
115	31.52 Public Information.
116	31.53 Amendments.
117	31.54 General.
118	31.55 Procedures.
119	
120	Part XIII. Violations and Enforcement.
121	
122	31.56 Violations.
123	31.57 Enforcement.
124	31.58 Penalties.
125	31.59 Effective Date.
126	
127	PART I. GENERAL PROVISIONS.
128	
129	31.01 Title.
130	

131 This ordinance may be referred to as the Floodplain Ordinance or the Floodplain Zoning
132 Ordinance for Manitowoc County, Wisconsin.

133
134 31.02 Statement of Purpose.

135
136 This Floodplain Ordinance is intended to regulate floodplain development to protect life,
137 health, and property; minimize expenditures of public funds for flood control projects;
138 minimize rescue and relief efforts undertaken at the expense of the taxpayers; minimize
139 business interruptions and other economic disruptions; minimize damage to public
140 facilities in the floodplain; minimize the occurrence of future flood blight areas in the
141 floodplain; discourage the victimization of unwary land and home buyers; prevent
142 increases in flood heights that could increase flood damage and result in conflicts between
143 property owners; and discourage development in a floodplain if there is any practicable
144 alternative to locate the activity, use, or structure outside of the floodplain.

145
146 31.03 Statutory Authorization.

147
148 This Floodplain Ordinance is adopted pursuant to the authorization in Wis. Stat. §§ 59.69,
149 59.692, and 59.694 for counties; and the requirements in Wis. Stat. § 87.30.

150
151 31.04 Finding of Fact.

152
153 Uncontrolled development and use of the floodplains and rivers of Manitowoc County
154 would impair the public health, safety, convenience, general welfare, and tax base.

155
156 31.05 Warning and Disclaimer of Liability.

- 157
158 (1) The flood protection standards in this Floodplain Ordinance are based on
159 engineering experience and scientific research. Larger floods may occur or the
160 flood height may be increased by man made or natural causes.
- 161
162 (2) This Floodplain Ordinance does not imply or guarantee that non floodplain areas
163 or permitted floodplain uses will be free from flooding and flood damages.
- 164
165 (3) This Floodplain Ordinance does not create liability on the part of, or a cause of
166 action against, Manitowoc County or any officer or employee thereof for any flood
167 damage that may result from reliance on this Floodplain Ordinance.

168
169 PART II. DEFINITIONS.

170
171 31.06 Definitions.

172
173 "A zone" means an area shown on the Official Floodplain Zoning Map which would be
174 inundated by the regional flood. An A zone may be numbered or unnumbered.
175 Depending on the availability of data for a given area, an A zone may not be reflective of
176 the flood profile.

177
178 “AH zone” See “area of shallow flooding.”
179
180 “AO zone” See “area of shallow flooding.”
181
182 “Accessory structure or use” means a building, facility, structure, or use that is accessory
183 or incidental to the principal use of a building, property, or structure. An accessory
184 structure shall not be used for human habitation.
185
186 “Alteration” means an enhancement, upgrade, or substantial change or modification other
187 than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air
188 conditioning, or other systems within a structure.
189
190 “Area of shallow flooding” means a designated AO, AH, AR/A, AR/AH, or VO zone on a
191 community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance
192 of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not
193 exist, where the path of flooding is unpredictable and where velocity flood may be evident.
194 Such flooding is characterized by ponding or sheet flow.
195
196 “Base flood” means the flood having a one percent chance of being equaled or exceeded
197 in any given year, as published by FEMA as part of a Flood Insurance Study (FIS) and
198 depicted on a Flood Insurance Rate Map (FIRM).
199
200 “Basement” means any enclosed area of a building having its floor sub grade, i.e., below
201 ground level, on all sides.
202
203 “Breakaway wall” means a wall that is not part of the structural support of the building and
204 is intended through its design and construction to collapse under specific lateral loading
205 forces, without causing damage to the elevated portion of the building or supporting
206 foundation system.
207
208 “Building” means a structure.
209
210 “Bulkhead line” means a geographic line along a reach of navigable water, which has been
211 adopted by a municipal ordinance and approved by the Department pursuant to Wis. Stat.
212 § 30.11 and which allows limited filling between this bulkhead line and the original
213 ordinary highwater mark, except where such filling is prohibited by the floodway
214 provisions of this Floodplain Ordinance.
215
216 “Campground” means a parcel of land that is designed, intended, maintained, or used for
217 the purpose of providing sites for nonpermanent overnight use by 4 or more camping units
218 or that is advertised or represented as a camping area.
219
220 “Camping unit” means any portable device, no more than 400 square feet in area, used as
221 a temporary shelter, including but not limited to a bus, camping trailer, motor home, pick
222 up truck, tent, van, or any other mobile recreational vehicle.

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“Certificate of compliance” means a written document certifying that the construction and use of a structure, the use of the property, the elevation of fill, or the elevation of the lowest floor of a structure is in compliance with all of the provisions of this Floodplain Ordinance.

“Channel” means a natural or artificial watercourse with a definite bed and banks to confine and conduct normal flow of water.

“Coastal floodplain” means an area along the coast of Lake Michigan that is inundated by the regional flood and that is also subject to additional hazard due to wave runup.

“Coastal high hazard area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms.

“Corrected effective model” means a hydraulic engineering model that corrects any errors that occur in the duplicate effective model, adds any additional cross sections to the duplicate effective model, or incorporates more detailed topographic information than that used in the current effective model.

“Crawl space” or “crawlway” means an enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

“Deck” means an unenclosed exterior structure that has no roof or sides and has a permeable floor that allows the infiltration of precipitation.

“Department” or “DNR” means the Wisconsin Department of Natural Resources.

“Development” means any artificial change to improved or unimproved real estate, including but not limited to the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

“Director” means the director of the Manitowoc County Planning and Zoning Department or the department director’s designee.

“Dryland access” means a vehicular access route that is above the regional flood elevation and that connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation that is wide enough for wheeled rescue and relief vehicles.

269
270 “Duplicate effective model” means a copy of the hydraulic analysis used in the effective
271 Flood Insurance Study and referred to as the effective model.
272
273 “Effective model” means the hydraulic engineering model that was used to produce the
274 current effective Flood Insurance Study.
275
276 “Encroachment” means any building, development, equipment, fill, structure, or use in the
277 floodway.
278
279 “Existing manufactured home park or subdivision” means a parcel of land, divided into
280 two or more manufactured home lots for rent or sale, on which the construction of facilities
281 for servicing the lots is completed before the effective date of this Floodplain Ordinance.
282 At a minimum, this includes the installation of utilities, the construction of streets, and
283 either final site grading or the pouring of concrete pads.
284
285 “Existing model (pre-project)” means a modification of the duplicate effective model or
286 corrected effective model to reflect any man made modifications that have occurred within
287 the floodplain since the date of the effective model but prior to the construction of the
288 project for which the revision is being requested. If no modification has occurred since
289 the date of the effective mode, then this model would be identical to the corrected effective
290 model or duplicate effective model.
291
292 “Expansion to existing mobile/manufactured home park” or “expansion” means the
293 preparation of additional sites by the construction of facilities for servicing the lots on
294 which the mobile or manufactured homes are to be affixed. This includes installation of
295 utilities, construction of streets, and either final site grading or the pouring of concrete pads.
296
297 “Federal Emergency Management Agency” or “FEMA” means the federal agency that
298 administers the National Flood Insurance Program.
299
300 “Flood” or “flooding” means a general and temporary condition of partial or complete
301 inundation of normally dry land areas caused by one of the following conditions: the
302 overflow or rise of inland waters; the rapid accumulation or runoff of surface waters from
303 any source; the inundation caused by waves or currents of water exceeding anticipated
304 cyclical levels along the shore of Lake Michigan or Lake Superior, or the sudden increase
305 caused by an unusually high water level in a natural body of water, accompanied by a
306 severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly
307 unusual event.
308
309 “Flood frequency” means the probability of a flood occurrence which is determined from
310 statistical analyses. The frequency of a particular flood event is usually expressed as
311 occurring, on the average, once in a specified number of years or as a percent chance of
312 occurring in any given year.
313

314 “Floodfringe” means that portion of the floodplain outside of the floodway which is
315 covered by flood waters during the regional flood and is associated with standing water
316 rather than flowing water.

317
318 “Flood hazard boundary map” means a map designating approximate flood hazard areas.
319 Flood hazard areas are designated as unnumbered A zones and do not contain floodway
320 lines or regional flood elevations. This map forms the basis for both the regulatory and
321 insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a
322 Flood Insurance Study and a Flood Insurance Rate Map.

323
324 “Flood Insurance Rate Map” or “FIRM” means a map on which the Federal Insurance
325 Administration has delineated both special flood hazard areas (the floodplain) and the risk
326 premium zones applicable to the community. A FIRM can only be amended by the
327 Federal Emergency Management Agency.

328
329 “Flood Insurance Study” or “FIS” means a technical engineering examination, evaluation,
330 and determination of the local flood hazard areas. It provides maps designating those
331 areas affected by the regional flood and provides both flood insurance rate zones and base
332 flood elevations and may provide floodway lines. The flood hazard areas are designated
333 as numbered and unnumbered A zones. Flood Insurance Rate Maps that accompany the
334 Flood Insurance Study form the basis for both the regulatory and the insurance aspects of
335 the National Flood Insurance Program.

336
337 “Floodplain” means land that has been or may be covered by flood water during the
338 regional flood. It includes the floodway and the floodfringe, and may include other
339 designated floodplain areas for regulatory purposes.

340
341 “Floodplain island” means a natural geologic land formation within the floodplain that is
342 surrounded, but not covered, by floodwater during the regional flood.

343
344 “Floodplain management” means the policy and procedures to insure wise use of
345 floodplains, including mapping and engineering, mitigation, education, and administration
346 and enforcement of floodplain regulations.

347
348 “Flood profile” means a graph or a longitudinal profile line showing the relationship of the
349 water surface elevation of a flood event to locations of land surface elevations along a
350 stream or river.

351
352 “Floodproofing” means any combination of structural provisions, changes, or adjustments
353 to properties and structures, water and sanitary facilities, and contents of buildings subject
354 to flooding, for the purpose of reducing or eliminating flood damage.

355
356 “Flood protection elevation” means an elevation of two feet of freeboard above the water
357 surface profile elevation designated for the regional flood (also see “freeboard”).
358

359 “Flood storage” means those floodplain areas where storage of floodwater has been taken
360 into account during analysis in reducing the regional flood discharge.

361
362 “Floodway” means the channel of a river or stream and those portions of the floodplain
363 adjoining the channel required to carry the regional flood discharge.

364
365 “Freeboard” means a safety factor expressed in terms of a specified number of feet above
366 a calculated flood level. Freeboard compensates for any factors that cause flood heights
367 greater than those calculated, including ice jams, debris accumulation, wave action,
368 obstruction of bridge openings and floodways, the effects of watershed urbanization, and
369 loss of flood storage areas due to development and aggregation of the river or stream bed.

370
371 “Habitable structure” means any structure or portion of a structure use or designed for
372 human habitation.

373
374 “Hearing notice” means the publication or posting meeting the requirements of Wis. Stat.
375 ch. 985. For appeals, a Class 1 notice, published once at least one week (7 days) before
376 the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice,
377 published twice, once each week consecutively, the last at least one week (7 days) before
378 the hearing is required.

379
380 “High flood damage potential” means damage that could result from flooding that includes
381 any danger to life or health or any significant economic loss to a structure or building and
382 its contents.

383
384 “Highest adjacent grade” means the highest natural elevation of the ground surface prior
385 to construction next to the proposed walls of a structure.

386
387 “Historic structure” means any structure that is listed individually in the National Register
388 of Historic Places or preliminarily determined by the Secretary of the Interior as meeting
389 the requirements for individual listing on the National Register; certified or preliminarily
390 determined by the Secretary of the Interior as contributing to the historical significance of
391 a registered historic district or a district preliminarily determined by the Secretary to qualify
392 as a registered historic district; individually listed on a state inventory of historic places in
393 states with historic preservation programs which have been approved by the Secretary of
394 the Interior; or individually listed on a local inventory of historic places in communities
395 with historic preservation programs that have been certified either by an approved state
396 program, as determined by the Secretary of the Interior or by the Secretary of the Interior
397 in states without approved programs.

398
399 “Human habitation” means the use of a structure for living for any period of time, or for
400 activities such as sleeping, eating, or cooking, or combination thereof.

401
402 “Increase in regional flood height” means a calculated upward rise in the regional flood
403 elevation greater than 0.00 feet, based on a comparison of existing conditions and proposed
404 conditions, which is directly attributable to development in the floodplain but not

405 attributable to manipulation of mathematical variables such as roughness factors,
406 expansion and contraction coefficients, and discharge.

407
408 “Land use” means any nonstructural use made of unimproved or improved real estate. See
409 also “development.”

410
411 “Lowest adjacent grade” means the elevation of the lowest ground surface that touches any
412 of the exterior walls of a building.

413
414 “Lowest floor” means the lowest floor of the lowest enclosed area (including basement).
415 An enclosed space as provided in s. 31.35(6) is not considered the building’s lowest floor.

416
417 “Maintenance” means the act or process of restoring to original soundness, including
418 redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures,
419 systems or equipment with equivalent fixtures, systems or structures.

420
421 “Manufactured home” means a structure transportable in one or more sections, which is
422 built on a permanent chassis and is designed to be used with or without a permanent
423 foundation when connected to required utilities. The term “manufactured home” includes
424 a mobile home, but does not include a “mobile recreational vehicle.”

425
426 “Mobile manufactured home park or subdivision” means a parcel (or contiguous parcels)
427 of land, divided into two or more manufactured home lots for rent or sale.

428
429 “Mobile recreational vehicle” means a vehicle which is built on a single chassis, 400 square
430 feet or less when measured at the largest horizontal projection, designed to be self
431 propelled, carried, or permanently towable by a licensed, light duty vehicle; is licensed for
432 highway use if registration is required; and is designed primarily for use as a temporary
433 living quarters for camping, recreational, seasonal, or travel use rather than for use as a
434 permanent dwelling. Manufactured homes that are towed or carried onto a parcel of land,
435 but do not remain capable of being towed or carried, including park model homes, do not
436 fall within the definition of a “mobile recreational vehicle.”

437
438 “Moderate wave action area” or “MoWA” means a special flood hazard area subject to the
439 potential for breaking wave heights of greater than or equal to 1.5 feet but less than 3 feet,
440 where the primary source of flooding is astronomical tides, storm surges, seiches, and/or
441 tsunamis. A MoWA is an area within zone AE on a FIRM that is between the inland limit
442 of zone VE and a limit of moderate wave action, where identified. (Also known as
443 “coastal A zone”)

444
445 “Municipality” or “municipal” means a city, county, or village governmental unit enacting,
446 administering, or enforcing this Floodplain Ordinance.

447
448 “National Geodetic Vertical Datum” or “NGVD” means the elevations referenced to mean
449 sea level datum, 1929 adjustment.

450

451 “New construction” means, for floodplain management purposes, any structure for which
452 the start of construction commenced on or after the effective date of floodplain zoning
453 regulations adopted by the County and includes any subsequent improvements to the
454 structure.

455
456 “Nonconforming structure” means an existing lawful structure or building which is not in
457 conformity with the dimensional or structural requirements of this Floodplain Ordinance
458 for the area of the floodplain that it occupies, e.g., an existing residential structure in the
459 floodfringe district is a conforming use, but the structure is nonconforming if the lowest
460 floor is lower than the flood protection elevation.

461
462 “Nonconforming use” means an existing lawful use or accessory use of a structure or
463 building which is not in conformity with the provisions of this Floodplain Ordinance for
464 the area of the floodplain which it occupies, e.g., a residence in the floodway.

465
466 “North American Vertical Datum” or “NAVD” means the elevations referenced to mean
467 sea level datum, 1988 adjustment.

468
469 “Obstruction to flow” or “obstruct flow” means any development that blocks the
470 conveyance of floodwaters such that the development alone or together with any future
471 development will cause an increase in regional flood height.

472
473 “Official floodplain zoning map” or “official map” means a map adopted and made part of
474 this Floodplain Ordinance, as described in s. 31.14(1), which has been approved by the
475 Department and FEMA.

476
477 “Open space use” means a use having a relatively low flood damage potential and not
478 involving structures.

479
480 “Ordinary highwater mark” means the point on the bank or shore up to which the presence
481 and action of surface water is so continuous as to leave a distinctive mark such as by
482 erosion, destruction, prevention of terrestrial vegetation, predominance of aquatic
483 vegetation, or any other easily recognized characteristic.

484
485 “Person” means any individual or group of individuals, corporation, partnership,
486 association, municipality, or state agency.

487
488 “Planning and Zoning Department” means the Manitowoc County Planning and Zoning
489 Department or the department director’s designee.

490
491 “Primary frontal dune” means a continuous or nearly continuous mound or ridge of sand
492 with relatively steep seaward and landward slopes immediately landward and adjacent to
493 the beach and subject to erosion and overtopping from high tides and waves during major
494 coastal storms. The inland limit of the primary frontal dune occurs at the point where
495 there is a distinct change from a relatively steep slope to a relatively mild slope.

496

497 “Private sewage system” means a sewage treatment and disposal system serving one
498 structure with a septic tank and soil absorption field located on the same parcel as the
499 structure. It also means an alternative sewage system approved by the Department of
500 Safety and Professional Services (DSPS), including a substitute for the septic tank or soil
501 absorption field, a holding tank, a system serving more than one structure, or a system
502 located on a different parcel than the structure.
503

504 “Public utility” means a utility using underground or overhead transmission lines such as
505 electric, telephone, and telegraph, and distribution and collection systems such as water,
506 sanitary sewer, and storm sewer.
507

508 “Reasonably safe from flooding” means that base flood waters will not inundate the land
509 or damage structures to be removed from the special flood hazard area and that any
510 subsurface waters related to the base flood will not damage existing or proposed buildings.
511

512 “Regional flood” means a flood determined to be representative of large floods known to
513 have occurred in Wisconsin. A regional flood is a flood with a one percent chance of
514 being equaled or exceeded in any given year, and if depicted on the FIRM, the regional
515 flood elevation (RFE) is equivalent to the base flood elevation (BFE).
516

517 “Revised model (post-project)” means a modification of the existing or pre-project
518 conditions model, duplicate effective model or corrected effective model to reflect revised
519 or post-project conditions.
520

521 “Sand dunes” means naturally occurring accumulations of sand in ridges or mounds
522 landward of the beach.
523

524 “Start of construction” means the date a building permit is issued, provided the actual start
525 of construction, repair, reconstruction, rehabilitation, addition, placement, or other
526 improvement commences within 180 days of the permit date. “Actual start” means the
527 first placement of permanent construction on a site, such as the pouring of slab or footings,
528 the installation of piles, the construction of columns, any work beyond initial excavation,
529 or the placement of a manufactured home on a foundation. “Permanent construction” does
530 not include land preparation, such as clearing, grading, and filling; excavation for a
531 basement, footings, pier, or foundation; the erection of temporary forms; the installation of
532 streets or walkways; or the installation of any accessory building on the property, such as
533 a garage or shed not occupied as a dwelling unit or not part of the main structure. “Actual
534 start” of an alteration means the first alteration of any wall, ceiling, floor, or other structural
535 part of a building, even if the alteration does not affect the external dimensions of the
536 building.
537

538 “Structure” means any manmade object with form, shape, and utility, either permanently
539 or temporarily attached to, placed upon, or set into the ground, stream bed, or lake bed,
540 including but not limited to roofed and walled buildings, bridges, culverts, dams, and gas
541 or liquid storage tanks.
542

543 “Subdivision” has the meaning given in Wis. Stat. § 236.02(12).
544

545 “Substantial damage” means damage of any origin sustained by a structure, whereby the
546 cost of restoring the structure to its pre damaged condition would equal or exceed 50
547 percent of the equalized assessed value of the structure before the damage occurred.
548

549 “Substantial improvement” means any repair, reconstruction, rehabilitation, addition or
550 improvement of a building or structure, the cost of which equals or exceeds 50 percent of
551 the equalized assessed value of the structure before the improvement or repair is started.
552 If the structure has sustained substantial damage, any repairs are considered substantial
553 improvement regardless of the work performed. The term does not include either any
554 project for the improvement of a building required to correct existing health, sanitary or
555 safety code violations identified by the building official and that are the minimum
556 necessary to assure safe living conditions; or any alteration of a historic structure provided
557 that the alteration will not preclude the structure’s continued designation as a historic
558 structure.
559

560 “Unnecessary hardship” means that there are special conditions affecting a particular
561 property, which were not self created, that make strict conformity with restrictions
562 governing areas, setbacks, frontage, height, or density unnecessarily burdensome or
563 unreasonable in light of the purposes of this Floodplain Ordinance.
564

565 “Variance” means an authorization by the board of adjustment for the construction or
566 maintenance of a building or structure in a manner that is inconsistent with dimensional
567 standards contained in this Floodplain Ordinance. A variance may not be granted for a
568 use that is inconsistent with the standards contained in this Floodplain Ordinance.
569

570 “Violation” means the failure of a structure or other development to be fully compliant
571 with this Floodplain Ordinance. A structure or other development without required
572 permits, lowest floor elevation documentation, floodproofing certificates, or required
573 floodway encroachment calculations is presumed to be in violation until such time as that
574 documentation is provided.
575

576 “Watershed” means the entire region contributing runoff or surface water to a watercourse
577 or body of water.
578

579 “Water surface profile” means a graphical representation showing the elevation of the
580 water surface of a watercourse for each position along a reach of river or stream at a certain
581 flood flow. A water surface profile of the regional flood is used in regulating floodplain
582 areas.
583

584 “Well” means an excavation or opening in the ground made by boring, digging, drilling,
585 driving or other method to obtain groundwater regardless of its intended use.
586

587 PART III. APPLICABILITY AND COMPLIANCE. 588

589 31.07 Areas to Be Regulated.
590

591 This ordinance regulates all areas of special flood hazard identified as zones A, AO, AH,
592 A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map. Additional areas
593 identified on maps approved by the Department and Manitowoc County may also be
594 regulated under the provisions of this ordinance, where applicable.
595

596 31.08 Municipalities and State Agencies Regulated.
597

598 Unless specifically exempted by law, all cities, villages, towns, and counties are required
599 to comply with this Floodplain Ordinance and obtain all necessary permits. State agencies
600 are required to comply if Wis. Stat. § 13.48(13) applies. The construction, reconstruction,
601 maintenance, and repair of state highways and bridges by the Wisconsin Department of
602 Transportation is exempt when Wis. Stat. § 30.2022 applies. Although exempt from a
603 local zoning permit and permit fees, the Wisconsin Department of Transportation must
604 provide sufficient project documentation and analysis to ensure that Manitowoc County is
605 in compliance with Federal, State, and local floodplain standards.
606

607 If a local transportation project is located within an A zone and is not a Wisconsin
608 Department of Transportation project under Wis. Stat. § 30.2022, then the road project
609 design documents (including appropriate details plans and profiles) may be sufficient to
610 meet the requirements for issuance of a land use permit if the following apply:
611

- 612 (1) The applicant provides documentation to the Planning and Zoning Department that
613 the proposed project is a culvert replacement or bridge replacement under 20' span
614 at the same location;
615
- 616 (2) The project is exempt from a DNR permit under Wis. Stat. § 30.123(6)(d);
617
- 618 (3) The capacity is not decreased;
619
- 620 (4) The top road grade is not raised;
621
- 622 (5) No floodway data is available from a federal, state, or other source; and
623
- 624 (6) If floodway data is available in the impacted area from a federal, state, or other
625 source that existing data must be utilized by the applicant in the analysis of the
626 project site.
627

628 31.09 Compliance.
629

- 630 (1) No structure or use within areas regulated by this Floodplain Ordinance shall
631 hereafter be located, erected, constructed, reconstructed, repaired, extended,
632 converted, enlarged, or altered without full compliance with the terms of this
633 Floodplain Ordinance and all other applicable regulations that apply to uses within
634 the jurisdiction of this Floodplain Ordinance.

- 635
636 (2) Failure to obtain a land use permit shall be a violation of this Floodplain Ordinance
637 and shall be punishable in accordance with Part XIII of this Floodplain Ordinance.
638
639 (3) Floodplain development permits issued on the basis of plans and applications
640 approved by the Planning and Zoning Department authorize only the use and
641 arrangement set forth in such approved plans and applications, or amendments
642 thereto if approved by the Planning and Zoning Department. Use, arrangement, or
643 construction contrary to that authorized shall be deemed a violation of these
644 regulations and punishable in accordance with Part XIII of this Floodplain
645 Ordinance.
646

647 31.10 Abrogation and Greater Restrictions.

- 648
649 (1) This Floodplain Ordinance supersedes all the provisions of any zoning ordinance
650 enacted under Wis. Stat. § 59.69, 59.692 or 59.694, or Wis. Stat. § 87.30 that relate
651 to floodplains. If another ordinance is more restrictive than this Floodplain
652 Ordinance, that ordinance shall continue in full force and effect to the extent of the
653 greater restrictions, but not otherwise.
654
655 (2) This Floodplain Ordinance is not intended to repeal, abrogate, or impair any
656 existing deed restrictions, covenants, or easements. If this Floodplain Ordinance
657 imposes greater restrictions, the provisions of this Floodplain Ordinance shall
658 prevail.
659

660 31.11 Interpretation.

661
662 The provisions of this Floodplain Ordinance are minimum requirements and shall be
663 liberally construed in favor of the governing body and are not a limitation on or repeal of
664 any other powers granted by the Wisconsin Statutes. If a provision of this Floodplain
665 Ordinance that is required by Wis. Admin. Code ch. NR 116 is unclear, the provision shall
666 be interpreted in light of the standards in effect on the date of the adoption of this
667 Floodplain Ordinance or in effect on the date of the most recent text amendment to this
668 Floodplain Ordinance.
669

670 31.12 Severability.

671
672 Should any portion of this Floodplain Ordinance be declared unconstitutional or invalid by
673 a court of competent jurisdiction, the remainder of this Floodplain Ordinance shall not be
674 affected.
675

676 PART IV. FLOODPLAIN DISTRICTS AND MAPS.

677 31.13 Establishment of Districts.
678
679

- 680 (1) The regional floodplain is divided into the following four districts: floodway,
681 floodfringe, general floodplain, and coastal floodplain.
682
683 (2) The Floodway District (FW) consists of the channel of a river or stream and that
684 portion of the floodplain adjoining the channel that is required to carry the regional
685 floodwaters and are contained within AE zones as shown on the FIRM or within A
686 zones shown on the FIRM when determined according to s. 31.33.
687
688 (3) The Floodfringe District (FF) consists of that portion of a riverine special flood
689 hazard area outside the floodway within AE zones of the FIRM, or, when floodway
690 limits have been determined according to s. 31.33, within A zones shown on the
691 FIRM.
692
693 (4) The General Floodplain District (GFP) consists of those riverine areas that may be
694 covered by floodwater during the regional flood in which a floodway boundary has
695 not been delineated on the FIRM and also includes shallow flooding areas identified
696 as AH and AO zones on the FIRM.
697
698 (5) The Coastal Floodplain District (CFP) is an area of special flood hazard extending
699 from offshore to the inland limit of a primary frontal dune along an open coast, and
700 any other area subject to high velocity wave action from storms, including areas
701 identified as zone V, V1-30, or VE on the FIRM. Where a riverine AE floodway
702 extends into the CFP, development within the floodway must comply with the
703 regulations for both the FW and CFP. Where a riverine A zone or AE zone with
704 no floodway determination abuts the CFP, the riverine study's floodway limit must
705 be determined based on standard floodway expansion principles within the CFP
706 district and development within the floodway must comply with the standards for
707 both the FW and CFP.
708

709 31.14 Official Maps and Revisions.

- 710
711 (1) Special flood hazard areas (SFHA) are designated as zones A, A1-30, AE, AH, AO,
712 VE, V1-30, or V on the Flood Insurance Rate Maps based on flood hazard analyses
713 summarized in the Flood Insurance Study listed in sub. (2). Additional flood
714 hazard areas subject to regulation under this Floodplain Ordinance are identified on
715 maps based on studies approved by the DNR and listed in sub. (3). These maps
716 and revisions are on file in the office of the Manitowoc County Planning and
717 Zoning Department.
718
719 (2) Official Maps. Based on the Flood Insurance Study 5507CV000A dated August
720 2, 2011, the following Flood Insurance Rate Maps for Manitowoc and Incorporated
721 Areas, issued by the Federal Emergency Management Agency with an effective
722 date of August 2, 2011, are designated as the official maps for purposes of
723 floodplain zoning:

724 55071C0010D 55071C0080D 55071C0180D 55071C0216E
725

726	55071C0020D	55071C0083E	55071C0181D	55071C0217E
727	55071C0030D	55071C0091E	55071C0182D	55071C0218E
728	55071C0034D	55071C0093E	55071C0183D	55071C0235D
729	55071C0037D	55071C0094E	55071C0184D	55071C0245D
730	55071C0040D	55071C0110D	55071C0188D	55071C0255D
731	55071C0041D	55071C0120D	55071C0189D	55071C0256D
732	55071C0042D	55071C0130D	55071C0191D	55071C0257D
733	55071C0044D	55071C0135D	55071C0192D	55071C0258D
734	55071C0055D	55071C0140D	55071C0193D	55071C0259D
735	55071C0059D	55071C0145D	55071C0201D	55071C0265D
736	55071C0060D	55071C0155D	55071C0203D	55071C0270D
737	55071C0063D	55071C0160D	55071C0207E	55071C0276D
738	55071C0064D	55071C0165D	55071C0208D	55071C0277D
739	55071C0065D	55071C0166D	55071C0209E	55071C0278D
740	55071C0066D	55071C0167D	55071C0211E	55071C0279D
741	55071C0067D	55071C0169D	55071C0212E	55071C0281D
742	55071C0068D	55071C0177D	55071C0213E	55071C0282D
743	55071C0078D	55071C0179D	55071C0214E	55071C0283D
744	55071C0284D	55071C0311D	55071C0380D	55071C0415D
745	55071C0290D	55071C0312D	55071C0386D	55071C0416D
746	55071C0295D	55071C0313D	55071C0387D	55071C0417D
747	55071C0301D	55071C0314E	55071C0388D	55071C0420D
748	55071C0302D	55071C0316E	55071C0389D	55071C0426D
749	55071C0303D	55071C0317E	55071C0395D	55071C0427E
750	55071C0304D	55071C0318E	55071C0403D	55071C0428E
751	55071C0306D	55071C0326E	55071C0404D	55071C0429E
752	55071C0307E	55071C0360D	55071C0410D	55071C0436E
753	55071C0308E	55071C0367D	55071C0411D	55071C0438E
754	55071C0309E	55071C0370D	55071C0412D	

(3) Official Maps Based on Other Studies. Any maps referenced in this sub. (3) must be approved by DNR and be more restrictive than those based on the Flood Insurance Study at the site of the proposed development.

(a) Dam Failure Analysis approved by DNR.

1. Millhome Dam Failure analysis approved by the Department of Natural Resources on March 13, 2014, including:

a. Map dated December 8, 2012 and titled "Hydraulic Analysis Millhome Dam."

b. Floodway data table dated March 13, 2014 and titled "Centerline Profile Hydraulic/Dam Failure Analysis: Condition 2a."

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- c. Flood profiles dated March 13, 2014 and titled "Sheboygan River Profile Hydraulic Analysis: Millhome Dam: Condition 2."
- 2. Sheboygan Marsh Dam Failure analysis approved by the Department of Natural Resources on January 5, 2016, including:
 - a. Map dated December 10, 2015 and titled "Hydraulic Shadow Map Sheboygan Marsh Dam."
 - b. Floodway data table dated December 10, 2015 and titled "FLOODWAY DATA (Sheboygan Marsh Dam Failure under 100-year Flood)" with Floodway column.
 - c. Flood profiles dated December 10, 2015 and titled "Sheboygan Marsh Dam Hydraulic Shadow Profile."
- 3. Rockville Dam Failure analysis approved by the Department of Natural Resources on August 3, 1999, including:
 - a. Map dated February 1995 and titled "Rockville Dam Failure Analysis."
 - b. Floodway data table dated June 1997 and titled "Comparison of Water Surface Elevation and Flows 100-year Flood" DAMBRK Failure Column.
 - c. Flood profiles dated June 1997 and titled "Exhibit 1 100-year floodplain profile Sheboygan River Dam failure Analysis" Failure (DMBRK) profile.
- (b) Flood Studies.
- (c) Letter of Map Revision (LOMR).
 - 1. 11-05-7812P 10/28/2011 Kennel Club
 - 2. 20-05-4694P 03/11/2021 CTH R Bridge
- (d) Letter of Map Revision Based on Fill (LOMR-F).
 - 1. 10-05-2864P 01/18/2011 Riesterer & Schnell
 - 2. 19-05-4840A 09/25/2019 Winter on Wilke Lake
 - 3. 20-05-4263A 09/16/2020 CTH CR, Town of Newton, Tract 3

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4. 98-05-1870A 03/11/1998 15719 Becker Rd.

- (4) Any change to the base flood elevations (BFE) in the Flood Insurance Study or on the Flood Insurance Rate Map must be reviewed and approved by DNR and FEMA before it is effective.
- (5) Any change to the regional flood elevations (RFE) on non FEMA maps must be reviewed and approved by DNR before it is effective.

31.15 Locating Floodplain Boundaries.

- (1) Discrepancies between the exterior boundaries of zone A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in sub. (2) and (3). If a significant difference exists, the map must be amended according to s. 31.53.
- (2) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations govern if there are any discrepancies.
- (3) Where flood profiles do not exist, including any boundary of zone A, AO, V1-30, VE, or V, the location of the boundary shall be determined by the map scale, visual on site inspection, and any information provided by the Department.
- (4) The Planning and Zoning Department may rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Planning and Zoning Department shall be responsible for documenting actual pre development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section.
- (5) Disputes between the Planning and Zoning Department and an applicant over the district boundary line shall be settled according to s. 31.50 and the criteria in sub. (2) and (3) above.
- (6) Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must also approve any map amendment pursuant to s. 31.53.

31.16 Removal of Land From Floodplain.

- (1) Compliance with the provisions of this Floodplain Ordinance shall not be grounds for removing land from the floodplain unless the land is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 31.53.

- 864
865 (2) The delineation of any of the floodplain districts may be revised by Manitowoc
866 County where natural or man-made changes have occurred and/or where more
867 detailed studies have been conducted. However, prior to any such change,
868 approval must be obtained from the Wisconsin Department of Natural Resources
869 and Federal Emergency Management Agency. A completed Letter of Map
870 Revision is a record of this approval. Manitowoc County shall not sign a
871 community acknowledgement form unless all criteria set forth in the following
872 paragraphs are met:
873
874 (a) The land and/or land around the structure must be filled at least two feet
875 above the regional or base flood elevation; and
876
877 (b) The fill must be contiguous to land outside the floodplain. The applicant
878 shall obtain a floodplain development permit before applying for a LOMR
879 or LOMR-F;
880
881 (3) Removal of lands from the floodplain may also occur by operation of Wis. Stat. §
882 87.30(1)(e) if a property owner has obtained a Letter of Map Amendment from the
883 Federal Emergency Management Agency under 44 C.F.R. 70.
884

885 PART V. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS.
886

887 31.17 General Development Standards.
888

- 889 (1) The county shall review all permit applications to determine whether proposed
890 building sites will be reasonably safe from flooding and assure that all necessary
891 permits have been received from those governmental agencies whose approval is
892 required by federal or state law.
893
894 (2) If a proposed building site is in a flood prone area, all new construction and
895 substantial improvements shall be designed or modified and adequately anchored
896 to prevent flotation, collapse, or lateral movement of the structure resulting from
897 hydrodynamic and hydrostatic loads including the effects of buoyancy; be
898 constructed with materials resistant to flood damage; be constructed by methods
899 and practices that minimize flood damages; have all mechanical and utility
900 equipment elevated to or above the flood protection elevation.
901
902 (3) Subdivisions or other proposed new development in a flood-prone area, shall be
903 reviewed for compliance with the above standards. All subdivision proposals,
904 including proposals for mobile or manufactured home parks, shall include regional
905 flood elevation and floodway data for any development that meets the subdivision
906 definition of this Floodplain Ordinance along with all other requirements in s.
907 31.44.
908

909 (4) Adequate drainage shall be provided to reduce exposure to flood hazards and all
910 public utilities and facilities, such as sewer, gas, electrical, and water systems are
911 located and constructed to minimize or eliminate flood damages.
912

913 31.18 Hydraulic and Hydrologic Analyses.

- 914 (1) No floodplain development shall:
- 915 (a) Obstruct flow, defined as development which blocks the conveyance of
916 floodwaters by itself or with other development, causing any increase in the
917 regional flood height; or
918 (b) Cause and Increase in the regional flood height due to floodplain storage
919 area lost.
920
- 921 (2) The Planning and Zoning Department shall deny any permit if it is determined the
922 proposed development will obstruct flow or cause any increase in the regional flood
923 height based on the officially adopted FIRM or other adopted map, unless the
924 provisions of s. 31.53 are met.
925
926
927
928

929 31.19 Watercourse Alterations.

- 930 (1) No land use permit to alter or relocate a watercourse in a mapped floodplain shall
931 be issued until the Planning and Zoning Department has notified in writing all
932 adjacent municipalities, the Department and FEMA regional offices and required
933 the applicant to secure all necessary state and federal permits. The standards of s.
934 31.18 must be met and the flood carrying capacity of any altered or relocated
935 watercourse shall be maintained.
936
- 937 (2) As soon as is practicable, but not later than six months after the date of the
938 watercourse alteration or relocation and pursuant to s. 31.53, the Planning and
939 Zoning Department shall apply for a Letter of Map Revision from FEMA. Any
940 such alterations must be reviewed and approved by FEMA and the DNR through
941 the LOMC process.
942
943

944 31.20 Development and Wis. Stat. Chs. 30 and 31.

945 Development that requires a permit from the Department under Wis. Stat. chs. 30 and 31,
946 such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be
947 allowed if the necessary permits are obtained and amendments to this Floodplain
948 Ordinance are made according to s. 31.53.
949

950 31.21 Public or Private Campgrounds.

951 Public or private campgrounds shall have a low flood damage potential and shall meet the
952 following provisions:
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- (1) The campground is approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection or its duly authorized agent.
- (2) A land use permit for the campground is issued by the Planning and Zoning Department.
- (3) The character of the river system and the elevation of the campground is such that a 72 hour warning of an impending flood can be given to all campground occupants.
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator, and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used, the procedures for notifying at risk parties, and the methods and personnel responsible for conducting the evacuation.
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated by the officials identified in sub. (4), to remain in compliance with all applicable regulations, including those of the Wisconsin Department of Agriculture, Trade and Consumer Protection and all other applicable regulations.
- (6) Only mobile recreational vehicles that are fully licensed, if required, and ready for highway use are allowed.
- (7) A recreational vehicle may not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours.
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.
- (9) Manitowoc County shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either Part VI or Part VII for the floodplain district in which the structure is located.

- 1000 (11) The campground shall have signs clearly posted at all entrances warning of the
1001 flood hazard and the procedures for evacuation when a flood warning is issued.
1002
- 1003 (12) All service facilities, including but not limited to refuse collection, electrical
1004 service, natural gas lines, propane tanks, sewage systems, and wells shall be
1005 properly anchored and placed at or floodproofed to the flood protection elevation.
1006
- 1007 (13) Standards for structures in a campground:
1008
- 1009 (a) All structures must comply with s. 31.21 or meet the application
1010 requirements of Part VI, VII, VIII, or IX of this Floodplain Ordinance for
1011 the floodplain district in which the structure is located.
1012
- 1013 (b) Deck/landing. A portable landing may be allowed for a camping unit for
1014 each entry, provided that the landing is not permanently attached to the
1015 ground or camping unit, is no more than 200 square feet in size, is portable,
1016 contains no walls or roof, and can be removed from the campground by a
1017 truck and/or trailer.
- 1018
- 1019 1. Sections of such portable landings may be placed together to form a
1020 single deck not greater than 200 square feet at one entry point.
1021
- 1022 2. Provisions for the removal of these temporary landings during flood
1023 events must be addressed within the written agreement with
1024 Manitowoc County compliant with s. 31.21(4).
1025
- 1026 3. Any such deck/landing structure may be constructed at elevations
1027 lower than the flood protection elevation but must not obstruct flow
1028 of flood waters or cause any increase in flood levels during the
1029 occurrence of the regional flood.
1030
- 1031 (c) Decks/patios that are constructed completely at grade may be allowed but
1032 must also comply with applicable shoreland zoning standards.
1033
- 1034 (d) Camping equipment and appurtenant equipment in the campground may be
1035 allowed provided that the equipment is not permanently attached to the
1036 ground or camping unit, is not used as a habitable structure, and must not
1037 obstruct flow of flood waters or cause any increase in flood levels during
1038 the occurrence of the regional flood. Provisions for the removal of this
1039 equipment during flooding events shall be addressed within the written
1040 agreement with the municipality compliant with s. 31.21(4).
1041
- 1042 (e) Once a flood warning in the written agreement has been issued for the
1043 campground, the campground owner or the designated operator shall ensure
1044 that all persons, camping units, decks, camping equipment and appurtenant
1045 equipment in the campground is evacuated within the timelines specified

1046 within the written agreement with the municipality, compliant with s.
1047 31.21(4).

1048
1049 (14) A land use permit shall be obtained as provided under s. 31.44 before any
1050 development, repair, modification or addition to an existing structure; or change in
1051 the use of a building or structure, including sewer and water facilities, may be
1052 initiated.

1053
1054 PART VI. FLOODWAY DISTRICT (FW).

1055
1056 31.22 Applicability.

1057
1058 This part applies to all floodway areas on the floodplain zoning maps and those identified
1059 pursuant to s. 31.33.

1060
1061 31.23 Permitted Uses.

1062
1063 The following open space uses are allowed in the floodway district and the floodway areas
1064 of the general floodplain district, if they are not prohibited by any other ordinance, meet
1065 the standards in ss. 31.24 and 31.25, and all necessary permits or certificates must have
1066 been issued according to Part XII of this Floodplain Ordinance:

1067
1068 (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture,
1069 viticulture, and wild crop harvesting.

1070
1071 (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas,
1072 and airport landing strips.

1073
1074 (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges,
1075 picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves,
1076 game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing
1077 areas, and hiking and horseback riding trails, subject to the fill limitations of s.
1078 31.24(6).

1079
1080 (4) Uses or structures accessory to open space uses, or classified as historic structures
1081 that comply with ss. 31.24 and 31.25.

1082
1083 (5) Extraction of sand, gravel, or other materials that comply with s. 31.24(6).

1084
1085 (6) Functionally water dependent uses, such as docks, piers or wharves, dams, flowage
1086 areas, culverts, navigational aids and river crossings of transmission lines, and
1087 pipelines that comply with Wis. Stat. chs. 30 and 31.

1088
1089 (7) Public utilities, streets, and bridges that comply with s. 31.24(5).

1090

- 1091 (8) Portable latrines that are removed prior to flooding and systems associated with
1092 recreational areas and Department approved campgrounds that meet the applicable
1093 provisions of local ordinances and Wis. Admin. Code ch. SPS 383.
1094
1095 (9) Public or private wells used to obtain potable water for recreational areas that meet
1096 the requirements of local ordinances and Wis. Admin. Code chs. NR 811 and NR
1097 812.
1098
1099 (10) Wastewater treatment ponds or facilities permitted under Wis. Admin. Code § NR
1100 110.15(3)(b).
1101
1102 (11) Sanitary sewer or water supply lines to service existing or proposed development
1103 located outside the floodway that complies with the regulations for the floodplain
1104 area occupied.
1105

1106 31.24 Standards for Developments in Floodway Areas.
1107

- 1108 (1) Any development in floodway areas shall comply with Part V of this Floodplain
1109 Ordinance and have a low flood damage potential.
1110
1111 (2) Applicants shall provide an analysis calculating the effects of the proposal on the
1112 regional flood height to determine the effects of the proposal according to ss. 31.18
1113 and 31.44(4).
1114
1115 (a) The analysis must be completed by a registered professional engineer in the
1116 state of Wisconsin.
1117
1118 (b) Any encroachment in the regulatory floodway is prohibited unless the data
1119 submitted for sub. (2) demonstrates that the encroachment will not cause an
1120 increase in flood elevations in flood events up to the base flood at any
1121 location, or removes the encroachment area from the regulatory floodway
1122 as provided in s. 31.16.
1123
1124 (3) Structures. Structures accessory to permanent open space uses, including utility
1125 and sanitary facilities, or functionally dependent on a waterfront location may be
1126 allowed by permit if the structures comply with the following criteria:
1127
1128 (a) The structure is not designed for human habitation, does not have a high
1129 flood damage potential, and is constructed to minimize flood damage;
1130
1131 (b) The structure shall either have the lowest floor elevated to or above the flood
1132 protection elevation or shall meet all the following standards:
1133
1134 1. Be dry flood proofed so that the structure is watertight with walls
1135 substantially impermeable to the passage of water and completely

- 1136 dry to the flood protection elevation without human intervention
1137 during flooding;
- 1138
- 1139 2. Have structural components capable of meeting all provisions of s.
1140 31.24(4) and;
- 1141
- 1142 3. Be certified by a registered professional engineer or architect,
1143 through the use of a Federal Emergency Management Agency
1144 Floodproofing Certificate, that the design and methods of
1145 construction are in accordance with s. 31.24(4).
- 1146
- 1147 (c) The structure must be anchored to resist flotation, collapse, and lateral
1148 movement;
- 1149
- 1150 (d) The structure must have mechanical and utility equipment elevated to or
1151 above the flood protection elevation; and
- 1152
- 1153 (e) The structure must not obstruct flow of flood waters or cause any increase
1154 in flood levels during the occurrence of the regional flood.
- 1155
- 1156 (f) For structures to allow the automatic entry of floodwaters below the
1157 regional flood elevation, the applicant shall submit a plan that meets pars.
1158 (a) through (e) and meets or exceeds the following standards:
- 1159
- 1160 1. The lowest floor must be elevated to or above the flood protection
1161 elevation;
- 1162
- 1163 2. A minimum of two openings having a total net area of not less than
1164 one square inch for every square foot of enclosed area subject to
1165 flooding;
- 1166
- 1167 3. The bottom of all openings shall be no higher than one foot above
1168 the lowest adjacent grade. Openings may be equipped with
1169 screens, louvers, valves, or other coverings or devices provided that
1170 they permit the automatic entry and exit of floodwaters otherwise
1171 such openings shall remain open.
- 1172
- 1173 4. The use must be limited to parking, building access, or limited
1174 storage.
- 1175
- 1176 (4) Certification. Whenever floodproofing measures are required, a registered
1177 professional engineer or architect shall certify that the following floodproofing
1178 measures will be utilized, where appropriate, and are adequate to withstand the
1179 flood depths, pressures, velocities, impact and uplift forces, and other factors
1180 associated with the regional flood:
- 1181

- 1182 (a) Reinforcement of floors and walls to resist rupture, collapse, or lateral
1183 movement caused by water pressures or debris buildup;
1184
1185 (b) Construction of wells, water supply systems, and waste treatment systems
1186 are installed so as to prevent the entrance of flood waters in such systems
1187 and are in accordance with the provisions of ss. 31.25(4) and 31.25(5).
1188
1189 (c) Subsurface drainage systems shall be installed relieve external pressures on
1190 foundation walls and basement floors;
1191
1192 (d) Cutoff valves on sewer lines or the elimination of gravity flow basement
1193 drains; and
1194
1195 (e) Placement of utilities above the flood protection elevation.
1196
1197 (5) Public Utilities, Streets, and Bridges. Public utilities, streets, and bridges may be
1198 allowed by permit, if:
1199
1200 (a) Adequate floodproofing measures are provided to the flood protection
1201 elevation; and
1202
1203 (b) Construction meets the development standards of s. 31.18.
1204
1205 (6) Fills or Deposition of Materials. Fills or deposition of materials may be allowed
1206 by permit, if:
1207
1208 (a) The requirements of s. 31.18 are met;
1209
1210 (b) No material is deposited in the navigable waters unless a permit is issued
1211 by the Department pursuant to Wis. Stat. ch. 30 and a permit pursuant to
1212 sec. 404 of the Federal Water Pollution Control Act Amendments of 1972,
1213 33 U.S.C. § 1344, has been issued, if applicable, and all other requirements
1214 have been met;
1215
1216 (c) The fill or other materials will be protected against erosion by rip-rap,
1217 vegetative cover, sheet piling, or bulkheading; and
1218
1219 (d) The fill is not classified as a solid waste or hazardous material.
1220

31.25 Prohibited Uses.

All uses not listed as permitted uses in s. 31.23 are prohibited, including the following uses:

- 1223 (1) Habitable structures, structures with high flood damage potential, or structures not
1224 associated with permanent open space uses;
1225
1226
1227

- 1228 (2) Storing materials that are buoyant, flammable, explosive, injurious to property,
 1229 water quality, or human, animal, plant, fish, or other aquatic life;
 1230
 1231 (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
 1232
 1233 (4) Any private or public sewage systems, except portable latrines that are removed
 1234 prior to flooding and systems associated with recreational areas and Department
 1235 approved campgrounds that meet the applicable provisions of local ordinances and
 1236 Wis. Admin. Code ch. SPS 83;
 1237
 1238 (5) Any public or private wells which are used to obtain potable water, except those
 1239 for recreational areas that meet the requirements of local ordinances and Wis.
 1240 Admin. Code chs. NR 811 and NR 812;
 1241
 1242 (6) Any solid or hazardous waste disposal sites;
 1243
 1244 (7) Any wastewater treatment ponds or facilities, except those permitted under Wis.
 1245 Admin. Code § NR 110.15(3)(b); and
 1246
 1247 (8) Any sanitary sewer or water supply lines, except those to service existing or
 1248 proposed development located outside the floodway which complies with the
 1249 regulations for the floodplain area occupied.

1250
 1251 PART VII. FLOODFRINGE DISTRICT (FF).
 1252

1253 31.26 Applicability.
 1254

1255 This Part VII applies to all floodfringe areas shown on the floodplain zoning maps and
 1256 those identified pursuant to s. 31.33.
 1257

1258 31.27 Permitted Uses.
 1259

1260 Any structure, land use, or development is allowed in the floodfringe district if the
 1261 standards in s. 31.28 are met, the use is not prohibited by this or any other ordinance or
 1262 regulation, and all permits or certificates specified in Part XII have been issued.
 1263

1264 31.28 Standards for Development in Floodfringe Areas.
 1265

- 1266 (1) The requirements in s. 31.18 apply to all development in floodfringe areas in
 1267 addition to the requirements in this Part VII for the requested use. Any existing
 1268 structure in the floodfringe must meet the requirements of Part X of this Floodplain
 1269 Ordinance.
 1270
 1271 (2) Residential Uses. Any structure, including a manufactured home, which is to be
 1272 newly constructed or moved into the floodfringe shall meet or exceed the following
 1273 standards:

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- (a) All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet s. 31.16;
- (b) Notwithstanding par. (a), a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;
- (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in par. (d); and
- (d) In developments where existing street or sewer line elevations make compliance with par. (c) impractical, Manitowoc County may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - 1. Manitowoc County has written assurance from police, fire, and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - 2. Manitowoc County has a DNR approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.
- (3) Accessory Structures or Uses. In addition to the requirements in Part V of this Floodplain Ordinance, new construction and substantial improvements of accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (4) Commercial Uses. In addition to the requirements in Part V of this Floodplain Ordinance, any commercial structure that is erected, altered, or moved into the floodfringe area shall meet the requirements of sub. (2). Subject to the requirements of sub. (6), storage yards, surface parking lots, and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (5) Manufacturing and Industrial Uses. In addition to the requirements in Part V of this Floodplain Ordinance, any manufacturing or industrial structure that is erected,

- 1320 altered, or moved into the floodfringe area shall have the lowest floor elevated to
1321 or above the flood protection elevation or meet the floodproofing standards in s.
1322 31.45. Subject to the requirements of sub. (6), storage yards, surface parking lots,
1323 and other such uses may be placed at lower elevations if an adequate warning
1324 system exists to protect life and property.
1325
- 1326 (6) Storage of Materials. Materials that are buoyant, flammable, explosive, or
1327 injurious to property, water quality or human, animal, plant, fish, or aquatic life
1328 shall be stored at or above the flood protection elevation or floodproofed in
1329 compliance with s. 31.45. Adequate measures shall be taken to ensure that such
1330 materials will not enter the water body during flooding.
1331
- 1332 (7) Public Utilities, Streets, and Bridges.
1333
- 1334 (a) All utilities, streets, and bridges shall be designed to be compatible with
1335 comprehensive floodplain development plans.
1336
- 1337 (b) When failure of public utilities, streets, and bridges would endanger public
1338 health or safety, or where such facilities are deemed essential, construction
1339 or repair of such facilities shall only be permitted if they are designed to
1340 comply with s. 31.45.
1341
- 1342 (c) Minor roads or non essential utilities may be constructed at lower elevations
1343 if they are designed to withstand flood forces to the regional flood elevation.
1344
- 1345 (8) Sewage Systems. All sewage disposal systems shall be designed to minimize or
1346 eliminate infiltration of flood waters into the system pursuant to s. 31.45 to the
1347 flood protection elevation and meet the provisions of all local ordinances and Wis.
1348 Admin. Code ch. SPS 83.
1349
- 1350 (9) Wells. All wells shall be designed to minimize or eliminate infiltration of
1351 floodwaters into the system pursuant to s. 31.45 to the flood protection elevation
1352 and shall meet the provisions of Wis. Admin. Code chs. NR 811 and NR 812.
1353
- 1354 (10) Solid Waste Disposal Sites. Disposal of solid or hazardous waste is prohibited in
1355 floodfringe areas.
1356
- 1357 (11) Deposition of Materials. Any deposited material must meet all the provisions of
1358 this Floodplain Ordinance.
1359
- 1360 (12) Manufactured Homes.
1361
- 1362 (a) Owners or operators of all manufactured home parks and subdivisions shall
1363 provide adequate surface drainage to minimize flood damage, and prepare,
1364 secure approval, and file an evacuation plan, indicating vehicular access and
1365 escape routes, with local emergency management authorities.

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- (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
1. Have the lowest floor elevated to the flood protection elevation; and
 2. Be anchored so they do not float, collapse, or move laterally during a flood.
- (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement, and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in sub. (2).
- (13) Mobile Recreational Vehicles. All mobile recreational vehicles must be on site for less than 180 consecutive days and either:
- (a) Be fully licensed and ready for highway use. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect utilities and security devices, and has no permanently attached additions; or
 - (b) Shall meet the elevation and anchoring requirements in ss. 31.28(12)(b) and
 - (c).

1391 PART VIII. GENERAL FLOODPLAIN DISTRICT (GFP).

1392

1393 31.29 Applicability.

1394

1395 The provisions for the general floodplain district shall apply to development in all

1396 floodplains mapped as A, AO, AH, and AE zones within which a floodway is not delineated

1397 on the Flood Insurance Rate Map identified in s. 31.14(1).

1398

1399 31.30 Floodway Boundaries.

1400

1401 For proposed development in zone A, or in zone AE within which a floodway is not

1402 delineated on the Flood Insurance Rate Map identified in s. 31.14(2), the boundaries of the

1403 regulatory floodway shall be determined pursuant to s. 31.33. If the development is

1404 proposed to encroach upon the regulatory floodway, the development is subject to the

1405 standards of Part VI of this Floodplain Ordinance. If the development is located entirely

1406 within the floodfringe, the development is subject to the standards of Part VII of this

1407 Floodplain Ordinance.

1408

1409 31.31 Permitted Uses.

1410

- 1411 (1) Pursuant to s. 31.33, it shall be determined whether the proposed use is located
1412 within the floodway or floodfringe.
1413
1414 (2) Uses that are permitted in floodway and floodfringe districts are allowed within the
1415 general floodplain district, according to the standards of s. 31.32, provided that all
1416 permits or certificates required under Part XII of this Floodplain Ordinance have
1417 been issued.
1418

1419 31.32 Standards for Development in the General Floodplain District.

- 1420
1421 (1) Part VI applies to all floodway areas within a general floodplain district.
1422
1423 (2) Part VII applies to all floodfringe areas within a general floodplain district.
1424
1425 (3) New construction and substantial improvement of structures in zone AO shall have
1426 the lowest floor, including basement, elevated:
1427
1428 (a) To or above the depth, in feet, as shown on the FIRM above the highest
1429 adjacent natural grade; or
1430
1431 (b) If the depth is not specified on the FIRM, to two (2) feet above the highest
1432 adjacent natural grade.
1433
1434 (4) New construction and substantial improvement of structures in zone AH shall have
1435 the lowest floor, including basement, elevated to or above the flood protection
1436 elevation.
1437
1438 (5) In AO/AH zones, adequate drainage paths to guide floodwaters around structures
1439 shall be provided.
1440
1441 (6) All development in zones AO and AH shall meet the requirements of Part VII of
1442 this Floodplain Ordinance applicable to floodfringe areas.
1443

1444 31.33 Determining Floodway and Floodfringe Limits.

- 1445
1446 (1) Upon receiving an application for development within zone A, or zone AE where
1447 a floodway has not been delineated on the Flood Insurance Rate Maps, the Planning
1448 and Zoning Department shall:
1449
1450 (a) Require the applicant to submit two copies of an aerial photograph or a plan
1451 that shows the proposed development with respect to the general floodplain
1452 district limits, stream channel, and existing floodplain developments, along
1453 with a legal description of the property, fill limits and elevations, building
1454 floor elevations, and flood proofing measures; and the flood zone as shown
1455 on the FIRM.
1456

- 1457 (b) Require the applicant to furnish any of the following information deemed
1458 necessary by the Department to evaluate the effects of the proposal upon
1459 flood height and flood flows, regional flood elevation, and to determine
1460 floodway boundaries:
- 1461 1. A Hydrologic and Hydraulic Study as specified in s. 31.44(4); and
 - 1462 2. Plan (surface view) showing elevations or contours of the ground;
1463 pertinent structure, fill, or storage elevations; size, location, and
1464 layout of all proposed and existing structures on the site; location
1465 and elevations of streets, water supply, and sanitary facilities; soil
1466 types and other pertinent information; and
 - 1467 3. Specifications for building construction and materials,
1468 floodproofing, filling, dredging, channel improvement, storage,
1469 water supply, and sanitary facilities.
- 1470 (2) Upon receiving an application for development within the general floodplain
1471 district, the code administrator shall transmit one copy of the information described
1472 in sub. (1) to the Department regional office along with a written request for
1473 technical assistance to establish regional flood elevations and, where applicable,
1474 floodway data. Where the provisions of s. 31.44(4) apply, the applicant shall
1475 provide all required information and computations to delineate floodway
1476 boundaries and the effects of the project on flood elevations.

1481
1482 PART IX. COASTAL FLOODPLAIN DISTRICT.

1483
1484 31.34 Applicability.

1485 The provisions of this Part IX apply to all Coastal Floodplain Districts (CFD) shown on
1486 the floodplain zoning maps, including zones V, V1-30, and VE. Where a floodway shown
1487 on the floodplain zoning maps, or a floodway determined as explained in s. 31.13(5), or a
1488 regulatory floodway identified pursuant to s. 31.33, extends into a Coastal Floodplain
1489 District, development shall comply with the standards of Part VI and Part IX of this
1490 Floodplain Ordinance.

1491
1492
1493 31.35 Standards for Development in the Coastal Floodplain District.

1494 Development in the Coastal Floodplain Districts district shall meet the requirements of Part
1495 V of this Floodplain Ordinance, as well as the following:

- 1496 (1) New construction shall be located landward of the Ordinary High Water Mark.
- 1497 (2) Bulkheads, seawalls, revetments, and other erosion control measures shall not be
1498 connected to the foundation or superstructure of a building and shall be designed
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- 1502 and constructed to not to direct floodwaters or increase flood forces or erosion
1503 impacts on the foundation or superstructure of any building.
- 1504 (3) Man-made alteration of sand dunes are prohibited unless an engineering report
1505 documents that the alterations will not increase potential flood damage by reducing
1506 the wave and flow dissipation characteristics of the sand dunes.
- 1507
- 1508 (4) The use of fill for structural support of buildings is prohibited. Non-structural fill
1509 shall be permitted only if an engineering report demonstrates that the fill will not
1510 cause runup, ramping, or deflection of floodwaters that cause damage to buildings.
- 1511
- 1512 (5) New Construction and substantial improvement of buildings shall be elevated,
1513 consistent with Wis. Admin. Code § SPS 321.34 on pilings or columns so that the
1514 bottom of the lowest horizontal structural member of the lowest floor (excluding
1515 the pilings or columns) is elevated to or above the flood protection elevation.
- 1516
- 1517 (a) The pile or column foundation and structure attached thereto shall be
1518 anchored to resist floatation, collapse, and lateral movement due to the
1519 effects of wind and water loads acting simultaneously on all building
1520 components. Water loading values shall be those associated with the base
1521 flood. Wind loading values shall be those defined according to American
1522 Society of Civil Engineers standard ASCE 7-16 (Minimum Design Loads
1523 and Associated Criteria for Buildings and Other Structures), or other
1524 equivalent standard.
- 1525
- 1526 (b) A registered professional engineer or architect shall develop or review the
1527 structural design, specifications, and plans for the construction, and shall
1528 certify that the design and methods of construction to be used are in
1529 accordance with accepted standards of practice for meeting the provisions
1530 of this sub. (5).
- 1531
- 1532 (6) New construction and substantial improvement of buildings shall have the space
1533 below the lowest floor either free of obstruction or constructed with non-supporting
1534 breakaway walls, open wood lattice-work, or insect screening intended to collapse
1535 without causing collapse, displacement, or other structural damage to the elevated
1536 portion of the building or supporting foundation system.
- 1537
- 1538 (a) For the purpose of this sub. (6), a breakaway wall shall have a design safe
1539 loading resistance of not less than 10 and not more than 20 pounds per
1540 square foot.
- 1541
- 1542 (b) Use of breakaway walls which exceed a design safe loading resistance of
1543 20 pounds per square foot (either by design or where so required by local
1544 or state codes) may be permitted only if a registered professional engineer
1545 or architect certifies that the designs proposed meet all of the following
1546 conditions:
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1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers standard ASCE 7-16 (Minimum Design Loads and Associated Criteria for Buildings and Other Structures), or other equivalent standard.
- (c) All space enclosed by breakaway walls, open wood lattice-work, or insect screening below the lowest floor shall be used solely for parking, building access, or storage.
- (7) Required within flood-prone areas.
- (a) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems; and
 - (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters and onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (8) All mobile recreation vehicles must be on site for less than 180 consecutive days and either:
- (a) Be fully licensed and ready for highway use. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions; or
 - (b) Shall meet the standards of subs. (1) through (7) inclusive.
- (9) Manufactured homes placed or substantially improved within the Coastal Floodplain District shall meet the standards of subs. (1) through (7) inclusive.

PART X. NONCONFORMING USES.

31.36 General.

- 1593 (1) The standards in this section shall apply to all uses and buildings that do not
1594 conform to the provisions contained within this Floodplain Ordinance or with Wis.
1595 Stat. § 87.30 and Wis. Admin. Code § NR 116.15, and 44 C.F.R. §§ 59-72. These
1596 standards shall apply to all modifications or additions to any nonconforming use or
1597 structure and to the use of any structure or premises which was lawful before the
1598 passage of this Floodplain Ordinance or any amendment thereto. A party asserting
1599 existence of a lawfully established nonconforming use or structure has the burden
1600 of proving that the use or structure was compliant with the floodplain zoning
1601 ordinance in effect at the time the use or structure was created.
1602
- 1603 (2) The existing lawful use of a structure or its accessory use which is not in conformity
1604 with the provisions of this Floodplain Ordinance may continue provided no
1605 modification or addition to a nonconforming use or structure shall be permitted
1606 unless it complies with this Floodplain Ordinance. The words “modification” and
1607 “addition” include, but are not limited to, any alteration, addition, modification,
1608 structural repair, rebuilding, or replacement of any such existing structure, use, or
1609 accessory structure or use. Maintenance is not considered a modification.
1610 Maintenance includes painting, decorating, paneling and the maintenance, repair,
1611 or replacement of existing private sewage or water supply systems or connections
1612 to public utilities. Any cost associated with the repair of a damaged structure is
1613 not considered maintenance. The construction of a deck that does not exceed 200
1614 square feet and that is adjacent to the exterior wall of a principal structure is not an
1615 extension, modification, or addition. The roof of the structure may extend over a
1616 portion of the deck in order to provide safe ingress and egress to the principal
1617 structure.
1618
- 1619 (3) If a nonconforming use or the use of a nonconforming structure is discontinued for
1620 12 consecutive months, it is no longer permitted and any future use of the property,
1621 and any structure or building thereon, shall conform to the applicable requirements
1622 of this Floodplain Ordinance.
1623
- 1624 (4) Manitowoc County shall keep a record that lists all nonconforming uses and
1625 nonconforming structures, their present equalized assessed value, the cost of all
1626 modifications or additions which have been permitted, and the percentage of the
1627 structure’s total current value those modifications represent.
1628
- 1629 (5) No modification or addition to any nonconforming structure or any structure with
1630 a nonconforming use, which over the life of the structure would equal or exceed
1631 50% of its present equalized assessed value, shall be allowed unless the entire
1632 structure is permanently changed to a conforming structure with a conforming use
1633 in compliance with the applicable requirements of this Floodplain Ordinance.
1634 Contiguous dry land access must be provided for residential and commercial uses
1635 in compliance with ss. 31.28(2) and 31.28(4). The costs of elevating the lowest
1636 floor of a nonconforming building or a building with a nonconforming use to the
1637 flood protection elevation are excluded from the 50% provisions of this paragraph.
1638

- 1639 (6) No maintenance on a per event basis to any nonconforming structure or any
1640 structure with a nonconforming use, the cost of which would equal or exceed 50%
1641 of its present equalized assessed value, shall be allowed unless the entire structure
1642 is permanently changed to a conforming structure with a conforming use in
1643 compliance with the applicable requirements of this Floodplain Ordinance.
1644 Contiguous dry land access must be provided for residential and commercial uses
1645 in compliance with ss. 31.28(2) and 31.28(4). Maintenance to any nonconforming
1646 structure, which does not exceed 50% of its present equalized assessed value on a
1647 per event basis, does not count against the cumulative calculations over the life of
1648 the structure for substantial improvement calculations.
1649
- 1650 (7) If on a per event basis the total value of the work being done under subs. (6) and
1651 (7) equals or exceeds 50% of the present equalized assessed value, the work shall
1652 not be permitted unless the entire structure is permanently changed to a conforming
1653 structure with a conforming use in compliance with the applicable requirements of
1654 this Floodplain Ordinance. Contiguous dry land access must be provided for
1655 residential and commercial uses in compliance with ss. 31.28(2) and 31.28(4).
1656
- 1657 (8) Except as provided in sub. (9), if any nonconforming structure or any structure with
1658 a nonconforming use is destroyed or is substantially damaged, it cannot be replaced,
1659 reconstructed, or rebuilt unless the use and the structure meet the current ordinance
1660 requirements. A structure is considered substantially damaged if the total cost to
1661 restore the structure to its pre damaged condition equals or exceeds 50% of the
1662 structure's present equalized assessed value.
1663
- 1664 (9) For nonconforming buildings that are substantially damaged or destroyed by a
1665 nonflood disaster, the repair or reconstruction of any such nonconforming building
1666 may be permitted in order to restore it to the size and use in effect prior to the
1667 damage event provided the following minimum requirements are met and all
1668 required permits have been issued prior to the start of construction.
1669
- 1670 (a) Residential Structures. Residential structures shall:
1671
- 1672 1. Have the lowest floor, including basement, elevated to or above the
1673 flood protection elevation using fill, pilings, columns, posts, or
1674 perimeter walls. Perimeter walls must meet the requirements of s.
1675 31.45(2);
1676
 - 1677 2. Be anchored to prevent flotation, collapse, or lateral movement of
1678 the structure resulting from hydrodynamic and hydrostatic loads,
1679 including the effects of buoyancy;
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 - 1681 3. Be constructed with methods and materials resistant to flood
1682 damage;
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4. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding;
 5. In A zones, obtain, review and utilize any flood data available from a federal, state, or other source;
 6. In AO zones with no elevations specified, have the lowest floor, including the basement, meet the standards in s. 31.32; and
 7. In AO zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
- (b) Nonresidential Structures. Nonresidential structures shall:
1. Meet the requirements of s. 31.36(9)(a)1. through 7.;
 2. Either have the lowest floor, including the basement, elevated to or above the regional flood elevation, or together with attendant utility and sanitary facilities, meet the standards in s. 31.45; and
 3. In AO zones with no elevations specified, have the lowest floor, including basement, meet the standards in s. 31.32.
- (10) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 31.24, flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 31.45 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 31.36(9)(a) if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

1718 31.37 Floodway Areas.

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- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the floodway district, unless such modification or addition unless:
 - (a) Such modification or addition has been granted a permit or variance which meets all ordinance requirements;
 - (b) Such modification or addition meets the requirements of s. 31.36;

- 1729 (c) Such modification or addition will not increase the obstruction to flood
1730 flows or regional flood height;
1731
1732 (d) Any addition to the existing structure is floodproofed, pursuant to s. 31.45,
1733 by means other than the use of fill, to the flood protection elevation; and
1734 (e) If any part of the foundation below the flood protection elevation is
1735 enclosed, the following standards shall apply:
1736
1737 1. The enclosed area shall be designed by a registered architect or
1738 engineer to allow for the efficient entry and exit of flood waters
1739 without human intervention. A minimum of two openings must be
1740 provided with a minimum net area of at least one square inch for
1741 every one square foot of the enclosed area. The lowest part of the
1742 opening can be no more than 12 inches above the adjacent grade;
1743
1744 2. The parts of the foundation located below the flood protection
1745 elevation must be constructed of flood resistant materials;
1746
1747 3. Mechanical and utility equipment must be elevated or floodproofed
1748 to or above the flood protection elevation; and
1749
1750 4. The use must be limited to parking or limited storage.
1751
1752 (2) No new on site sewage disposal system, or addition to an existing on site sewage
1753 disposal system, shall be allowed in a floodway district, except where an addition
1754 has been ordered by a government agency to correct a hazard to public health. Any
1755 replacement, repair, or maintenance of an existing on site sewage disposal system
1756 in a floodway area shall meet the applicable requirements of all Manitowoc County
1757 ordinances, s. 31.45(3) and (4), and Wis. Admin. Code ch. SPS 83.
1758
1759 (3) No new well or modification to an existing well used to obtain potable water shall
1760 be allowed in a floodway district. Any replacement, repair, or maintenance of an
1761 existing well in a floodway area shall meet the applicable requirements of all
1762 municipal ordinances, s. 31.45(3) and (4), and Wis. Admin. Code chs. NR 811 and
1763 NR 812.
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1765 31.38 Floodfringe Areas.
1766

- 1767 (1) No modification or addition shall be allowed to any nonconforming structure or
1768 any structure with a nonconforming use unless such modification or addition has
1769 been granted a permit or variance by Manitowoc County, and the modification or
1770 addition shall be placed on fill or floodproofed to the flood protection elevation in
1771 compliance with the standards for that particular use in s. 31.28, except where sub.
1772 (2) is applicable.
1773

- 1774 (2) Where compliance with the provisions of sub. (1) would result in unnecessary
1775 hardship and only where the structure will not be used for human habitation or be
1776 associated with a high flood damage potential, the board of adjustment using the
1777 procedures established in s. 31.51, may grant a variance from those provisions of
1778 sub. (1) for modifications or additions, using the criteria listed below.
1779 Modifications or additions that are protected to elevations lower than the flood
1780 protection elevation may be permitted if:
1781
1782 (a) No floor is allowed below the regional flood elevation for residential or
1783 commercial structures;
1784
1785 (b) Human lives are not endangered;
1786
1787 (c) Public facilities, such as water or sewer, will not be installed;
1788
1789 (d) Flood depths will not exceed two feet;
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1791 (e) Flood velocities will not exceed two feet per second; and
1792
1793 (f) The structure will not be used for storage of materials as described in s.
1794 31.28(6).
1795
1796 (3) All new private sewage disposal systems, or addition to, replacement, repair, or
1797 maintenance of a private sewage disposal system shall meet all the applicable
1798 provisions of all Manitowoc County ordinances and Wis. Adm. Code ch. SPS 83.
1799
1800 (4) All new wells, or addition to, replacement, repair, or maintenance of a well shall
1801 meet the applicable provisions of this Floodplain Ordinance and Wis. Admin. Code
1802 chs. NR 811 and NR 812.
1803

1804 31.39 Coastal Floodplain Areas.

- 1805
1806 (1) New construction and substantial improvements shall meet the standards of Part IX
1807 of this Floodplain Ordinance.
1808
1809 (2) No structure repairs, modifications or additions to an existing building, the cost of
1810 which exceeds, over the life of the existing building, 50% of its present equalized
1811 assessed value, may be allowed in a coastal floodplain area unless the entire
1812 building is permanently changed to conform with the standards prescribed in Part
1813 IX of this Floodplain Ordinance.
1814

1815 PART XI. ADMINISTRATION.

1816 31.40 Administration.

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1818

1819 This Floodplain Ordinance shall be administered by the Director of the Planning and
1820 Zoning Department as provided in Wis. Stat. § 59.69(2)(bm).

1821
1822 31.41 Planning and Zoning Department.

1823
1824 The Director of the Planning and Zoning Department, as the administrator of this
1825 Floodplain Ordinance, has the following powers and shall:

1826
1827 (1) Advise applicants of the ordinance provisions, assist in preparing permit
1828 applications and appeals, and assure that the regional flood elevation for the
1829 proposed development is shown on all permit applications.

1830
1831 (2) Issue permits and inspect properties for compliance with provisions of this
1832 Floodplain Ordinance, and issue certificates of compliance where appropriate.

1833
1834 (3) Inspect and assess all damaged floodplain structures to determine if substantial
1835 damage to a structure has occurred.

1836
1837 (4) Keep records of all official actions, such as:

1838
1839 (a) Permits issued, inspections made, and work approved;

1840
1841 (b) Documentation of certified lowest floor and regional flood elevations;

1842
1843 (c) Floodproofing certificates;

1844
1845 (d) Water surface profiles, floodplain zoning maps and ordinances, and
1846 nonconforming uses and structures, including amendments, appeals,
1847 changes, and variances;

1848
1849 (e) Substantial damage assessment reports for floodplain structures;

1850
1851 (f) A list of all nonconforming structures and uses;

1852
1853 (g) In the Coastal Floodplain District, documentation of the certified elevation
1854 of the bottom of the lowest horizontal structural member of new
1855 construction and substantial improvements; and

1856
1857 (h) In the Coastal Floodplain District, certification by a licensed professional
1858 engineer or architect where required for new construction and substantial
1859 improvement under Part IX of this Floodplain Ordinance.

1860
1861 (5) Submit copies of the following items to the Department's regional office:

1862
1863 (a) A copy of any decisions on variances, appeals for map or text
1864 interpretations, and map or text amendments, within 10 days of the decision;

- 1865
1866 (b) A copy of any case by case analysis and any other required information; and
1867
1868 (c) A copy of each substantial damage assessment performed and all related
1869 correspondence concerning the assessment.
1870 (6) Investigate, prepare reports, and report violations of this ordinance to the planning
1871 and park commission and to the corporation counsel for prosecution. Copies of
1872 the reports shall also be sent to the Department regional office.
1873
1874 (7) Submit copies of amendments to the FEMA regional office.
1875

1876 31.42 Planning and Park Commission.

- 1877
1878 (1) The planning and park commission shall:
1879
1880 (a) Review and advise the county board on all proposed amendments to this
1881 Floodplain Ordinance, maps, and text; and
1882
1883 (b) Publish adequate notice pursuant to Wis. Stat. ch. 985, specifying the date,
1884 time, place and subject of a public hearing amending this Floodplain
1885 Ordinance.
1886
1887 (2) The planning and park commission shall not:
1888
1889 (a) Grant variances to the terms of this Floodplain Ordinance in place of action
1890 by the board of adjustment; or
1891
1892 (b) Amend the text or zoning maps in place of official action by the county
1893 board.
1894

1895 31.43 Board of Adjustment.

- 1896
1897 (1) The board of adjustment created pursuant to Wis. Stat. § 59.694 is hereby
1898 authorized to exercise the powers conferred by the Wisconsin Statutes for the
1899 purpose of this Floodplain Ordinance.
1900
1901 (2) Powers and Duties. The board of adjustment shall have the following
1902 powers and duties:
1903
1904 (a) Appeals. Hear and decide appeals where it is alleged there is an
1905 error in any order, requirement, decision or determination made by
1906 an administrative official in the enforcement or administration of
1907 this ordinance;
1908
1909 (b) Boundary Disputes. Hear and decide disputes concerning the
1910 district boundaries shown on the official floodplain zoning map; and

1911
1912 (c) Variances. Hear and decide, upon appeal, variances from the
1913 standards of this Floodplain Ordinance.
1914

1915 PART XII. PROCEDURE.
1916

1917 31.44 Land Use Permit.
1918

1919 (1) A person shall apply to the Planning and Zoning Department for a land use permit.
1920 A land use permit shall be obtained before any new development, repair,
1921 modification, or addition to any existing structure, or change in the use of a building
1922 or structure, including sewer and water facilities, may be initiated.
1923

1924 (2) The land use permit application shall include the following general information:
1925

1926 (a) Name and address of the applicant, property owner, and contractor; and
1927

1928 (b) Legal description of the property, proposed use, and whether it is new
1929 construction or a modification.
1930

1931 (3) The land use permit application shall include a site development plan, drawn to
1932 scale, with the following information:
1933

1934 (a) Location, dimensions, area, and elevation of the lot;
1935

1936 (b) Location of the ordinary highwater mark of any abutting navigable
1937 waterways;
1938

1939 (c) Location of any structures, with distances measured from the lot lines and
1940 street center lines;
1941

1942 (d) Location of any existing or proposed on site sewage systems or private
1943 water supply systems;
1944

1945 (e) Location and elevation of existing or future access roads;
1946

1947 (f) Location of floodplain and floodway limits as determined from the official
1948 floodplain zoning maps;
1949

1950 (g) The elevation of the lowest floor of proposed buildings and any fill using
1951 either the National Geodetic Vertical Datum (NGVD) or North American
1952 Vertical Datum (NAVD) from the adopted study;
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1954 (h) Data sufficient to determine the regional flood elevation in NGVD or
1955 NAVD at the location of the development and to determine whether the

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requirements of Part VI or Part VII of this Floodplain Ordinance are met;
and

- (i) Data to determine if the proposed development will cause and obstruction to flow or cause an increase in regional flood height or discharge according to s. 31.18. This may include any of the information noted in s. 31.24.

- (4) Hydraulic and Hydrologic Studies to Analyze Development. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the state of Wisconsin. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

- (a) A Zone and AE Zones Within Which a Floodway Is Not Delineated:

1. Hydrology. The appropriate method shall be based on the standards in Wis. Admin. Code § NR 116.07(3) "Hydrologic Analysis: Determination of Regional Flood Discharge."
2. Hydraulic Modeling. The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4)" Hydraulic Analysis: Determination of Regional Flood Elevation and the following:
 - a. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (e.g. dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - b. Channel sections must be surveyed.
 - c. Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - d. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
 - e. The most current version of HEC_RAS shall be used.
 - f. A survey of bridge and culvert openings and the top of road is required at each structure.

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- g. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - h. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 - i. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
3. Mapping. A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
- a. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 - b. If any part of the proposed development is in the floodway, such development must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.
- (b) AE Zone Floodplains:
- 1. Hydrology. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Wis. Admin. Code § NR 116.07(3) "Hydrologic Analysis: Determination of Regional Flood Discharge."
 - 2. Hydraulic model. The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4) "Hydraulic

Analysis: Determination of Regional Flood Elevation” and the following:

- a. Duplicate Effective Model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report within 0.1 foot.
- b. Corrected Effective Model. The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC_RAS for Department review.
- c. Existing (Pre-Project Conditions) Model. The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
- d. Revised (Post-Project Conditions) Model. The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
- e. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
- f. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths computed by the revised models matching those in the effective models upstream and downstream of the revise each as required. The Effective Model shall not be truncated.

- 3. Mapping. Maps and associated engineering data shall be submitted to the Department for review, which meet the following conditions:

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- a. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, and bridge plans.
- b. Certified topographic map of suitable scale, contour interval, and a plain metric map showing the applicable items. If a digital version of the map is available, the digital version may be submitted so that the FIRM may be more easily revised.
- c. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- d. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane coordinate System in accordance with FEMA mapping Specifications.
- e. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- f. All cross sections from the effective model shall be labeled in accordance with the effective map and the cross section lookup table shall be included to relate to the model input numbering scheme.
- g. Both the current and proposed floodways shall be shown on the map.
- h. The stream centerline shall be shown, or the baseline used to measure stream distances in the model shall be provided and shall be feasible on the map.

(5) Expiration. A permit issued under the authority of this Floodplain Ordinance shall expire 180 days from the date the permit is issued. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulations, including any revision to the FIRM or FIS that took effect after the permit date.

31.45 Floodproofing Requirements.

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- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by the registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in Part V, Part VI, Part VII, Part VIII or Part IX of this Floodplain Ordinance.
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- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan that is either:
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- (a) Certified by a registered professional engineer or architect; or
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- (b) Meets or exceeds the following standards:
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1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
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2. The bottom of all openings shall be no higher than one foot above grade; and
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3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
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- (3) Floodproofing measures shall be designed, as appropriate, to:
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- (a) Withstand flood pressures, depths, velocities, uplift and impact forces, and other regional factors;
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- (b) Protect structures to the flood protection elevation;
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- (c) Anchor structures to foundations to resist flotation and lateral movement.
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- (d) Minimize or eliminate infiltration of flood waters;
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- (e) Minimize or eliminate discharges into flood waters; and
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- (f) Locate placement of essential utilities at or above the flood protection elevation; and
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- (4) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

- 2184 (a) The enclosed area shall be designed by a registered architect or engineer to
2185 allow for the efficient entry and exit of flood waters without human
2186 intervention. A minimum of two openings must be provided with a
2187 minimum net area of at least one square inch for every one square foot of
2188 the enclosed area. The lowest part of the opening can be no more than one
2189 foot above the adjacent grade.
2190
2191 (b) The parts of the foundation located below the flood protection elevation
2192 must be constructed of flood-resistant materials.
2193
2194 (c) Mechanical and utility equipment must be elevated or floodproofed to or
2195 above the flood protection elevation.
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2197 (d) The use must be limited to parking, building access or limited storage.
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2199 31.46 Certificate of Compliance.

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2201 (1) A person shall apply for a certificate of compliance concurrently with the
2202 application for a permit.
2203
2204 (2) No land shall be occupied or used, and no building that is hereafter constructed,
2205 altered, added to, modified, repaired, rebuilt, or replaced after the effective date of
2206 this Floodplain Ordinance shall be occupied until a certificate of compliance is
2207 issued by the Planning and Zoning Department, except where no permit is required,
2208 subject to the following provisions:
2209
2210 (a) The applicant shall submit a certification signed by a registered professional
2211 engineer, architect, or land surveyor that the fill, lowest floor, and
2212 floodproofing elevations are in compliance with the permit issued.
2213 Floodproofing measures also require certification by a registered
2214 professional engineer or architect that floodproofing measures meet the
2215 requirements of s. 31.45.
2216
2217 (b) If all ordinance provisions are met, the Planning and Zoning Department
2218 shall issue the certificate of compliance within 10 days after written
2219 notification that the permitted work is completed.
2220
2221 (c) The certificate of compliance shall show that the building or premises, or
2222 part thereof, and the proposed use, conform to the provisions of this
2223 Floodplain Ordinance.
2224
2225 (3) Where applicable pursuant to s. 31.32, the applicant must submit a certification by
2226 a registered professional engineer or surveyor of the elevation of the bottom of the
2227 lowest horizontal structural member supporting the lowest floor (excluding pilings
2228 or columns), and an indication of whether the structure contains a basement.
2229

2230 (4) Where applicable pursuant to s. 31.32, the applicant must submit certifications by
2231 a registered professional engineer or architect that the structural design and methods
2232 of construction meet accepted standards of practice as required by s. 31.32.
2233

2234 31.47 Other Permits.
2235

2236 Prior to obtaining a land use permit, the applicant must secure all necessary permits from
2237 federal, state, and local agencies, including but not limited to those required by the U.S.
2238 Army Corps of Engineers under sec. 404 of the Federal Water Pollution Control Act
2239 Amendments of 1972, 33 U.S.C. § 1344.
2240

2241 31.48 Appeals.
2242

2243 (1) Appeals. The board of adjustment shall hear and decide appeals where it is alleged
2244 there is an error in any decision, determination, order, or requirement made by the
2245 Planning and Zoning Department.
2246

2247 (2) Notice of Appeal. Any person aggrieved, or any officer or department of
2248 Manitowoc County affected by a decision of the Planning and Zoning Department
2249 may appeal the decision to the board of adjustment by filing a written notice with
2250 the Planning and Zoning Department and the board of adjustment within 30 days
2251 of the decision. The notice must specify the reason for the appeal. The Planning
2252 and Zoning Department shall transmit all records regarding the matter to the board
2253 of adjustment within 30 days of receipt of the notice.
2254

2255 (3) Hearing Notice. Upon receipt of notice of appeal, the board of adjustment shall:
2256

2257 (a) Fix a reasonable time for the hearing;
2258

2259 (b) Publish adequate notice, as required by the Wisconsin Statutes, specifying
2260 the date, time, place, and subject of the hearing; and
2261

2262 (c) Assure that the hearing notice is mailed to the parties in interest and the
2263 Department's regional office at least 10 days in advance of the hearing.
2264

2265 (4) Hearing Procedure. Any party may appear at the hearing in person or by an agent.
2266

2267 (5) Decision. The board of adjustment shall issue a final decision regarding the
2268 appeal, and the decision shall:
2269

2270 (a) Be made within a reasonable time;
2271

2272 (b) Be sent to the Department's regional office within 10 days of the decision;
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2274 (c) Be a written determination signed by the chairman or secretary of the board
2275 of adjustment;

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- (d) State the specific facts and reasons that are the basis for the board of adjustment's decision;
 - (e) Either affirm, reverse, vary, or modify the order, requirement, decision, or determination appealed, in whole or in part, or dismiss the appeal for lack of jurisdiction; and
 - (f) Include the reasons for its decision in the record of the board's proceedings.

2286 31.49 Appeal of Permit Denials.

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2321
- (1) The board of adjustment shall review all data related to the appeal or a permit denial. This may include:
 - (a) Permit application data listed in s. 31.44.
 - (b) Floodway/floodfringe determination data in s. 31.33.
 - (c) Data listed in s. 31.24(2) where the applicant has not submitted this information to the Planning and Zoning Department.
 - (d) Other data submitted with the application or submitted to the board of adjustment with the appeal.
 - (2) For appeals of all denied permits the board of adjustment shall:
 - (a) Follow the procedures of s. 31.48;
 - (b) Consider Planning and Zoning Department recommendations; and
 - (c) Either uphold the denial or grant the appeal.
 - (3) For appeals concerning increases in regional flood elevation the board of adjustment shall:
 - (a) Uphold the denial where the board of adjustment agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 31.53; and
 - (b) Grant the appeal where the board of adjustment agrees that the data properly demonstrates that the project does not cause an increase in the regional flood elevation.

2322 31.50 Boundary Disputes.

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- (1) The board of adjustment shall hear and decide disputes concerning floodplain district boundaries.
- (2) Notice of Dispute. Any person may file a written notice of a boundary dispute with the Planning and Zoning Department and the board of adjustment. The notice must specify the reason for the dispute. The Planning and Zoning Department shall transmit all records regarding the matter to the board of adjustment within 30 days of receipt of the notice.
- (3) Hearing Notice. Upon receipt of notice of a boundary dispute, the board of adjustment shall:
 - (a) Fix a reasonable time for the hearing;
 - (b) Publish adequate notice, as required by the Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and
 - (c) Assure that hearing notice is mailed to the parties in interest and the Department's regional office at least 10 days in advance of the hearing.
- (4) Hearing Procedure.
 - (a) Any party may appear at the hearing in person or by an agent. The person contesting the boundary location will be given a reasonable opportunity to present arguments and technical evidence to the board of adjustment.
 - (b) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
 - (c) If the boundary is incorrectly mapped, the board of adjustment shall inform the planning and park commission or the person contesting the boundary location of the need to petition the county board for a map amendment according to s. 31.53.
- (5) Decision. The board of adjustment shall issue a final decision regarding the appeal, and the decision shall:
 - (a) Be made within a reasonable time;
 - (b) Be sent to the Department's regional office within 10 days of the decision; .
 - (c) Be a written determination signed by the chairman or secretary of the board of adjustment; and

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(d) State the specific facts and reasons that are the basis for the board of adjustment's decision.

31.51 Variances.

- (1) The board of adjustment shall, upon appeal, hear and decide appeals or requests for variances from the standards of this Floodplain Ordinance.
- (2) Variance Request. Any person may file a written request for a variance with the Planning and Zoning Department and the board of adjustment. The notice must specify the reason for the request. The Planning and Zoning Department shall transmit all records regarding the matter to the board of adjustment within 30 days of receipt of the notice.
- (3) Hearing Notice. Upon receipt of a variance request, the board of adjustment shall:
 - (a) Fix a reasonable time for the hearing;
 - (b) Publish adequate notice, as required by the Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and
 - (c) Assure that hearing notice is mailed to the parties in interest and the Department's regional office at least 10 days in advance of the hearing.
- (4) Hearing Procedure.
 - (a) Any party may appear at the hearing in person or by an agent.
 - (b) The person making the request will be given a reasonable opportunity to present arguments and technical evidence to the board of adjustment.
- (5) Decision. The board of adjustment shall issue a final decision regarding the appeal, and the decision shall:
 - (a) Be made within a reasonable time;
 - (b) Be sent to the Department's regional office within 10 days of the decision;
 - (c) Be a written determination signed by the chairman or secretary of the board of adjustment; and
 - (d) State the specific facts and reasons that are the basis for the board of adjustment's decision. If the request is granted, the determination must describe the hardship demonstrated by the applicant, which must also be

2413 clearly stated in the recorded minutes of the board of adjustment's
2414 proceedings.
2415

2416 (6) The board of adjustment may grant a variance from the standards of this Floodplain
2417 Ordinance if an applicant clearly and convincingly demonstrates that:

2418 (a) Literal enforcement of the ordinance provisions will cause unnecessary
2419 hardship;
2420

2421 (b) The hardship is due to adoption of this Floodplain Ordinance and unique
2422 property conditions, not common to adjacent lots or premises, in which case
2423 the ordinance or map must be amended;
2424

2425 (c) The variance is not contrary to the public interest; and
2426

2427 (d) The variance is consistent with the purpose of this Floodplain Ordinance in
2428 s. 31.02.
2429

2430 (7) In addition to the criteria in sub. (6), a variance may be granted only if the following
2431 FEMA criteria are met:
2432

2433 (a) The variance shall not cause any increase in the regional flood elevation;
2434

2435 (b) The applicant has shown good and sufficient cause for issuance of the
2436 variance;
2437

2438 (c) Failure to grant the variance would result in exceptional hardship;
2439

2440 (d) Granting the variance will not result in additional threats to public safety,
2441 extraordinary expense, create a nuisance, cause fraud on or victimization of
2442 the public, or conflict with existing local laws or ordinances; and
2443

2444 (e) The variance granted is the minimum necessary to afford relief, considering
2445 the flood hazard.
2446

2447 (8) A variance shall not:
2448

2449 (a) Grant, extend, or increase any use prohibited in the zoning district;
2450

2451 (b) Be granted for a hardship based on an economic gain or loss;
2452

2453 (c) Be granted for a hardship that is self created;
2454

2455 (d) Damage the rights or property values of other persons in the area;
2456
2457

- 2458 (e) Allow any action without an amendment to this Floodplain Ordinance or
2459 the official map if an amendment is required by s. 31.53; or
2460
2461 (f) Allow any alteration of a historic structure, including its use, which would
2462 preclude its continued designation as an historic structure;
2463
2464 (10) When a floodplain variance is granted, the board of adjustment shall provide written
2465 notification to the applicant that the requested variance may increase flood
2466 insurance premiums and risks to life and property, and flood insurance premiums
2467 could increase up to \$25.00 per \$100.00 of coverage. A copy of the notice will be
2468 maintained with the variance record.
2469

2470 31.52 Public Information.

- 2471
2472 (1) The Planning and Zoning Department may cause or require an applicant to place
2473 marks on structures to show the depth of inundation during the regional flood.
2474
2475 (2) All maps, engineering data, and regulations shall be available and widely
2476 distributed.
2477
2478 (3) Every real estate transfer should show the floodplain zoning district in which the
2479 real property is located.
2480

2481 31.53 Amendments.

- 2482
2483 Obstructions or increases may only be permitted if amendments are made to this ordinance,
2484 the official floodplain zoning maps, floodway lines and water surface profiles, in
2485 accordance with s. 31.54.
2486
2487 (1) In AE zones with a mapped floodway, no obstruction or increases shall be permitted
2488 unless the applicant receives a Conditional Letter of Map Revision (CLOMR) from
2489 FEMA and amendments are made to this Floodplain Ordinance, the official zoning
2490 maps, floodway lines, and water surface profiles, in accordance with s. 31.54. Any
2491 such alterations must be reviewed and approved by FEMA and DNR.
2492
2493 (2) In A zones, increases equal to or greater than 1.0 foot may only be permitted if the
2494 applicant receives a Conditional Letter of Map Revision from FEMA and
2495 amendments are made to this ordinance, the official floodplain maps, floodway
2496 lines and water surface profiles, in accordance with s. 31.54.
2497

2498 31.54 General.

- 2499
2500 (1) The county board may change or supplement the floodplain zoning district
2501 boundaries and this Floodplain Ordinance in the manner provided in s. 31.55.
2502

- 2503 (2) The actions that require an amendment to this Floodplain Ordinance and/or
2504 submittal of a Letter of Map Change include, but are not limited to, the following:
2505
2506 (a) Any fill or floodway encroachment that obstructs flow causing any increase
2507 in regional flood height;
2508
2509 (b) Any change to the floodplain boundaries and/or any watercourse alteration
2510 on a FIRM;
2511
2512 (c) Any change to any other officially adopted floodplain map listed in s.
2513 31.14(3);
2514
2515 (d) Correction of discrepancies between the water surface profiles and
2516 floodplain zoning maps;
2517
2518 (e) Any fill in the floodplain that raises the elevation of the filled area to a
2519 height at or above the flood protection elevation and is contiguous to land
2520 lying outside the floodplain;
2521
2522 (f) Any changes to the Floodplain Ordinance text required by Wis. Admin.
2523 Code § NR 116.05, or otherwise required by law, or by Manitowoc County;
2524 and
2525
2526 (g) All channel relocations and changes to the maps to alter floodway lines or
2527 to remove an area from the floodway or the floodfringe that is based on a
2528 base flood elevation from a FIRM requires prior approval by FEMA.
2529

2530 31.55 Procedures.

- 2531
2532 (1) Ordinance amendments may be made upon petition of any interested party
2533 according to the provisions of Wis. Stat. § 59.69. Petitions must include all data
2534 required by ss. 31.33 and 31.44. A land use permit shall not be issued until a Letter
2535 of Map Revision is issued by FEMA for the proposed changes.
2536
2537 (2) A person petitioning for a map amendment that obstructs flow, causing any increase
2538 in the regional flood height shall obtain flooding easements from, or make other
2539 appropriate legal arrangements with, all adversely affected property owners and
2540 notify local units of government before the amendment may be approved by the
2541 county board.
2542
2543 (3) The proposed amendment will be referred to the planning and park commission for
2544 a public hearing and recommendation to the county board. The amendment and
2545 notice of public hearing must be submitted to the Department's regional office for
2546 review prior to the hearing. The amendment procedure shall comply with the
2547 provisions of Wis. Stat. § 59.69.
2548

2549 (4) No amendment will become effective unless it has been reviewed and approved by
2550 the Department.

2551
2552 (5) Consult the FEMA web site at www.fema.gov for the map change fee schedule.
2553

2554 PART XIII. VIOLATIONS AND ENFORCEMENT.
2555

2556 31.56 Violations.
2557

2558 (1) It is unlawful for any person to violate any provision of this Floodplain Ordinance
2559 or any condition contained in a permit issued pursuant to this Floodplain Ordinance.

2560 (2) It is unlawful for any person to knowingly provide false information, make a false
2561 statement, or fail to provide or misrepresent any material fact to a county agent,
2562 board, commission, committee, department, employee, officer, or official acting in
2563 an official capacity under this Floodplain Ordinance.
2564

2565 (3) It is unlawful for a person to disobey; fail, neglect, or refuse to comply with; or
2566 otherwise resist an order issued pursuant to this Floodplain Ordinance.
2567

2568 (4) A separate offense is deemed committed on each day that a violation occurs or
2569 continues.
2570

2571
2572 31.57 Enforcement.
2573

2574 (1) The Planning and Zoning Department may enter any property for which a permit
2575 has been issued under this Floodplain Ordinance to conduct an inspection to
2576 determine whether there is a violation of this Floodplain Ordinance or whether the
2577 conditions stated in the permit have been met.
2578

2579 (2) The Planning and Zoning Department may issue an order to abate any violation of
2580 this Floodplain Ordinance.

2581 (3) The Planning and Zoning Department may issue a citation for any violation of this
2582 Floodplain Ordinance.
2583

2584 (4) The Planning and Zoning Department may refer a violation of this Floodplain
2585 Ordinance to corporation counsel for legal action.
2586

2587 (5) Every violation of this Floodplain Ordinance is a public nuisance, the creation of
2588 which may be enjoined and the maintenance of which may be abated by action at
2589 suit of the county, the State, or any citizen thereof pursuant to Wis. Stat. § 87.30.
2590

2591 (6) Nothing in this s. 31.57 may be construed to prevent the County from using any
2592 other lawful means to enforce this Floodplain Ordinance.
2593
2594

2595 31.58 Penalties.

- 2596
2597 (1) A person shall, upon conviction for a violation of this Floodplain Ordinance, forfeit
2598 not less than \$25 nor more than \$50 for each offense, together with any applicable
2599 assessments, costs, surcharges, and the costs of prosecution for each violation, and
2600 may be ordered to take such action as is necessary to abate the offense within a
2601 specified time.
2602
2603 (2) A person who has the ability to pay a forfeiture entered pursuant to this Floodplain
2604 Ordinance, but who fails or refuses to do so may be confined in the county jail until
2605 the forfeiture and costs are paid, but the period of confinement may not exceed 30
2606 days for each offense. In determining whether a person has the ability to pay, all
2607 items of income and all assets may be considered regardless of whether the income
2608 and assets are subject to garnishment, lien, or attachment by creditors.
2609
2610 (3) In the event an offense is not abated as ordered, Manitowoc County may take such
2611 action as is necessary to abate the offense and the cost of such abatement will
2612 become a lien upon the person's property and may be collected in the same manner
2613 as other taxes.
2614
2615 (4) The failure of any employee, official, or officer of the County to perform any
2616 official duty imposed by this code will not subject the employee, official, or officer
2617 to the penalty imposed for violation of this code unless a penalty is specifically
2618 provided.

2619
2620 31.59 Effective Date.

2621
2622 This Floodplain Ordinance is effective *[Revisor to enter date of publication]*.

2623
2624 and

2625
2626 BE IT FURTHER ORDAINED that this ordinance shall be effective upon passage and
2627 publication and shall be effective in all of the unincorporated areas within Manitowoc County and
2628 shall not require approval or be subject to disapproval by any town or town board as provided by
2629 Wis. Stat. §§ 59.692 and 87.30.

Dated this 21st day of February 2022.

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 FEBRUARY 21, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: ORDINANCE AMENDMENT FOR CHAPTER 31, FLOODPLAIN ZONING.

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.

The Manitowoc County Planning and Park Commission, on January 6, 2023, petitioned the Manitowoc County Board of Supervisors for ordinance amendments to the Manitowoc County Code, Chapter 31, titled "Floodplain Zoning" to allow for new maps, updated flood insurance study and ordinance amendments.

1. Action taken to date on this request includes:
 - a. The Manitowoc County Planning and Park Commission petitioned for an Ordinance amendment of the Manitowoc County Code, Chapter 31 on January 6, 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 January 9, 2023 and on January 16, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on January 23, 2023.
 - e. The Commission at their January 23, 2023 meeting recommended approval of the requested Ordinance Amendment of the Manitowoc County Code, Chapter 31.
2. Testimony from the January 23, 2023 hearing is available at the Planning and Zoning office in the form of a digital recording.
3. Testimony from the January 23, 2023 hearing is summarized as follows:
 - a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

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

1. Manitowoc County must adopt an updated floodplain zoning ordinance that models the Wisconsin Department of Natural Resources new model ordinance and also adopt the Federal Emergency Management Administration's new flood insurance rate maps and flood insurance study in order to continue compliance with Wisconsin Administrative Code NR 116 and the National Flood Insurance Program.

RECOMMENDATION

The Manitowoc County Planning and Park Commission, at its January 23, 2023 meeting, therefore by a unanimous vote and after careful consideration of testimony and an examination of the facts, recommends that the Ordinance Amendments of the Manitowoc County Code Chapter 31, Floodplain Zoning Ordinance; the new Flood Insurance Rate Maps and Flood Insurance Study for Manitowoc County be approved.



COUNTY OF MANITOWOC COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

January 10, 2023

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

and

Manitowoc County Board of Supervisors

ATTN: Tim Ryan and Manitowoc County Board of Supervisors

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

-Manitowoc County Code, Chapter 31, titled "Floodplain Zoning Ordinance" to solicit comments on proposed floodplain zoning ordinance and map revisions which are required by state and federal law

as filed in this office:

Name Petitioner
Manitowoc County Planning and Park Commission

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County
Planning & Zoning Department

Manitowoc County Office Complex • 4319 Expo Drive, P.O. Box 935 • Manitowoc WI 54221-0935
Phone: 920.683.4185

**APPLICATION FOR A MAP AND ORDINANCE TEXT
AMENDMENT**

January 6, 2023

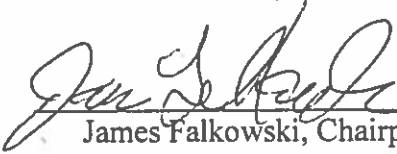
To: The honorable Chairperson and Members of the County Board of Supervisors, Manitowoc County, Wisconsin

We: The Manitowoc County Planning and Park Commission
4319 Expo Dr
Manitowoc WI 54220

The applicant hereby petitions you for map and ordinance text amendments for the Manitowoc County Code Chapter 31, Floodplain Zoning to adopt revised flood hazard maps and flood study for Manitowoc County and updated floodplain management regulations required in the Wisconsin Department of Natural Resources March 10, 2022 model ordinance.

The proposed regulations are intended to protect life, health and property in floodplain areas and will govern uses permitted in mapped floodplains. This proposed amendment is intended to meet the requirements of the Federal Emergency Management Agency and Wisconsin Department of Natural Resources Chapters NR 116, Wis. Adm. Code. The proposed ordinance text and map amendment may be obtained from the Planning and Park Commission.

Signature of Applicant:


James Falkowski, Chairperson
Planning & Park Commission

**RESOLUTION DENYING CLAIM
(Troy Bierman)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Troy Bierman filed a claim with Manitowoc County on November 21, 2022
2 seeking \$2,406.55 for a cracked windshield and chipped paint purportedly caused by too much
3 material being applied when Manitowoc County resurfaced County Highway LS; and
4

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

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

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

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

Dated this 21st day of February 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



APPROVED:

Bob Ziegelbauer, County Executive

Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, February 21, 2023

5:30 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 21st day of February 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 5:30 p.m.

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

Roll call: 23 members were present at the time of voting for resolutions: Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Linsmeier, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas (5:47 p.m. arrival), Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisor Baumann was excused.

On a motion by Supervisor Hansen, seconded by Supervisor Behnke, the January 17, 2023 meeting minutes were approved on a unanimous vote.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 5:32 p.m.

Maura Yost, Town of Centerville, expressed her discontent with the County's borrowing habits and advocated for a half-cent sales tax.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 5:36 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Atty. Katherine Reynolds to the Ethics Board. Supervisor Heller moved, seconded by Supervisor Sitkiewitz to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Gary Shavlik to the Local Emergency Planning Committee. Supervisor Falkowski moved, seconded by Supervisor Linsmeier to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Benjamin Meinnert and Joseph Jeanty to the Traffic Safety Commission. Supervisor Neils moved, seconded by Supervisor Muench to approve the appointments. Upon voice vote, the motion carried unanimously.

APPOINTMENTS BY CHAIRPERSON

Chairperson Martell presented his appointments of Supervisor Jim Brey, Supervisor Jim Baumann, Supervisor Doug Klein, Supervisor Leo Naidl, Supervisor Ryan Phipps, Supervisor Ken Sitkiewitz, Circuit Court Judge Robert Dewane, Citizen Member Kaitlin Piazza, and Citizen Member John Delsman to the Ad Hoc Courthouse Restoration Advisory Committee. Supervisor Brey moved, seconded by Supervisor Behnke to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Vogt to enact Ordinance 2022/2023-51 Amending Zoning Map (Brad and Jennifer Kurtzweil). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Engelbrecht to enact Ordinance 2022/2023-52 Amending Zoning Map (Muench Irrevocable Family Trust). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer to enact Ordinance 2022/2023-53 Repealing and Recreating Manitowoc County Code Chapter 31 (Floodplain Zoning). Upon vote, the motion carried unanimously.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2022/2023-54 Denying Claim (Troy Bierman). Upon vote, the motion carried with 23 ayes and 1 no. Supervisor Shimulunas voted no.

Highway Committee: Supervisor Behnke gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 6:02 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=eZ6nVslO68s>



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: March 21, 2023

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 Naidl.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the February 21, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life and Service of Leland "Lee" A. Braunel
 2. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life and Service of Thomas B. Hein
 3. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life and Service of Kenneth L. Swade
 4. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclaiming the Month of April Child Abuse and Neglect Prevention Month
 5. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation in Honor of National Public Safety Telecommunicators Week
 6. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commending the Manitowoc County Drug Task Force
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
 1. Presentation by Brittany Boyer, Substance Use Prevention Program Manager of NEWAHEC/HMC Substance Use Prevention Coalition
- IX. APPOINTMENT BY COUNTY EXECUTIVE

Health Department
Appoint Health Officer – Korina Aghmar

 - A. Board of Health
Appoint four members to succeed Shirley Fessler, Dr. Brian Konowalchuk, Supv. Catherine Wagner and Shannon Wanek for two-year terms expiring April 2025.
 1. Shirley Fessler
 2. Dr. Brian Konowalchuk
 3. Supv. Catherine Wagner
 4. Shannon Kanter

- B. Human Services Board
Appoint one member to succeed Supv. Bonnie Shimulunas for a three-year term expiring April 2026.
1. Supv. Bonnie Shimulunas

- C. Land Information Council
Appoint one member to succeed Travis Waack for a term which ends when employment with Manitowoc County terminates.
1. Kayla Beckerdite

- D. Local Emergency Planning Committee
Appoint one member to succeed David Funkhouser for the remainder of the term expiring September 2023.
1. Joe Jeanty

Appoint one member to succeed Alternate) Bob Mayer for the remainder of the term expiring June 2023.

1. Audrey Reese

- E. Transportation Coordinating Committee
Appoint two members to succeed Tim Nicholls and Dave Schmaling for three-year terms expiring April 2026.
1. Tim Nicholls
 2. Dave Schmaling

X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

- A. Planning & Park Commission
1. Resolution 2022/2023-55 Authorizing 2023-2024 Snowmobile Trail Aids Program
 2. Ordinance 2022/2023-56 Amending Zoning Map (Dick and Sandra Halverson)
 3. Ordinance 2022/2023-57 Amending Zoning Map (Daniel and Jacqueline Downey)
 4. Ordinance 2022/2023-58 Amending Zoning Map (Mary Tisler et al.)
 5. Ordinance 2022/2023-59 Amending Zoning Map (George and Angela Mueller)

Petitions: 1) Jayme and Stephanie Hetland (Town of Schleswig)
2) Lance and Holly Dederling (Town of Schleswig)
3) Manitowoc County – Ordinance Text Amendment, County Code Chapter 13

- B. Aging & Disability Board

- C. Board of Health

- D. Criminal Justice Coordinating Council

- E. Executive Committee

6. Resolution 2022/2023-60 Authorizing Manitowoc County to Enter into Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc., Agreeing to the Terms of the Addendum to the MOU Allocating Settlement Proceeds, and Authorizing Entry into the MOU with the Attorney General

- F. Expo-Ice Center Board

- G. Finance Committee

- H. Highway Committee

7. Resolution 2022/2023-61 Accepting \$11,000 Donation for Manitowoc County Airport Ground Power Unit and Electrical Work

- I. Human Services Board

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

- K. Personnel Committee

L. Public Safety Committee

8. Resolution 2022/2023-62 Accepting 2023 COPS Anti-Heroin Grant and COPS Anti-Methamphetamine Grant
9. Resolution 2022/2023-63 Alerting the Public of the Dangers of Fentanyl

M. Public Works Committee

N. Transportation Coordinating Committee

O. Miscellaneous

Supervisor Ryan Phipps

10. Resolution 2022/2023-64 Approving Town of Newton Zoning Ordinance Amendment (Francis Lulloff)

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

RESOLUTION AUTHORIZING 2023-2024 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 50 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 Manitowoc County Board of Supervisors hereby
21 designates the Planning and Zoning Department as the agency to act on behalf of Manitowoc
22 County in submitting applications for state snowmobile aids for acquisition, bridge rehabilitation,
23 development, insurance, and maintenance costs of the county's public snowmobile trail system;
24 and
25

26 BE IT FURTHER RESOLVED that the Planning and Zoning Director is authorized to sign
27 documents and take the actions necessary to undertake, direct, and complete the 2023-2024
28 Snowmobile Trail Aids Program; and
29

30 BE IT FURTHER RESOLVED that upon completion of acquisition, development, and
31 redevelopment of the snowmobile trails through the Snowmobile Trail Aids Program, the trails
32 will be designated as public snowmobile trails; and
33

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

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

Dated this 21st day of March 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. \$72,120.00 is included in the 2023 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

ORDINANCE AMENDING ZONING MAP
(Dick and Sandra Halverson)

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 27, 2023; and
3

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

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

11 A tract of land located in the NE 1/4 of the NW 1/4 and in the SE 1/4 of the NW 1/4 of
12 Section 35, Town 19 North, Range 22 East in the Township of Cato, Manitowoc County,
13 Wisconsin, described as follows:
14

15 Commencing at the NW Corner of said Section 35; Thence S 00°20'11" W, 1323.65
16 feet coincident with the west line of said NW 1/4 to the 1/16 section line; Thence
17 N 89°48'18" E, 1319.25 feet to the northwest corner of said SE 1/4 of the NW 1/4,
18 being the point of beginning; Thence S 00°20'29" W, 160.00 feet coincident with
19 the west line of said SE 1/4 of the NW 1/4; Thence N 89°48'18" E, 725.00 feet;
20 Thence N 00°20'29" E, 535.05 feet to the south line of the Wisconsin Central LTD
21 Railroad; Thence S 63°33'29" W, 554.09 feet coincident with said south line;
22 Thence S 18°40'44" E, 137.06 feet to the north line of said SE 1/4 of the NW 1/4;
23 Thence S 89°48'18" W, 275.00 feet to the point of beginning, said parcel containing
24 approximately 237,999 Square Feet (5.46 Acres) of land and is hereby rezoned
25 from Exclusive Agriculture (EA) District to Large Estate (LE) Residential District.

Dated this 21st day of March 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS MARCH 21, 2023.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	DICK & SANDRA HALVERSON 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.

Dick & Sandra Halverson, on February 6, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 5.46 acres of land located in the NE1/4, NW1/4 and the SE1/4, NW1/4, Section 35, T19N-R22E, Town of Cato, from EA, Exclusive Agriculture to LE, Large Estate.

The Town of Cato adopted the Manitowoc County Zoning Ordinance on December 5, 2011. The uses permitted in the LE, Large Estate zoning provides areas for single-family residential and planned residential developments on large lots while allowing for agricultural activity in mostly rural areas of the county with a minimum lot size of 5.0 acres.

1. Action taken to date on this request includes:

- a. Dick & Sandra Halverson petitioned for a zoning map amendment on February 6, 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 14, 2023 and on February 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 27, 2023.
- e. The Commission at their February 27, 2023 meeting recommended approval of a requested rezoning of approximately 5.46 acres of land located in the NE1/4, NW1/4 and the SE1/4, NW1/4, Section 35, T19N-R22E, Town of Cato, from EA, Exclusive Agriculture to LE, Large 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 Salm, applicant, spoke in favor of the rezone.
- c. Mr. Dick Halverson, owner, spoke in favor of the rezone.

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 Cato Town Board & the Cato Land Use Planning Committee support the proposed zone change to LE, Large Estate.
3. Rezoning will allow for a single family home to be built.

4. A small amount of cropland is affected by this request.

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 Dick & Sandra Halverson to rezone approximately 5.46 acres of land from EA, Exclusive Agriculture to LE, Large Estate were approved.

The Manitowoc County Planning and Park Commission, at its February 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 5.46 acres of land located in the NE1/4, NW1/4 & SE1/4 NW1/4, Section 35, T19N-R22E, Town of Cato, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to LE, Large 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@manitowocountywi.gov

February 13, 2023

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:

Dick & Sandra Halverson
11712 Hwy. 151
Manitowoc, WI 54220

Township:

Cato

Name of Applicant/Agent

Josh Salm
1820 Old Wooden Bridge Road
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 (\$505) Received
Receipt # **40389**

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
FEB 06 2023
PLANNING & PARK
COMMISSION

✓ Date of Application: 2/3/2023 OWNER / APPLICANT / AGENT

Owner DICK HALVERSON + Sandra Applicant/Agent JOSH SALM

Address (1) 11712 Hwy 151 Address (1) 1820 Old Warden Bridge Rd

Address (2) _____ Address (2) _____

City/State/Zip MANITOWOC, WI 54220 City/State/Zip MANITOWOC, WI 54220

Phone 920-758-4821 Phone 920-645-5843

✓ PROPERTY LEGAL DESCRIPTION

NE NW SE 1/4 NW 1/4 S 35 T 19 N R 22 E Town of CATO

House / Fire # _____ Tax Number 001-035-005-001.00
001-035-008-001.00

PROPERTY INFORMATION

Existing Zoning District EA Proposed Zoning district LE (Lease ESTATE)

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)

BUILD A NEW HOME

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

[Signature] 2-4-23
Signature (applicant, owner, agent) Date

[Signature] 2-4-23
Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Cato from EA to LE)

PETITIONER

Name: Dick & Sandra Halverson
(Josh Salm, Buyer)
Address: 11712 USH 151
Manitowoc WI 54220
Town: Cato

PARCEL

Location: NE1/4, NW1/4 & SE1/4, NW1/4,
Section 35, T19N-R22E
Tax#: 001-035-005-001.00 & 001-035-008-001.00
Area: 5.46 acres

ACTION TO DATE

Petition Submitted: 02/06/2023
Town Action: Approved February 6, 2023
Hearing Notice Published: 2/14/2023 & 2/20/2023
Advisory: 2/27/2023
Hearing: 2/27/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Railway/Farmland
South	EA	Farmland/Woodland
East	EA	Woodland/Wetland
West	LE/GA	Residential/Railway

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmland/Woodland
Proposed Zoning District: LE, Large Estate
Proposed Use: Build a new home

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: BrB, BrC2, HrB, SyA
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well drained – somewhat poorly drained
Soil Limitations: Slight – Moderate slope
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Old Wooden Bridge Rd
Soil Test: N/A
Terrain: 0 to >12 Percent Slopes
Vegetative Cover: Farmland/Wooded Wetland

Town Future Land Use Designation: Environmental Agricultural Area and Natural Area

These areas should not be developed with a parcel size less than 35 acres because of their significance regarding natural areas. Zoning standards should be incorporated to preserve contiguous natural areas while still providing agricultural activity. The town should support conservation of these areas through education and promotion of numerous voluntary programs.

County Future Land Use Designation: Agricultural & Woodlands/Natural Areas

The purpose of the Agricultural designation is to 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 the farmlands into the future. Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

FEB 07 2023

PLANNING & PARK
COMMISSIONFEBRUARY 6, 2023
MINUTES

Regular meeting was called to order by Chairman Gerald Linsmeier at 7:30 p.m. Minutes of the previous meeting were read. Motion was made by Chuck Schuh and seconded by Russ Braun to accept the minutes as read. Motion carried. Treasurer's Report (current) given by Mary Muench showed a balance in the Money Market and checkbook of \$1,898,798.44. Also, the American Rescue Plan balance is \$76,908.97. A motion was made by Russ Braun and seconded by Chuck Schuh to accept Treasurer's Report as given. Motion carried. PRESENT: Gerald Linsmeier, Chuck Schuh, Russ Braun, Mary Muench, Kevin Naidl, Brian and Gail Haas, Roger Pingel, John Polifka, Chuck Muench, Josh and Lauren Salm, Travis Schisel, Jack Kiel and Debbie Schuh.

Vouchers were presented. A motion was made by Gerald Linsmeier and seconded by Chuck Schuh to pay all vouchers. Motion carried.

Mary Muench reported there was 5 new homes built in the Town of Cato in 2022.

Josh and Lauren Salm was present to discuss rezoning 5.81 acres from Exclusive Ag to Large Estate. The Land Use Planning Committee approved the rezoning stating of the small size and odd shape of current field is not conducive to modern large -scale farming. Removal of this property will square off remaining field. A motion was made by Gerald Linsmeier and seconded by Russ Braun to approve this request. Motion carried.

In other business, a motion was made by Gerald Linsmeier and seconded by Russ Braun to postpone the appointment of a new member to the Clarks Mills Sanitary Board. Motion carried.

Another motion was made by Gerald Linsmeier and seconded by Chuck Schuh to have the Open Book on April 13 from 9 - 11 AM (over the phone) and the Board of Review May 8 from 7 - 9 PM. Motion carried.

Kevin Naidl, Road Superintendent, stated of Madson Road. He is less than pleased with the outcome. He also, reported an incident with a deer hit for the 2014 pickup. A claim has been submitted with Rural Insurance.

Chuck Muench, Constable, reported a few dog issues and responded to manure sludge on San Road, which the farmer cleaned up. Also, a noise complaint.

Recycling Center attendant stated everything is going well at the Recycling Center.

A motion was made by Chuck Schuh and seconded by Russ Braun to adjourn meeting at 8:10 p.m. Motion carried.

MARY MUENCH
Clerk/Treasurer
FEBRUARY 2023

February 2, 2023

To: Cato Town Board

RE: Land Use Committee recommendation to approve Rezone Request for Josh Salm February 2023

- Cato Land Use committee
 - Brian Haas: 920-901-9279
 - Tony Kohlmann: 920-901-4699
 - Chris Neumeyer: 920-860-5618
 - Roger Pingel: 920-860-7862
 - John Polifka: 920-717-2277
 - Travis Schisel: 920-860-1697
 - Bob Staudinger: 920-973-2858
- Requestor: Josh Salm (with Lauren Hoepfner): 1820 Old Wooden Bridge Rd.
- Landowner: Dick Halverson: 11712 Hwy 151
- Builder: Brian Peterson and Lori Peterson: 920-323-9734

The Land use committee had the initial meeting to discuss this request on Tuesday January 31, 2023. The committee reviewed the request form (Figure 1), site plan provided (Figure 2), and info from Manitowoc County Planning and Zoning Department officials and website. Discussion with the requestor didn't answer all questions/concerns and the vote was to table a decision until more information was provided. Travis contacted Lori Peterson to request the additional information needed from the Manitowoc Zoning Department and an updated/detailed site plan.

A second meeting was held on Thursday February 2nd, 2023. The committee again met with the requestor and had additional questions answered. The revised site plan (Figure 3) was missing the house size of 100 feet x 56 feet, so it was written in as provided here. The Committee discussed the request and voted to recommend the Cato Town Board approve this request to rezone from 5 acres, up to 5.87 acres, from Exclusive Agriculture (EA) to Large Estate Residential (LE). Travis contacted Lori, communicated the committee's recommendation, and requested that Josh have someone at the February 6th Cato Town Board meeting to answer any questions that may come up. The factors considered for this recommendation included as follows:

- Support of adjoining landowners and neighbors as indicated on Figure 4.
- Small size and odd shape of current field is not conducive to modern large-scale farming. Removal of this property will "square off" remaining field.
- Property's proximity to, and the land contours leading to, adjoining wetlands, Hydric Soils (lack oxygen for growing crops), and Watersheds are not optimal to avoid surface water run off from carrying nutrients and sediment from worked land into those areas. (Figure 5 and Figure 6 from Manitowoc County Parcel Viewer)
- Proposed property is across the road from and in the proximity of several other properties already zoned as LE. (Figure 7 from Manitowoc County Parcel Viewer)

Respectfully Submitted for your consideration by the Cato Land use Committee.



Dick & Sandra Halverson
 NE 1/4, NW 1/4
 SE 1/4, NW 1/4
 Section 35, T19N-R22E
 Town of Cato

From: EA To: LE
 Approximately: 5.464 acre(s)
 -87.835, 44.077

Map Overview

Cato

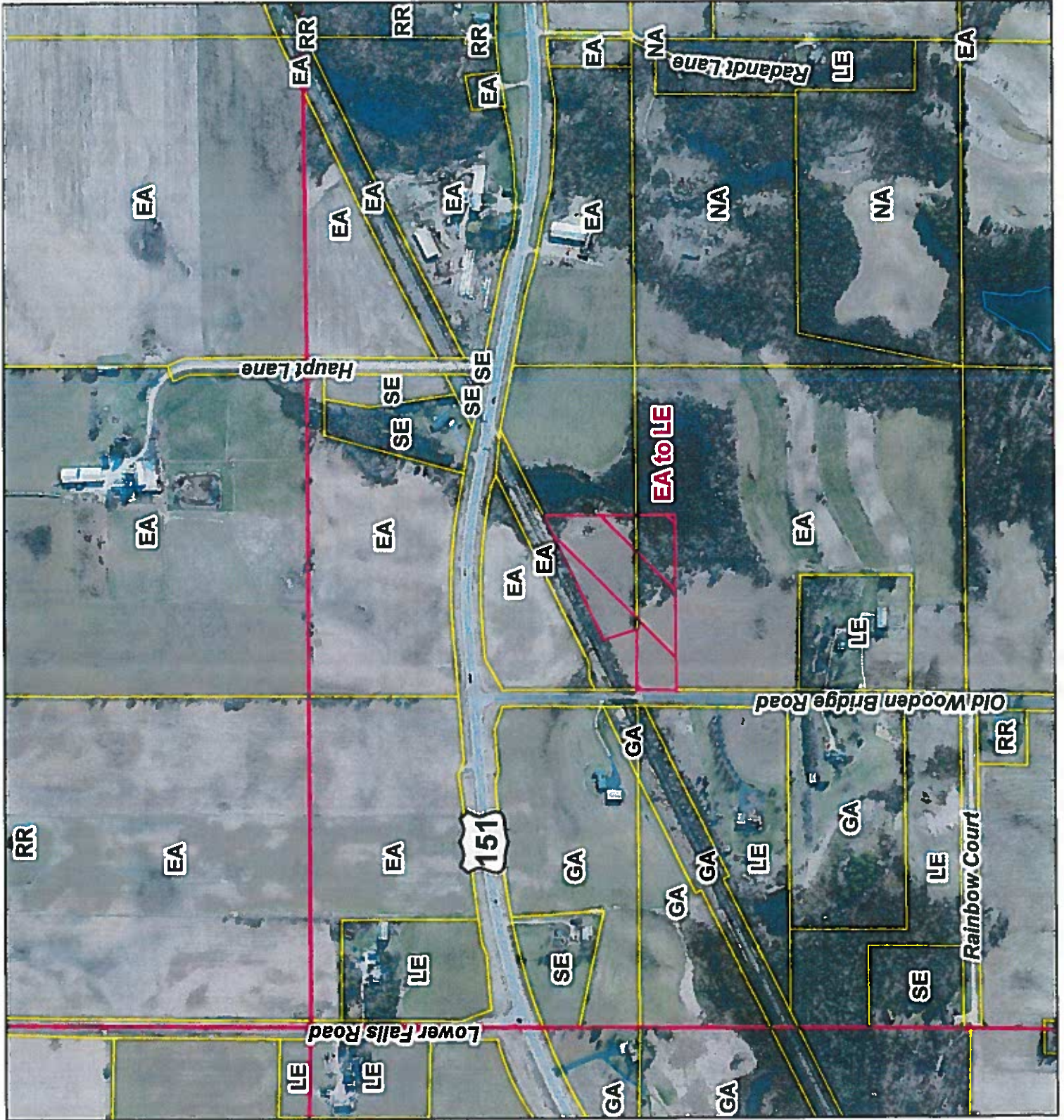
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Prepared by:
 Marinette County
 Planning and Zoning Dept.

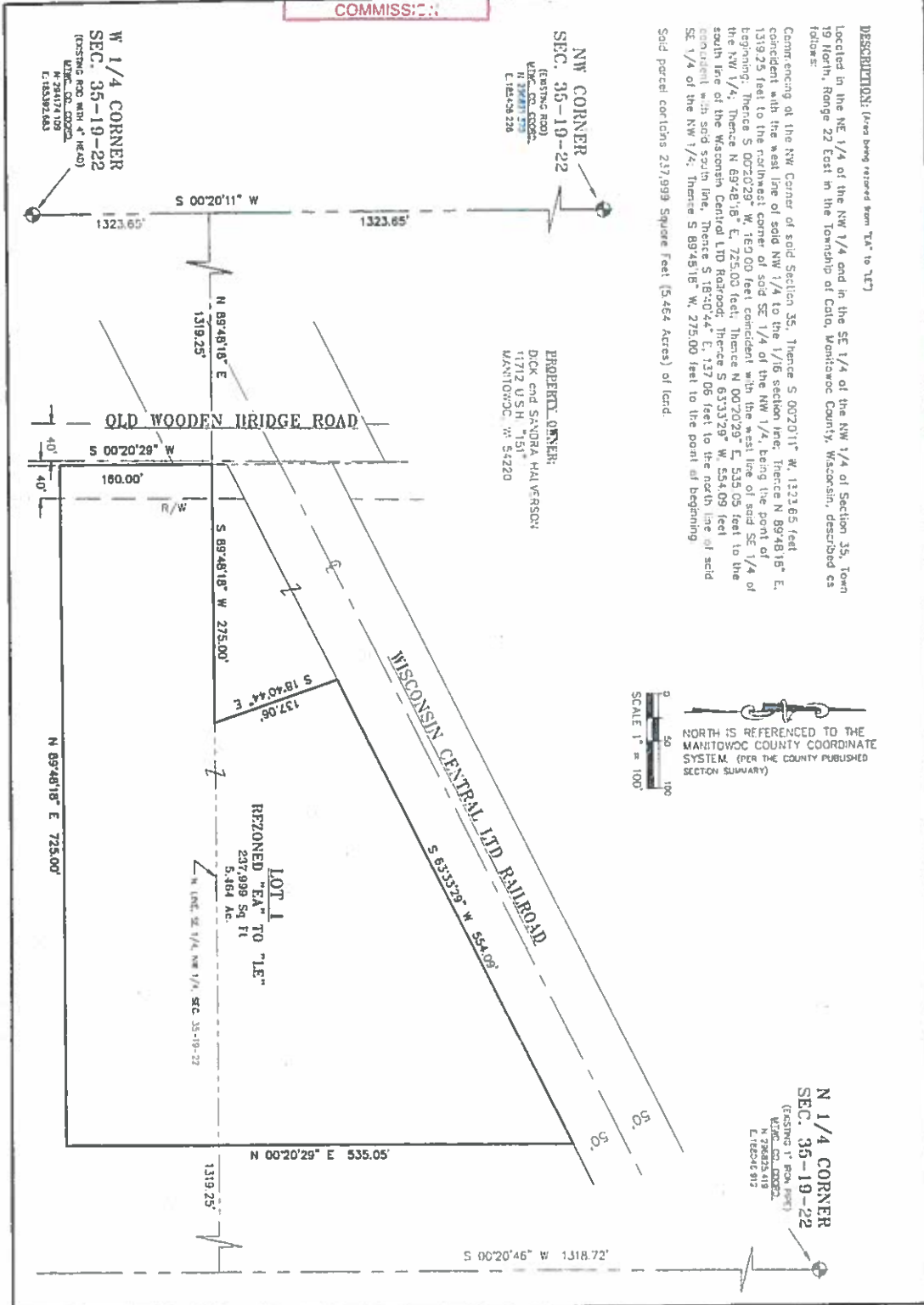


Legend

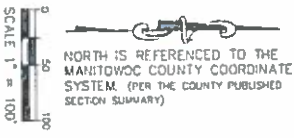
- Proposed Zoning
- Lot Line
- Water Way
- Section Line



MANITOWOC COUNTY
RECEIVED
FEB 07 2023
PLANNING & PARK
COMMISSION



DESCRIPTION: (Area being returned from "EA" to "LE")
located in the NE 1/4 of the NW 1/4 and in the SE 1/4 of the NW 1/4 of Section 35, Town 19 North, Range 22 East in the Township of Cato, Manitowoc County, Wisconsin, described as follows:
Commencing at the NW Corner of said Section 35, Thence S 00°20'11" W, 1323.65 feet coincident with the west line of said NW 1/4 to the 1/16 section line; Thence N 89°48'16" E, 1319.25 feet to the northwest corner of said SE 1/4 of the NW 1/4, being the point of beginning; Thence S 00°20'29" W, 160.00 feet coincident with the west line of said SE 1/4 of the NW 1/4; Thence N 69°48'18" E, 725.00 feet; Thence N 00°20'29" E, 535.05 feet to the south line of the Wisconsin Central LTD Railroad; Thence S 63°33'22" W, 554.09 feet perpendicular with said south line; Thence S 18°40'44" E, 137.06 feet to the north line of said SE 1/4 of the NW 1/4; Thence S 89°48'18" W, 275.00 feet to the point of beginning.
Said parcel contains 237,999 Square Feet (5.464 Acres) of land.



REZONE MAP

LOCATED IN THE NE 1/4 OF THE NW 1/4 AND SE 1/4 OF THE NW 1/4 OF SECTION 35, TOWN 19 NORTH, RANGE 22 EAST IN THE TOWNSHIP OF CATO, MANITOWOC COUNTY, WISCONSIN

FIELD WORK COMPLETION DATE:	02/06/2023
DRAWN BY:	JAD/BLB
JOB NO.:	S612023
CAD FILE:	090\19-22\35\BRIAN PETERSON BUILDERS
SCALE:	1" = 100'

BRIAN PETERSON BUILDERS
5510 C.T.H. Y
Whitelaw, WI 54247

Corner Point
1301 20th Street
Whitelaw, WI 54220
PH 920.622.8905

ORDINANCE AMENDING ZONING MAP
(Daniel and Jacqueline Downey)

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 27, 2023; and
3

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

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

11 A parcel of land in part of the Northwest Quarter (NW1/4) of the Northeast Quarter
12 (NE1/4) of Section One (1), Township Eighteen (18) North, Range Twenty-One (21) East, Town
13 of Eaton, Manitowoc County, Wisconsin, described as follows:
14

15 Commencing at the northeast corner of said Section 1; thence N89°-44'-53"W
16 along the north line of the NE1/4 of said Section 1, a distance of 1319.76 feet to the
17 east line of the NW1/4 of said NE1/4; thence S00°-29'-01"W along said east line,
18 a distance of 830.47 feet; thence N89°-44'-04"W 43.05 feet to the west right of way
19 line of Quarry Road and the point of real beginning; thence S00°-13'-56"W along
20 said west right of way line, a distance of 500.00 feet to the to the north line of
21 Certified Survey Map recorded in Volume 20 of Certified Survey Maps on Page
22 221 and Document No. 877943 of Manitowoc County records; thence N89°-
23 44'-04"W (recorded as S89°-50'-00"E) along said north line, a distance of 222.00
24 feet; thence N00°-13'-56"W 500.00 feet; thence S89°-44'-04"E 222.00 feet to the
25 point of real beginning, said parcel containing approximately 110,984 square feet
26 (2.55 acres) of land and is hereby rezoned from Exclusive Agriculture (EA) District
27 to Small Estate (SE) Residential District.

Dated this 21st day of March 2023.

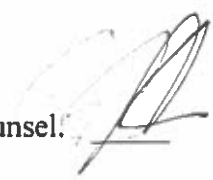
Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____ Date
Tyler Martell, County Board Chair

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS MARCH 21, 2023.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	DANIEL & JACQUELINE DOWNEY 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.

Daniel & Jacqueline Downey, on December 28, 2022, petitioned the Manitowoc County Board of Supervisors to rezone approximately 2.0 acres of land located in the NW1/4, NE1/4, Section 1, T18N-R21E, Town of Eaton, from EA, Exclusive Agriculture to SE, Small Estate.

The Town of Eaton adopted the Manitowoc County Zoning Ordinance on December 14, 2011. The uses permitted in SE, Small Estate zoning provides for mixed residential and agriculture activity with a minimum lot size of two acres.

1. Action taken to date on this request includes:

- a. Daniel & Jacqueline Downey petitioned for a zoning map amendment on December 28, 2022.
- 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 14, 2023 and on February 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 27, 2023.
- e. The Commission at their February 27, 2023 meeting recommended approval of a requested rezoning of approximately 2.0 acres of land located in the NW1/4, NE1/4, Section 1, T18N-R21E, Town of Eaton, 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. Mrs. Jacqueline Downey, property owner, spoke in favor of the request.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the EA, Exclusive Agriculture District.
2. The Eaton Town Board & Town Land Use Committee support the proposed zone change to SE, Small Estate.
3. Rezoning will allow for the construction of a single family home adjacent to an existing residential area.
4. Area to be rezoned is located in the southeast corner of the property along the road and is minimal in size.

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 Daniel & Jacqueline Downey to rezone approximately 2.0 acres of land from EA, Exclusive Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its February 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 2.0 acres of land located in the NW1/4, NE1/4, Section 1, T18N-R21E, Town of Eaton, 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 13, 2023

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

and

Manitowoc County Supervisor Catherine E. Wagner
Supervisory District 15

ATTN: Tim Ryan and Supervisor Wagner

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:

Daniel and Jacqueline Downey
1232 W. Upper Falls Road
Reedsville, WI 54230

Township:

Eaton

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County Planning and Park Commission

Fee (\$490) Received
Receipt # **40348**

ZONING MAP AMENDMENT APPLICATION

Date of Application:		OWNER / APPLICANT/ AGENT	
Owner	<u>Daniel and Jacqueline Downey</u>	Applicant/Agent	<u>-SAME-</u>
Address (1)	<u>1232 W. Upper Falls Rd.</u>	Address (1)	
Address (2)	<u>—</u>	Address (2)	
City/State/Zip	<u>Reedsville, WI</u>	City/State/Zip	
Phone	<u>920-901-6487 54230</u> <u>920-901-6687 (DW)</u>	Phone	

MANITOWOC COUNTY
RECEIVED

DEC 28 2022

PLANNING & PARK
COMMISSION

PROPERTY LEGAL DESCRIPTION	
<u>NW 1/4, NE 1/4, S 1 T 18 N R 21 E Town of Eaton</u>	
House /Fire #	Tax Number
<u>—</u> <u>not established yet</u>	<u>Part of Tax Parcel No:</u> <u>004-001-002-000.00</u>

PROPERTY INFORMATION	
Existing Zoning District	Proposed Zoning district
<u>EA</u>	<u>SE</u>
Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:	
<u>Please see air photo -</u>	
Proposed use: (Reason for change)	
<u>We are seeking rezoning to SE for a possible home build ;)</u>	

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185	<div style="text-align: right;"> <u>Daniel Downey</u> <u>12/27/20</u> Signature (applicant, owner, agent) Date </div> <div style="text-align: right; margin-top: 10px;"> <u>Jacqueline Downey</u> <u>12/27/2022</u> Signature (applicant, owner, agent) Date </div>
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MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Daniel & Jacqueline Downey
Address: 1232 W Upper Falls Rd
Reedsville WI 54230
Town: Eaton

PARCEL

Location: NW1/4, NE1/4 Section 1, T18N-R21E
Tax#: 004-001-002-000.00
Area: 2.0 acres

ACTION TO DATE

Petition Submitted: 12/28/2022
Town Action: Approved November 14, 2022
Hearing Notice Published: 2/14/2023 & 2/20/2023
Advisory: 2/27/2023
Hearing: 2/27/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland
South	LE	Residential
East	EA	Farmland
West	EA	Farmland/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

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: KnB, KnC2
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

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

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

Town Future Land Use Designation: Woodlands/Natural Areas

New residential development types shall conform to surrounding land uses. 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. Preserve as much of the rural landscape and woodlands and other natural features as possible.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

TOWN OF EATON

MANITOWOC COUNTY

316 W MAIN STREET

VALDERS, WI 54245

Richard Christel, Chairman; Joe Riesterer, Supervisor; Lewis Schema, Supervisor; Paulette Vogt, Clerk; Pamela Schneider, Treasurer

TOWN BOARD MEETING 11-14-2022

CALL TO ORDER: The meeting of the Town of Eaton was called to order by Chairman Rick Christel at 6:30 p.m., Monday, November 14, 2022 at the Eaton Town Hall. The Pledge Allegiance to the flag was recited by all.

MEETING NOTICES: Meeting notices were posted at the Eaton Town Hall, and the Town Website

ROLL CALL: Rick Christel, Chairman; Joe Riesterer, Supervisor, Lewy Schema, Supervisor, Paulette Vogt, Clerk, Pam Schneider, Treasurer, and Craig Zipperer, Road Superintendent were in attendance along with Randy Knier.

AGENDA: The agenda had been emailed previously. Supervisor Schema made a motion to accept the agenda, and Supervisor Riesterer 2nd the same, motion carried unanimously.

MINUTES: The minutes from the 10-10-22 board meeting had been emailed to the Board previously. Supervisor Riesterer made a motion to accept the minutes. Supervisor Schema 2nd the motion. Motion carried unanimously.

Minutes from the Special Budget Hearing on 11-2-2022 had been emailed to the Board previously. Supervisor Schema made a motion and Supervisor Riesterer 2nd the motion to approve the said minutes. Motion carried.

PUBLIC INPUT: As no person present wished to speak, Chairman Christel closed the public input.

ROAD SUPERINTENDENT: Road Superintendent Craig Zipperer reported on the many jobs he has been doing this month to also include getting the trucks ready for the winter months. Craig also stated that he had to work on Saturday to clean up a road that had debris on it. There was a discussion on what charges should be made for this work.

TREASURER'S REPORT: Treasurer Pam Schneider presented the cash flow report. A motion was made by Supervisor Schema to accept the treasurer's report and Supervisor Riesterer 2nd the same. Motion Carried unanimously.

CONSTABLE: No report. The Town will be looking for a new Constable as Constable Green has decided not to run for this position again. If someone would want to come forward and accept the job at this time, Constable Green would resign from this job before the April election.

ASSESSOR: No report.

CHAIRMAN REPORT:

DOWNEY REZONE: A motion was made by Supervisor Schema to accept the rezone recommended by the land use committee for the Downeys' to rezone 2 acres from A1 to A2. Supervisor Riesterer 2nd the motion. Motion carried.

JOSH LEMKE: A motion was made by Chairman Christel to approve the conditional use permit for replacing a hunting shed with a new cabin on Mr. Lemke's land. Chairman Christel will send a letter to the County regarding this permit. Supervisor Schema 2nd the same. Motion carried.

ST NAZIANZ FIRE DEPARTMENT CONTRACT: A motion was made by Supervisor Schema to approve the St. Nazianz Fire Department Contract. Supervisor Riesterer 2nd the same. Motion carried.

PHRAGMITIES: After some discussion, it was decided to table any action on the phragmities project.

UPDATE KURT SCHNEIDER ROAD DAMAGE: There is no update at this time.

WISCONSIN ELECTIONS GRANT: A motion was made by Chairman Christel to sign the Grant Application for the Elections Grant. Supervisor Riesterer 2nd the motion. Motion carried.

APPROVE AND PAY VOUCHERS: Supervisor Schema moved, seconded by Supervisor Riesterer to approve the vouchers as presented for the month of October. Upon vote, the motion carried unanimously.

MEETING REPORTS: The Clerk and Treasurer attended the meeting for the new live program being implemented by the County for tax collecting.

The Meeting held in St. Nazianz about the Ambulance was very well attended with much discussion.

MISCELLANEOUS UPDATES: Chairman Christel stated that the new building inspector is checking out building permits in the town.

There being no further discussion, Supervisor Schema made a motion to adjourn the meeting. Supervisor Riesterer 2nd the same. Motion carried unanimously.

Meeting adjourned at 7:25 p.m.

Respectfully submitted

Paulette Vogt, Town of Eaton Clerk

Michelle Haupt

From: christelclan@tds.net
Sent: Monday, February 13, 2023 8:32 AM
To: Michelle Haupt
Cc: Andrea Raymakers; Tim Ryan
Subject: Re: Rezone/Conditional Use in Eaton



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,

I guess we know that, and I believe Steve Schwoerer has the old forms from back in the early days of "land use" that he still uses. Sorry for the confusion. When he wrote his summary, he used what is on his forms. A1 and A2. I guess I need to update their grading or rating paperwork.

In summary from the towns point of view, we okayed the Downey's to build a house on the property. Our terminology is obviously wrong but our point of intention was to let them build a residence.

Sorry for the confusion. Let me know if you need more than this.

Rick Christel
Eaton Town Chairman
920-901-6081

----- Original Message -----

From: "Michelle Haupt" <michellehaupt@manitowoccountywi.gov>
To: "christelclan@tds.net" <christelclan@tds.net>
Cc: "Andrea Raymakers" <AndreaRaymakers@manitowoccountywi.gov>, "Tim Ryan" <TimRyan@manitowoccountywi.gov>
Sent: Friday, February 10, 2023 4:35:19 PM
Subject: FW: Rezone/Conditional Use in Eaton

Hi Rick,

Thank you for the information regarding the Downey rezone. I noticed that on the minutes for the Downey rezone it states they are going from A1 to A2. We do not have those zoning district titles any longer. Would it be possible to receive some correspondence that states the town approves the rezone from EA to SE.

Any questions please reach out to Andrea or Tim as I will be out of town next week.

Thank you,

Michelle Haupt
Administrative Assistant
Planning, Zoning & Parks Department

Manitowoc County
4319 Expo Drive, PO Box 935
Manitowoc, WI 54221-0935
Phone: (920) 683-4185
www.manitowoccountywi.gov

-----Original Message-----

From: Reed Gaedtke <ReedGaedtke@manitowoccountywi.gov>
Sent: Wednesday, November 16, 2022 11:21 AM
To: Tim Ryan <TimRyan@manitowoccountywi.gov>
Cc: Andrea Raymakers <AndreaRaymakers@manitowoccountywi.gov>; Michelle Haupt <michellehaupt@manitowoccountywi.gov>
Subject: FW: Rezone/Conditional Use in Eaton

FYI, letter from town for rezone.

Sincerely,

Reed Gaedtke
Code Administrator
Manitowoc County
Planning and Zoning Department
(920) 683-4185
ReedGaedtke@manitowoccountywi.gov

*Please note that my email address has changed.

-----Original Message-----

From: christelclan@tds.net <christelclan@tds.net>
Sent: Wednesday, November 16, 2022 11:20 AM
To: Reed Gaedtke <ReedGaedtke@manitowoccountywi.gov>
Subject: Rezone/Conditional Use in Eaton

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 Reed,

Monday night at our town board meeting we passed the rezone for Downey's and we also passed the conditional use for Josh Lemke.

The Rezone was passed unanimously by our land use committee and with the town board as well.

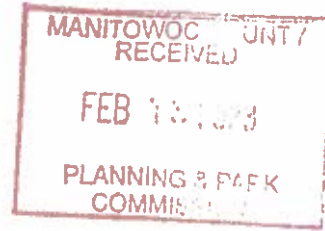
The Lemke conditional use was approved with no further contingencies by the board, unanimously.

See attached minutes.

Thanks,
Rick Christel
Town of Eaton Chairman
920-773-2535

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To: Town of Eaton Board

From: Steve Schwoerer, Chairman of Town of Eaton Plan Commission

Re: Recommendation of Dan and Jacqueline Downey property Zoning change

This is to inform the Town of Eaton Board that the Town of Eaton Planning Commission met regarding a request to re-zone 2 acres of property owned by Dan and Jacqueline Downey from A1 to A2 for the purpose of building a house on the 2 acre property.

The Plan Commission voted 3-0 in favor of recommending that this 2 acre property be re-zoned from A1 to A2.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Schwoerer". The signature is written in a cursive style.

Steve Schwoerer, Plan Commission Chairman



Daniel & Jacqueline
Downey
NW 1/4, NE 1/4
Section 1, T18N-R21E
Town of Eaton
From: EA To: SE
Approximately 2.02 acre(s)
-87.928, 44.063

Map Overview

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



Legend

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



Manitowoc County Parcel Viewer



Author: Public
Date Printed: 9/15/2022



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

Daniel & Jacqueline Downer

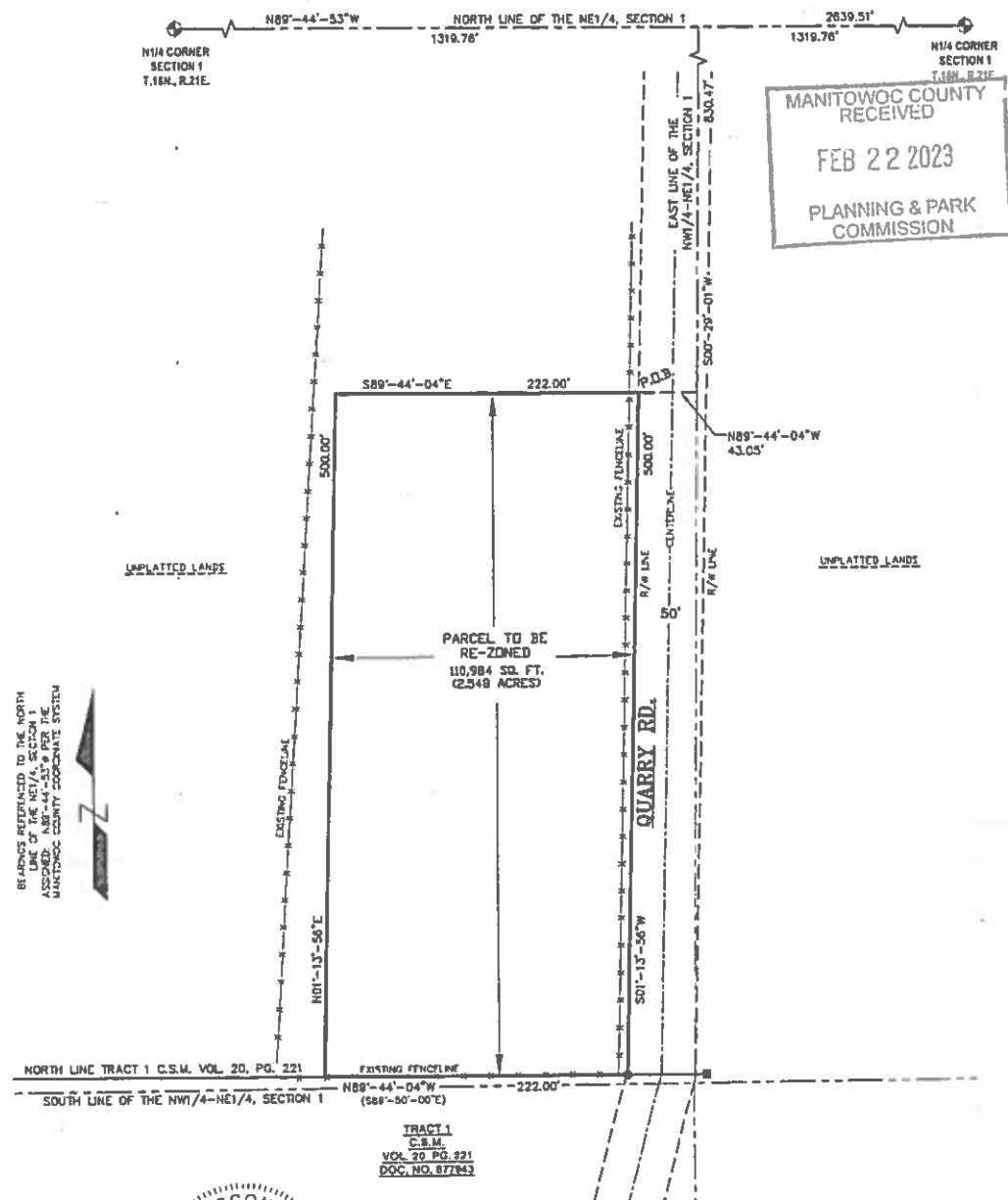
EXHIBIT MAP

FOR DANIEL AND JACQUELINE DOWNEY

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 OF THE NE1/4), SECTION 1, T.18N., R.21E., TOWN OF EATON, MANITOWOC COUNTY, WISCONSIN

A part of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section One (1), Township Eighteen (18) North, Range Twenty-One (21) East, Town of Eaton, Manitowoc County, Wisconsin containing 110,984 square feet (2.548 acres) of land and being described by:

Commencing at the northeast corner of said Section 1; thence N89°-44'-53"W along the north line of the NE1/4 of said Section 1, a distance of 1319.76 feet to the east line of the NW1/4 of said NE1/4; thence S00°-29'-01"W along said east line, a distance of 830.47 feet; thence N89°-44'-04"W 43.05 feet to the west right of way line of Quarry Road and the point of real beginning; thence S00°-13'-56"W along said west right of way line, a distance of 500.00 feet to the north line of Certified Survey Map recorded in Volume 20 of Certified Survey Maps on Page 221 and Document No. 877943 of Manitowoc County records; thence N89°-44'-04"W (recorded as S89°-50'-00"E) along said north line, a distance of 222.00 feet; thence N00°-13'-56"W 500.00 feet; thence S89°-44'-04"E 222.00 feet to the point of real beginning.



MANITOWOC COUNTY RECEIVED
FEB 22 2023
PLANNING & PARK COMMISSION

BEARINGS REFERENCED TO THE NORTH LINE OF THE NE1/4, SECTION 1 ASSIGNED: N89°-44'-53" & N89°-44'-04" FOR THE MANITOWOC COUNTY COORDINATE SYSTEM

WISCONSIN SURVEYOR
BRADLEY A. BUECHER, Professional Land Surveyor
of Bradsher Surveying, LLC, certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.
Dated this 22nd day of February 2023
Bradley A. Buecher, S-7613
WISCONSIN PROFESSIONAL LAND SURVEYOR
Bradley A. Buecher, S-7613

SURVEYED FOR:
DANIEL AND JACQUELINE DOWNEY
1232 W UPPER FALLS RD
REEDSVILLE, WI 54230

MERIDIAN SURVEYING, LLC
3020 Madison Street, Office: 920-643-0861
New Holston, WI 53061 Fax: 920-273-8037

LEGEND
 ● = MANITOWOC CO. P.L.S.S. COR.
 ○ = 1" IRON PIPE FOUND
 ⊕ = 1/2" IRON PIPE FOUND

DRAWN BY:	JD	FIELD WORK DATED:	X
CHECKED BY:	BB	FIELD BOOK:	X
JOB NO.:	14390	SHEET:	1 OF 1

ORDINANCE AMENDING ZONING MAP
(Mary Tisler et al.)

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 27, 2023; and
3

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

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

11 A parcel of land located in part of the Northwest 1/4 of the Southeast 1/4, Section 12,
12 T.20 N. - R. 21 E., Town of Maple Grove, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the East 1/4 Corner of Section 12; thence along the northerly line
15 of the SE 1/4 South 88°44'19" West 1,366.80 feet to a found Manitowoc County
16 Monument being the point of beginning; thence South 0°43'56" East 503.33 feet;
17 thence South 88°34'13" West 906.82 feet; thence North 0°08'35" East 508.26 feet;
18 thence North 88°52'31" East 899.03 feet to the point of beginning, said parcel
19 containing approximately 10.48 acres of land and is hereby rezoned from Exclusive
20 Agriculture (EA) District to General Agriculture (GA) District.

Dated this 21st day of March 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

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

Mary Tisler Et Al, on November 22, 2022, petitioned the Manitowoc County Board of Supervisors to rezone approximately 10.48 acres of land located in the NW1/4, SE1/4, Section 12, T20N-R21E, Town of Maple Grove, from EA, Exclusive Agriculture to GA, General Agriculture.

The Town of Maple Grove adopted the Manitowoc County Zoning Ordinance on December 12, 2011. The uses permitted in the GA, General Agriculture zoning provides for a rural area with a mixture of agriculture, low-density residential and rural commercial activity with a minimum lot size of 10.0 acres.

1. Action taken to date on this request includes:

- a. Mary Tisler Et Al petitioned for a zoning map amendment on November 22, 2022.
- 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 14, 2023 and on February 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 27, 2023.
- e. The Commission at their February 27, 2023 meeting recommended approval of a requested rezoning of approximately 10.48 acres of land located in the NW1/4, SE1/4, Section 12, T20N-R21E, Town of Maple Grove, from EA, Exclusive Agriculture to GA, General Agriculture.

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.

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 Maple Grove Town Board supports the proposed zone change to GA, General Agriculture.
3. The area is wooded and minimal 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 Mary Tisler Et Al to rezone approximately 10.48 acres of land from EA, Exclusive Agriculture to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its February 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 10.48 acres of land located in the NW1/4, SE1/4, Section 12, T20N-R21E, Town of Maple Grove, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to GA, General Agriculture.

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 13, 2023

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

and

Manitowoc County Supervisor Leo J. Naidl
Supervisory District 16

ATTN: Tim Ryan and Leo J. Naidl

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:

Mary Tisler et al
11530 CTH NN
Reedsville, WI 54230

Township:

Maple Grove

Name of Applicant/Agent

Steven Zeitler
7410 Hidden Valley Road
Maribel, WI 54227

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County Planning and Park Commission

Fee (\$490) Received [checked] Receipt # 40312

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY RECEIVED NOV 22 2011 PLANNING & PARK COMMISSION

Date of Application: OWNER / APPLICANT/ AGENT
Owner: Mary Tisler Et AL
Address (1): 11530 CTH NN
City/State/Zip: Reedsville, WI 54230
Applicant/Agent: Steven Zetter
Address (1): 710 Hidden Valley Rd
City/State/Zip: Maribel WI 54227
Phone: 920-863-8411

PROPERTY LEGAL DESCRIPTION
NW 1/4, SE 1/4, S 12 T 20 N R 21 E Town of Maple Grove
House /Fire # Tax Number Part of 011-012-014 000.00

PROPERTY INFORMATION
Existing Zoning District EA Proposed Zoning district GA
Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

See ATTACHED Psm.

Proposed use: (Reason for change)
ONE Family Member would Like TO Purchase Woodlot

Return to: Manitowoc County Planning and Park Commission
4319 Expo Drive, PO Box 935
Manitowoc, WI 54220-0935
(920) 683-4185
Mary Tisler Signature (applicant, owner, agent) Date
Donald B. Jursin Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Maple Grove from EA to GA)

PETITIONER

Name: Mary Tisler ET AL
Address: 11530 CTH NN
Reedsville, WI 54230
Town: Maple Grove

PARCEL

Location: NW1/4, SE1/4, Section 12, T20N-R21E
Tax#: 011-012-014-000.00
Area: 10.482 acres

ACTION TO DATE

Petition Submitted: 11/22/2022
Town Action: Approved January 9, 2023
Hearing Notice Published: 2/14/2023 & 2/20/2023
Advisory: 2/27/2023
Hearing: 2/27/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland/Wooded Residential
South	EA	Farmland
East	EA	Woodland
West	LE	Woodland/Residential

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Woodland
Proposed Zoning District: GA, General Agriculture
Proposed Use: Sell off woodlands to family member

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: Bu, HmB, HmC2, HrB, LmA, Pe
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well – poorly drained
Soil Limitations: Moderate / Severe – Percs Slowly
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Fenlon Road

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

Town Future Land Use Designation: Woodlands/Natural Area

Promotes the maintenance and preservation of the private woodlands and open spaces within the town. Future development in these areas should be done in a fashion which has the least impact to the natural environment and does not fragment large, contiguous areas of woodlands and open spaces. Preserve large natural areas and/or features to enhance and retain buffers between incompatible uses while maintaining scenic views of the town.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.



TOWN OF Maple Grove

REZONE REQUEST EVALUATION

Your Name: Steven Zeidler Land Owner's Name: Lorriigan Family
Address: 7410 Hidden Valley Rd Address: 10630 CTH NW Reedsville W.
Maribel, Wis 54227 54230
Phone: 920-857-4670 Phone: 920-864-2278

Total Acres in Parcel: 35 Number of Acres to be Rezoned: 10.4
Current Zoning: EA Proposed Zoning: GA

Location of Land: NW 1/4, SE 1/4, Section 12, T 20 N-R 21 E.

Land in Farmland Preservation (y/n)

Current Land Use: Part Farmland & Woodlot

Signatures of all abutting property owners: _____

Purpose of Rezoning:
(Please be specific, including immediate & long term plans)

We plan on selling off the farmland.
and retain the woodlot.

Other Comments: A family member would retain
the woodlot.

Your completed application should be returned to _____

and must contain the following:

This application page:

Aerial Photo: can be obtained from Google, Earth or Natural Resources Conservation Services (NCRS) at 4319 Expo Drive, Manitowoc.

A plat or hand drawn site plan: (measurements of land to be rezoned, location of buildings, driveways, roads, neighbors, environmental features).

COMMITTEE RECOMMENDATIONS

Name: _____

Date Request Received: _____ Fee Received: _____

Date Committee Met: _____

Committee Findings: (List the reasons why it is being recommended for approval – i.e. rocky, marginal farmland, marsh land, steep topography, etc)

Recommendation to the Town Board: _____

Town Board Decision: ^{motion and approved} Oked. To Remove 10.462 Acre.
from Parcel 0110120140000
Chairman Paul [Signature]



Mary Tisler et al
 NW 1/4, SE 1/4
 Section 12, T20N-R21E
 Town of Maple Grove

From: EA to: GA
 Approx. 10.482 acre(s)
 -87.931 44.218

Map Overview

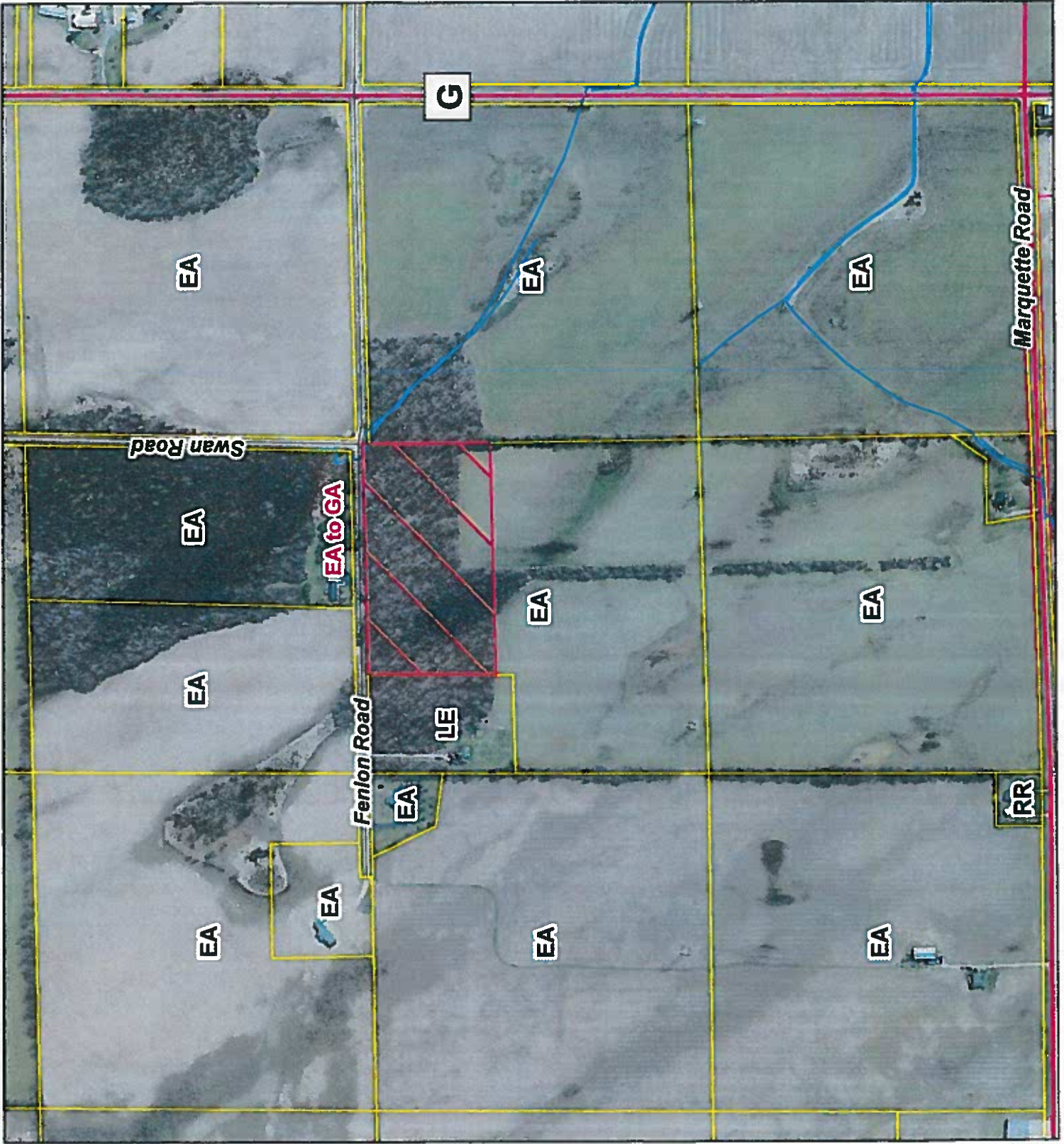
Maple Grove

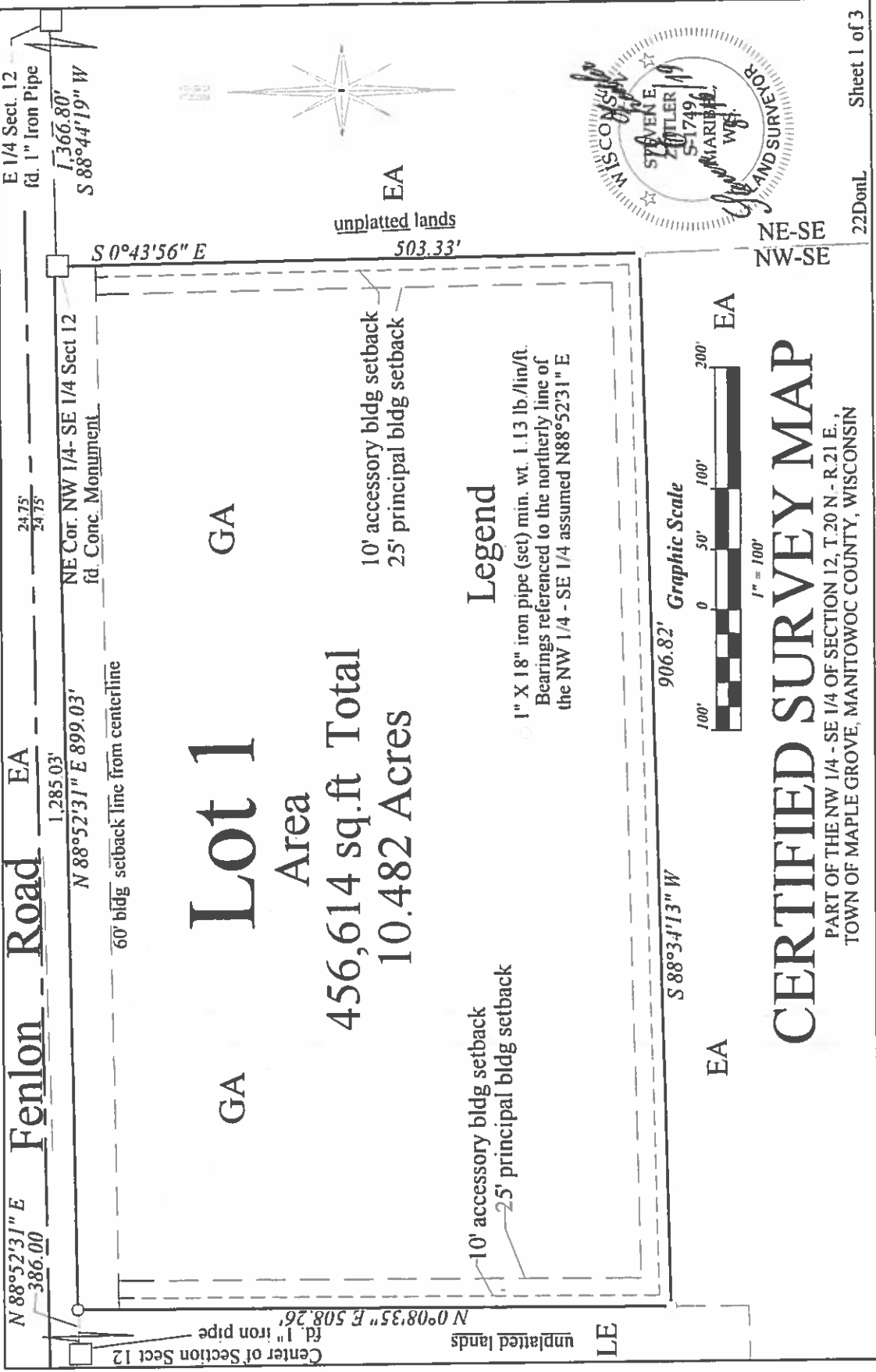
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



Legend

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





N 88°52'31" E
386.00'

Fenlon Road EA

24.75'

E 1/4 Sect. 12
fd. 1" Iron Pipe

1,285.03'

NE Cor. NW 1/4 - SE 1/4 Sect 12
fd. Conc. Monument

N 88°44'19" W
1,366.80'

60' bldg setback line from centerline

Center of Section Sect 12
fd. 1" iron pipe

S 0°43'56" E

GA
Lot 1
GA

Area
456,614 sq. ft Total
10.482 Acres

10' accessory bldg setback
25' principal bldg setback

unplatted lands
503.33'

EA

10' accessory bldg setback
25' principal bldg setback

Legend

○ 1" X 18" iron pipe (set) min. wt. 1.13 lb./lin./ft.
Bearings referenced to the northerly line of
the NW 1/4 - SE 1/4 assumed N88°52'31" E

unplatted lands
LE

S 88°34'13" W

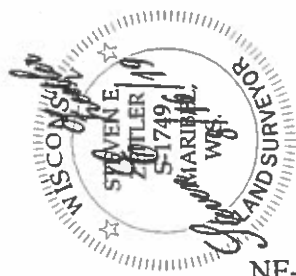
906.82'

Graphic Scale



CERTIFIED SURVEY MAP

PART OF THE NW 1/4 - SE 1/4 OF SECTION 12, T.20 N. - R.21 E.,
TOWN OF MAPLE GROVE, MANITOWOC COUNTY, WISCONSIN



NE-SE
NW-SE

22DonL

Sheet 1 of 3

CERTIFIED SURVEY MAP

PART OF THE NW 1/4 - SE 1/4 OF SECTION 12, T.20 N. - R. 21 E.,
TOWN OF MAPLE GROVE, MANITOWOC COUNTY, WISCONSIN

Surveyors Certificate:

I, Steven E. Zeitler, Professional Land Surveyor, do hereby certify that I have surveyed, divided, and mapped the land described hereon; that I have made such survey and map by the direction of the owners listed hereon; and that I have complied with the provisions of Chapter 236 Section 236.34 of the Wisconsin Statutes, the Town of Maple Grove, and the Manitowoc County Planning Commission in surveying, dividing and mapping the hereon described parcel of land and that the map hereon is a true and correct representation of the survey.

Steven E. Zeitler 8/16/19

Steven E. Zeitler RLS # 1749 Date



DESCRIPTION

Part of the Northwest 1/4 of the Southeast 1/4, Section 12, T.20 N. - R. 21 E.,
Town of Maple Grove, Manitowoc County, Wisconsin described as;

Commencing at the East 1/4 Corner of Section 12; thence along the
northerly line of the SE 1/4 Souh 88°44'19" West 1,366.80 feet to a found
Manitowoc County Monument being the point of beginning;

thence South 0°43'56" East 503.33 feet; thence South 88°34'13" West 906.82
feet; thence North 0°08'35" East 508.26 feet; thence North 88°52'31" East
899.03 feet to the point of beginning and containing 10.482 acres.

CERTIFIED SURVEY MAP

PART OF THE NW 1/4 - SE 1/4 OF SECTION 12, T.20 N - R.21 E.,
TOWN OF MAPLE GROVE, MANITOWOC COUNTY, WISCONSIN

OWNERS CERTIFICATE:

As Owner', we hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented hereon; We also certify that this Certified Survey Map is required to be submitted to the Town of Maple Grove, and the Manitowoc County Planning Commission, for approval or objection in accordance with current Land Subdivision Ordinances.

Donald B. Lorrigan

Mary Tisler - Individually

Joan O'Leary
(Mary Tisler- Attorney-in-fact)

Ann Willman
(Mary Tisler- Attorney-in-fact)

Diane Lorrigan f/k/a Diane Dirkman
(Mary Tisler- Attorney-in-fact)

Brady M Lorrigan
(Mary Tisler- Attorney-in-fact)

Thomas Lorrigan
(Mary Tisler- Attorney-in-fact)

Judith Eichhorst
(Mary Tisler- Attorney-in-fact)

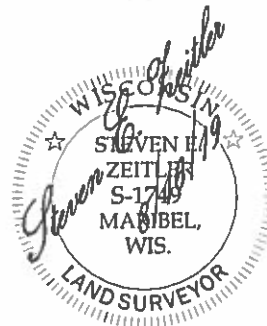
John Lorrigan
(Mary Tisler- Attorney-in-fact)

STATE OF WISCONSIN) ss
MANITOWOC COUNTY)

Personally came before me this _____ day of _____,
2022 the above named owners, to me known to be the persons
who executed the foregoing instrument and acknowledge the
same.

Notary Public

Steven E. Zeitler
My commission expires 1/14/26



ORDINANCE AMENDING ZONING MAP
(George and Angela Mueller)

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 27, 2023; and
3

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

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

11 A tract of land located in the NW¼ of the NW¼ of Section 2, T. 20 N., R. 24 E., Town of
12 Two Rivers, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the Northwest Corner of said Section 2; thence S 89°35'37" E along
15 the section line a distance of 775.62 feet to the point of real beginning; thence
16 continue S 89°35'37" E along said section line a distance of 548.22 feet; thence
17 S 00°10'33" E a distance of 438.17 feet; thence N 89°35'38" W a distance of 602.43
18 feet; thence N 07°54'02" E a distance of 381.41 feet to the southerly right of way
19 of CTH "V"; thence N 00°24'23" E a distance of 60.00 feet to the point of real
20 beginning, said tract containing approximately 5.76 acres or 250,584 square feet of
21 land more or less and is hereby rezoned from Exclusive Agriculture (EA) District
22 to Large Estate (LE) Residential District.

Dated this 21st day of March 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

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

George & Angela Mueller, on January 26, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 5.75 acres of land located in the NW1/4, NW1/4, Section 2, T20N-R24E, Town of Two Rivers, from EA, Exclusive Agriculture to LE, Large Estate.

The Town of Two Rivers adopted the Manitowoc County Zoning Ordinance on January 9, 2012. The uses permitted in the LE, Large Estate zoning provides areas for single-family residential and planned residential developments on large lots while allowing for agricultural activity in mostly rural areas of the county with a minimum lot size of 5.0 acres.

1. Action taken to date on this request includes:

- a. George & Angela Mueller petitioned for a zoning map amendment on January 26, 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 14, 2023 and on February 20, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on February 27, 2023.
- e. The Commission at their February 27, 2023 meeting recommended approval of a requested rezoning of approximately 5.75 acres of land located in the NW1/4, NW1/4, Section 2, T20N-R24E, Town of Two Rivers, from EA, Exclusive Agriculture to LE, Large Estate.

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

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Mr. & Mrs. George Mueller, owners, spoke in favor of the rezone.

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 Two Rivers Town Board supports the proposed zone change to LE, Large Estate.
3. The area is wooded and no farmland is affected by the proposed request.

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 George & Angela Mueller to rezone approximately 5.75 acres of land from EA, Exclusive Agriculture to LE, Large Estate were approved.

The Manitowoc County Planning and Park Commission, at its February 27, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 5.75 acres of land located in the NW1/4, NW1/4, Section 2, T20N-R24E, Town of Two Rivers, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to LE, Large 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 13, 2023

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

and

Manitowoc County Supervisor Denise J. Heller
Supervisory District 22

ATTN: Tim Ryan and Supervisor Heller

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:
George & Angela Mueller
2205 E CTH V
Mishicot, WI 54228

Township:
Two Rivers

Agent
James C. Belongia, PLS
1117 Philippen 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 (\$505) Received [checked] Receipt # 40374

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY RECEIVED JAN 26 2023 PLANNING & PARK COMMISSION

Date of Application: OWNER / APPLICANT/ AGENT
Owner: GEORGE + ANGELA MUELLER Applicant/Agent: JAMES C BELONGIA, PLS
Address (1): 2205 E CTH V Address (1): 117 PHILIPPIEN STREET
Address (2): - Address (2): -
City/State/Zip: MISAWCOT, WI, 54228 City/State/Zip: MANITOWOC, WI, 54220
Phone: 920-901-9462 Phone: 920-684-4237

PROPERTY LEGAL DESCRIPTION
NW 1/4, NW 1/4, S 2 T 20 N R 24 E Town of TWO RIVERS
House /Fire # N/A Tax Number 01810200600000

PROPERTY INFORMATION
Existing Zoning District EA Proposed Zoning district LE
Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:

[Empty space for air photo description]

Proposed use: (Reason for change)
WANT TO DEED LAND TO SON

Return to: Manitowoc County Planning and Park Commission
Signature (applicant, owner, agent) Date: James C Belongia 1-26-2023

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Two Rivers from EA to LE)

PETITIONER

Name: George & Angela Mueller
Address: 2205 E CTH V
Mishicot WI 54228
Town: Two Rivers

PARCEL

Location: NW1/4, NW1/4, Section 2, T20N-R24E
Tax#: 018-102-006-000.00
Area: 5.75 acres

ACTION TO DATE

Petition Submitted: 1/26/2023
Town Action: Approved February 13, 2023
Hearing Notice Published: 2/14/2023 & 2/20/2023
Advisory: 2/27/2023
Hearing: 2/27/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland
South	EA	Woodland/Farmland
East	EA	Woodland
West	EA	Farmland

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Woodland
Proposed Zoning District: LE, Large Estate
Proposed Use: Sell off wooded lot to son

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: McB
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Somewhat poorly drained
Soil Limitations: Severe – Percs Slowly
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: E CTH V

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

Town Future Land Use Designation: Woodlands/Natural Area

Encouraging the preservation of woodlands and valuable open spaces within the Town of Two Rivers. Benefits of preserving woodlands include maintaining/improving wildlife habitat and recreation opportunities, restoration of clean water resources, erosion prevention, etc. Woodlands should not be developed with great densities. Utilizing unique development options such as clustering can help maintain the continuity of woodlands. Preserve large natural areas and/or features to enhance and retain buffers between incompatible uses while maintaining scenic views of the town.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

TOWN OF TWO RIVERS
7650 C.T.H. "O"
TWO RIVERS, WI 54241

February 13th, 2023

Mr. Tim Ryan
Planning & Park Commission
Manitowoc County Planning and Zoning
P.O.Box 935
Manitowoc, WI 54221-0935

RE: REQUEST OF REZONING FOR SPLIT PARCEL
PROPERTY OWNER: GEORGE MUELLER
PARCEL: 018-102-006-000.00

Mr. Ryan:

Please be advised the Board of Supervisors of the Town of Two Rivers, has no objection to a change in the zoning for a 5.75 acre parcel as indicated on map to be split from full parcel currently owned by George Mueller from EA to LE. We understand that the balance of the acreage will remain as EA.

At the meeting of Town Supervisors held on February 13, 2023, after appearance by Mr. Mueller, reviewing the documentation and discussion, a motion was made, seconded and carried unanimously to support this rezoning application in the Town of Two Rivers and encourages the Planning and Zoning Board to approve and grant the rezoning also.

This letter serves as our record of support and approval for your files.

Thank you for your consideration in this matter.

Sincerely,



Bonnie Timm
Clerk/Treasurer



George & Angela Mueller
 NW 1/4, NW 1/4
 Section 2, T20N-R24E
 Town of Two Rivers
 From: EA To: LE
 Approximately 5.76 acre(s)
-87.596, 44.240

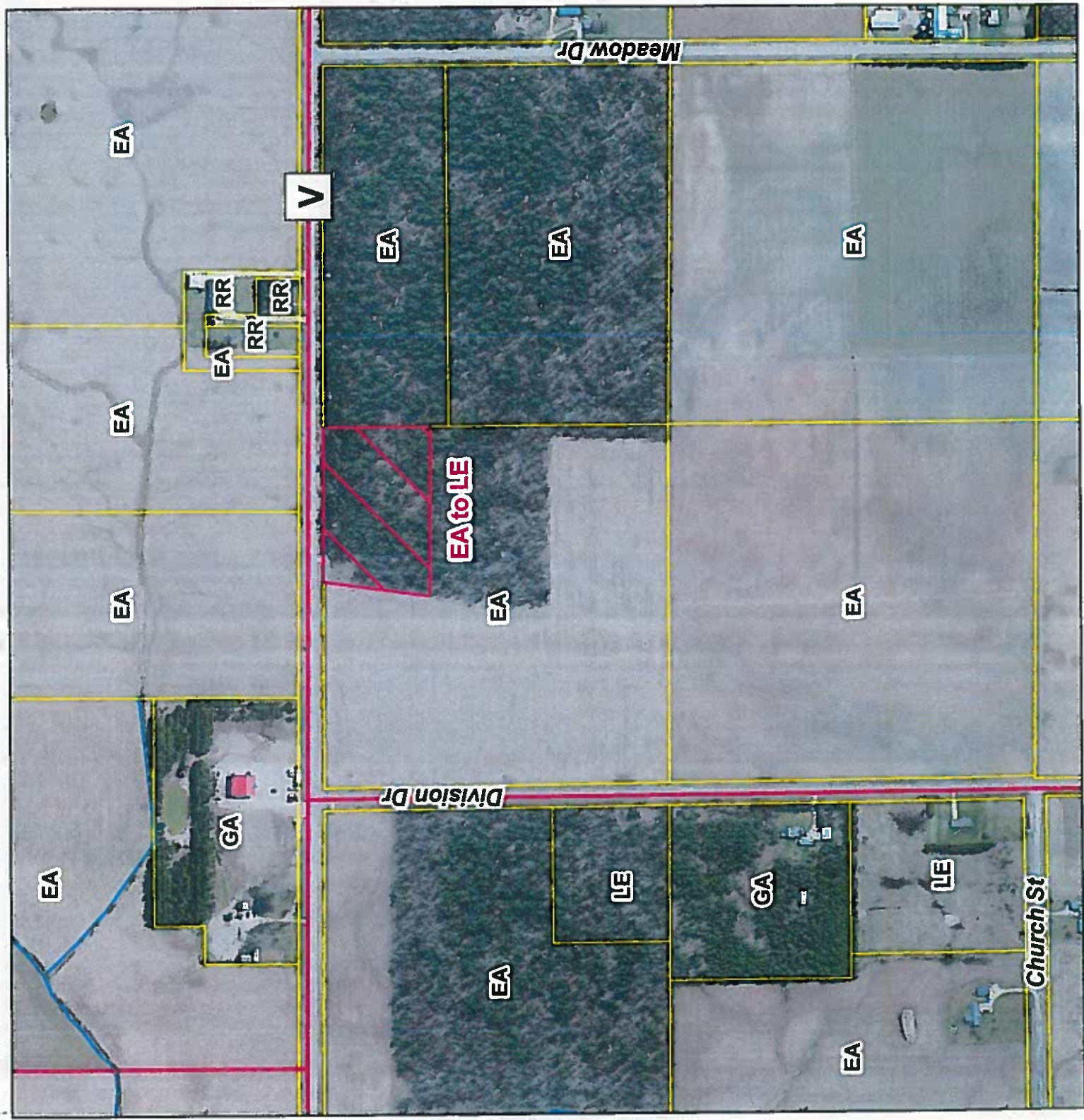
Map Overview

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



Legend

- Proposed Zone Change (Red hatched box)
- Section line (Red outline box)
- Zoning_lines (Purple line)
- Lot Line (Yellow line)
- Water Way (Blue line)



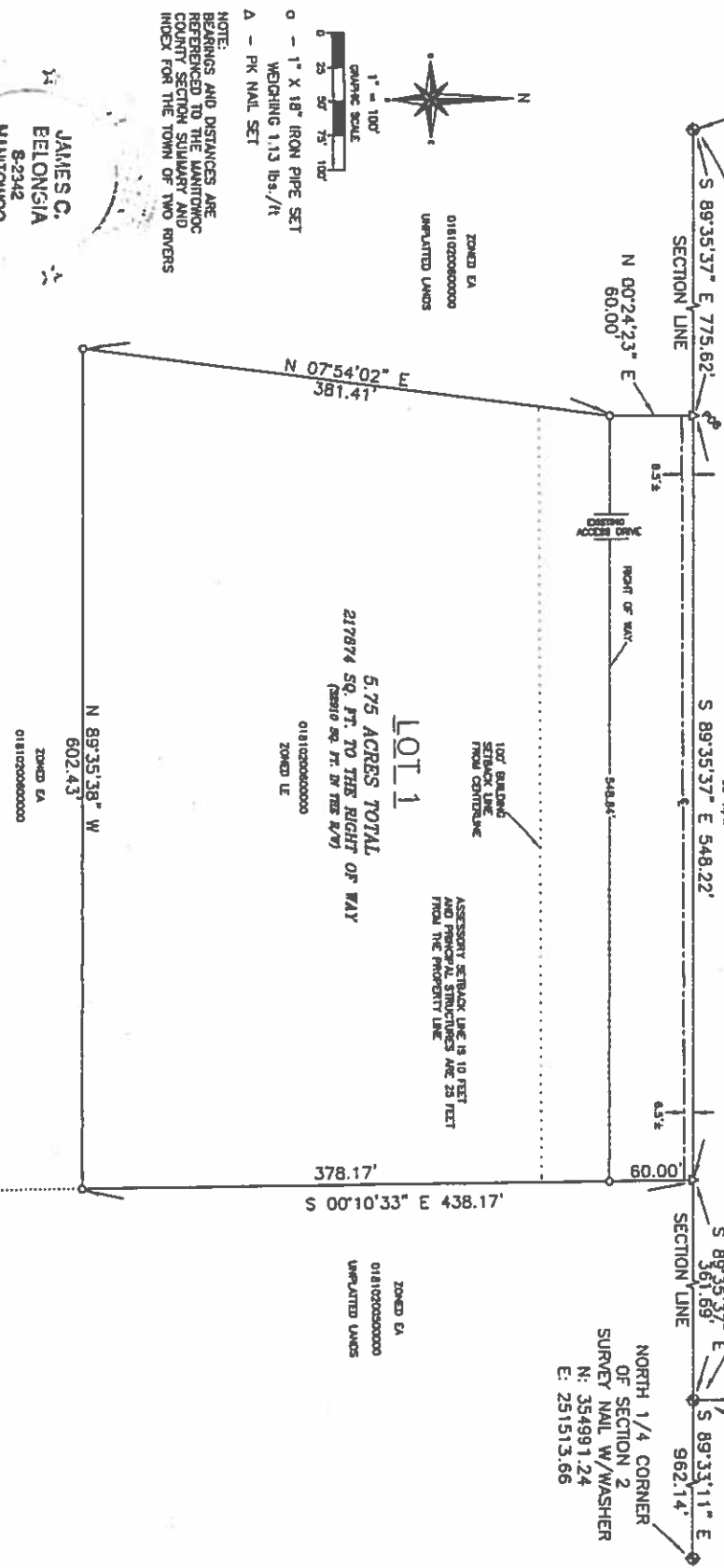
NORTHWEST CORNER
OF SECTION 2
2" IRON PIPE
WITH ALUMINUM CAP
N: 355010.70
E: 246866.06

CERTIFIED SURVEY MAP LOCATED IN THE NW 1/4 OF THE NW 1/4
OF SECTION 2, T. 20 N., R. 24 E, TOWN OF TWO RIVERS,
MANITOWOC COUNTY, WISCONSIN

S 89°35'37" E 1685.53'
CTH N
OF R/W

SOUTH 1/4 CORNER
OF SECTION 33
T. 21 N., R. 24 E.
EXISTING PK NAIL
N: 354998.75
E: 250551.55

NORTH 1/4 CORNER
OF SECTION 2
SURVEY NAIL W/WASHER
N: 354991.24
E: 251513.66



ZONED EA
0181020000000
UNPLATTED LANDS

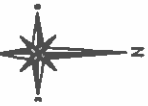
100' BUILDING
SETBACK LINE
FROM CENTERLINE

ASSESSMENT SETBACK LINE IS 10 FEET
AND PRINCIPAL STRUCTURES ARE 25 FEET
FROM THE PROPERTY LINE

5.75 ACRES TOTAL
217874 SQ. FT. TO THE RIGHT OF WAY
(20000 SQ. FT. OF TREE R/W)

ZONED LE
0181020000000

ZONED EA
0181020000000
UNPLATTED LANDS



- o - 1" X 18" IRON PIPE SET WEIGHING 1.13 lbs./ft
- Δ - PK NAIL SET

NOTE:
BEARINGS AND DISTANCES ARE
REFERENCED TO THE MANITOWOC
COUNTY SECTION SURVEY AND
INDEX FOR THE TOWN OF TWO RIVERS



Dated 12-8-2022

James C. Belongia, PLS S-2342

**RESOLUTION AUTHORIZING MANITOWOC COUNTY TO ENTER
INTO SETTLEMENT AGREEMENTS WITH TEVA
PHARMACEUTICAL INDUSTRIES LTD., ALLERGAN FINANCE, LLC,
WALGREEN CO., WALMART, INC., CVS HEALTH CORPORATION
AND CVS PHARMACY, INC., AGREEING TO THE TERMS OF THE
ADDENDUM TO THE MOU ALLOCATING SETTLEMENT PROCEEDS,
AND AUTHORIZING ENTRY INTO THE MOU WITH THE ATTORNEY
GENERAL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the county board of supervisors of the county of Manitowoc previously
2 authorized Manitowoc County to enter into an engagement agreement with von Briesen & Roper,
3 s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the “Law Firms”) to pursue
4 litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the
5 “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for
6 Manitowoc County’s expenditure of vast money and resources to combat the opioid epidemic; and
7

8 WHEREAS, on behalf of Manitowoc County, the Law Firms filed a lawsuit against the
9 Opioid Defendants; and
10

11 WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties
12 and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same
13 or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned
14 In re: Opioid Litigation, MDL 2804 (the “Litigation”); and
15

16 WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and
17 Walworth) hired separate counsel and joined the Litigation; and
18

19 WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with
20 counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and
21 Walworth Counties) to prepare Manitowoc County’s case for trial and engage in extensive
22 settlement discussions with the Opioid Defendants; and
23

24 WHEREAS, the settlement discussions with Teva Pharmaceutical Industries Ltd., Allergan
25 Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc.,
26 (the “Settling Defendants”) resulted in a tentative agreement as to settlement terms pending
27 agreement from Manitowoc County and other plaintiffs involved in the Litigation; and
28

29 WHEREAS, copies of the various settlement agreements relating to the Settling
30 Defendants (collectively “Settlement Agreements”) are available at
31 <https://nationalopioidsettlement.com> and the Subdivision and Special District Settlement
32 Participation Form is attached to this Resolution as *Exhibit A*; and
33

34 WHEREAS, an “Executive Summary of National Opioid Settlements” is attached to the
35 Resolution as *Exhibit B*; and
36

37 WHEREAS, the Settlement Agreements provide, among other things, for the payment of
38 certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the
39 occurrence of certain events detailed in the Settlement Agreements; and
40

41 WHEREAS, Manitowoc County is a Participating Subdivision in the Settlement
42 Agreements and has the opportunity to participate in the benefits associated with the Settlement
43 Agreement provided the County: (a) approves the Settlement Agreements; (b) approves the
44 Memorandum of Understanding allocating proceeds from the Settlement Agreements among the
45 various Wisconsin Participating Subdivisions as amended by the Addendum to Wisconsin Local
46 Government Memorandum of Understanding, a copy of which is attached to this Resolution as
47 *Exhibit C* (collectively the “Allocation MOU”); (c) approves the Memorandum of Understanding
48 with the Wisconsin Attorney General regarding allocation of settlement proceeds, a copy of which
49 is attached to this Resolution as *Exhibit D* (the “AG MOU”); and (d) the Legislature’s Joint
50 Committee on Finance approves the terms of the Settlement Agreements and the AG MOU; and
51

52 WHEREAS, the Law Firms previously engaged in extensive discussions with counsel for
53 all other Wisconsin Participating Subdivisions resulting in the Allocation MOU, which is an
54 agreement between all of the entities identified in the Allocation MOU as to how the proceeds
55 payable to those entities under the Settlement Agreements will be allocated; and
56

57 WHEREAS, the proposed Addendum to Wisconsin Local Government Memorandum of
58 Understanding (“Addendum”) provides for allocation of settlement proceeds among the Wisconsin
59 Participating Subdivisions according to the same percentages as that provided in the previously-
60 approved Allocation MOU allocating the settlement proceeds of the settlements involving
61 McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson &
62 Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen
63 Pharmaceutica, Inc.; and
64

65 WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes
66 relating to the settlement of all or part of the Litigation; and
67

68 WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature’s Joint Committee on
69 Finance is required to approve the Settlement Agreements and the AG MOU; and
70

71 WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or
72 part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the
73 Litigation and 30% to the State; and
74

75 WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides the proceeds from the Settlement
76 Agreement must be deposited in a segregated account (the “Opioid Abatement Account”) and may
77 be expended only for approved uses for opioid abatement as provided in the Settlement
78 Agreements; and
79

80 WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government
81 against the Opioid Defendants filed after June 1, 2021; and

82
83 WHEREAS, the definition of Participating Subdivisions in the Settlement Agreements
84 recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a result,
85 the only Participating Subdivisions in Wisconsin are those counties and municipalities that were
86 parties to the Litigation (or otherwise actively litigating a claim against one, some, or all of the
87 Opioid Defendants) as of June 1, 2021; and

88
89 WHEREAS, the Legislature’s Joint Committee on Finance is not statutorily authorized or
90 required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin
91 Participating Subdivisions; and

92
93 WHEREAS, Manitowoc County, by this Resolution, shall deposit the proceeds of the
94 Settlement Agreements consistent with the terms of this Resolution and Wis. Stat. § 165.12(4)(b);
95 and

96
97 WHEREAS, pursuant to Manitowoc County’s engagement agreement with the Law Firms,
98 the County shall pay up to an amount equal to 25% of the proceeds from successful resolution of
99 all or part of the Litigation, whether through settlement or otherwise, plus the Law Firms’ costs
100 and disbursements, to the Law Firms as compensation for the Law Firms’ efforts in the Litigation
101 and any settlement; and

102
103 WHEREAS, the Law Firms anticipate making application to the national fee fund
104 established in the Settlement Agreements seeking payment, in whole or part, of the fees, costs, and
105 disbursements owed the Law Firms pursuant to the engagement agreement with Manitowoc
106 County; and

107
108 WHEREAS, it is anticipated the amount of any award from the fee fund established in the
109 Settlement Agreements will be insufficient to satisfy Manitowoc County’s obligations under the
110 engagement agreement with the Law Firms; and

111
112 WHEREAS, Manitowoc County, by this Resolution, and pursuant to the authority granted
113 the County in the applicable Order emanating from the Litigation in relation to the Settlement
114 Agreements and payment of attorney fees, shall authorize and direct the escrow agent responsible
115 for the receipt and distribution of the proceeds from the Settlement Agreements to establish an
116 account for the purpose of segregating funds to pay the fees, costs, and disbursements of the Law
117 Firms owed by Manitowoc County (the “Attorney Fees Account”) in order to fund a local
118 “backstop” for payment of the fees, costs, and disbursements of the Law Firms; and

119
120 WHEREAS, in no event shall payments to the Law Firms out of the Attorney Fees Account
121 and the fee fund established in the Settlement Agreements exceed an amount equal to 25% of the
122 amounts allocated to Manitowoc County in the Addendum; and

124 WHEREAS, the intent of this Resolution is to authorize Manitowoc County to enter into
125 the Settlement Agreements, the Addendum, and the AG MOU, establish the County's Opioid
126 Abatement Account, and establish the Attorney Fees Account; and
127

128 WHEREAS, Manitowoc County, by this Resolution, shall authorize the County's
129 corporation counsel to finalize and execute any escrow agreement and other document or
130 agreement necessary to effectuate the Settlement Agreements and the other agreements referenced
131 herein;
132

133 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
134 county of Manitowoc hereby approves:
135

136 1. The execution of the Settlement Agreements and any and all documents ancillary
137 thereto and authorizes the corporation counsel or designee to execute same.
138

139 2. The final negotiation and execution of the Addendum in form substantially similar
140 to that presented with this Resolution and any and all documents ancillary thereto and authorizes
141 the corporation counsel or designee to execute same upon finalization provided the percentage
142 share identified as allocated to Manitowoc County is substantially similar to that identified in the
143 Addendum provided to the Board with this Resolution.
144

145 3. The final negotiation and execution of the AG MOU in form substantially similar
146 to that presented with this Resolution and any and all documents ancillary thereto and authorizes
147 the corporation counsel or designee to execute same.
148

149 4. The execution by the corporation counsel or designee of any additional documents
150 or agreements for the receipt and disbursement of the proceeds of the Settlement Agreements as
151 referenced in the Addendum.
152

153 and
154

155 BE IT FURTHER RESOLVED all proceeds from the Settlement Agreements not
156 otherwise directed to the Attorney Fees Account shall be deposited in Manitowoc County's Opioid
157 Abatement Account. The Opioid Abatement Account shall be administered consistent with the
158 terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements; and
159

160 BE IT FURTHER RESOLVED Manitowoc County hereby authorizes the establishment of
161 an account separate and distinct from any account containing funds allocated or allocable to the
162 County which shall be referred to by Manitowoc County as the "Attorney Fees Account." An
163 escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to
164 20% of Manitowoc County's proceeds from the Settlement Agreements into the Attorney Fees
165 Account. If the payments to Manitowoc County are not enough to fully fund the Attorney Fees
166 Account as provided herein because such payments are made over time, the Attorney Fees Account
167 shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds
168 from the Settlement Agreements attributable to Local Governments (as that term is defined in the
169 Allocation MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees

170 Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant
171 to the engagement agreement between Manitowoc County and the Law Firms provided, however,
172 the Law Firms shall receive no more than that to which they are entitled under their fee contract
173 when considering the amounts paid the Law Firms from the fee fund established in the Settlement
174 Agreements and allocable to Manitowoc County. The Law Firms may make application for
175 payment from the Attorney Fees Account at any time and Manitowoc County shall cooperate with
176 the Law Firms in executing any documents necessary for the escrow agent to make payments out
177 of the Attorney Fees Account; and

178
179 BE IT FURTHER RESOLVED that all actions heretofore taken by the board of supervisors
180 of the county of Manitowoc and other appropriate public officers and agents of Manitowoc County
181 with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and
182 approved.


Dated this 21st day of March 2023.

Respectfully submitted by the
Executive Committee

Tyler Martell, Chair

FISCAL IMPACT: Undeterminable. Under the terms of the agreements resolved herein,
Manitowoc County is to receive approximately \$2,525,462 less an unknown
amount in attorneys' fees.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

EXHIBIT K
Subdivision and Special District Settlement Participation Form

Will your subdivision or special district be signing the settlement participation forms for the Allergan and Teva Settlements at this time?

Yes No

Governmental Entity: Manitowoc County	State: WI
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Allergan Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Allergan Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Allergan Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Allergan Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Allergan Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within fourteen (14) days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the MDL Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Allergan Settlement pertaining to Subdivisions and Special Districts as defined therein.
5. By agreeing to the terms of the Allergan Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Allergan Settlement solely for the purposes provided therein.



7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Allergan Settlement.
8. The Governmental Entity has the right to enforce the Allergan Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Allergan Settlement, including, but not limited to, all provisions of **Section V (Release)**, and along with all departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Allergan Settlement are intended to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Allergan Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Allergan Settlement.
11. In connection with the releases provided for in the Allergan Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Allergan Settlement.

12. Nothing herein is intended to modify in any way the terms of the Allergan Settlement, to which the Governmental Entity hereby agrees. To the extent this Settlement Participation Form is interpreted differently from the Allergan Settlement in any respect, the Allergan Settlement controls.



I have all necessary power and authorization to execute this Settlement Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



Exhibit K
Subdivision and Special District Settlement Participation Form

Governmental Entity: Manitowoc County	State: WI
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 ("*Teva Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Teva Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Teva Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Teva Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Teva Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Teva Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Teva Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Teva Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Teva Settlement.



8. The Governmental Entity has the right to enforce the Teva Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Teva Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Teva Settlement are intended by Released Entities and the Governmental Entity to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Teva Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Teva Settlement.
11. In connection with the releases provided for in the Teva Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Teva Settlement.

12. Nothing herein is intended to modify in any way the terms of the Teva Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Teva Settlement in any respect, the Teva Settlement controls.



I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K

Subdivision Participation and Release Form

Will your subdivision or special district be signing the settlement participation form for the CVS Settlement at this time?

Yes No

Governmental Entity: Manitowoc County	State: WI
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 ("*CVS Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the CVS Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the CVS Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the CVS Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the CVS Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the CVS Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the CVS Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the CVS Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the CVS Settlement.
7. The Governmental Entity has the right to enforce the CVS Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the CVS Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the CVS Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The CVS Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the CVS Settlement.
10. In connection with the releases provided for in the CVS Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the CVS Settlement.



11. Nothing herein is intended to modify in any way the terms of the CVS Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the CVS Settlement in any respect, the CVS Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K

Subdivision Participation and Release Form

Will your subdivision or special district be signing the settlement participation form for the Walgreens Settlement at this time?

Yes No

Governmental Entity: Manitowoc County	State: WI
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 (“*Walgreens Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Walgreens Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walgreens Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Walgreens Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the Walgreens Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Walgreens Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walgreens Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walgreens Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Walgreens Settlement.
7. The Governmental Entity has the right to enforce the Walgreens Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walgreens Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walgreens Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walgreens Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Walgreens Settlement.
10. In connection with the releases provided for in the Walgreens Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walgreens Settlement.



11. Nothing herein is intended to modify in any way the terms of the Walgreens Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Walgreens Settlement in any respect, the Walgreens Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K

Subdivision Participation Form

Will your subdivision or special district be signing the settlement participation form for the Walmart Settlement at this time?

Yes No

Governmental Entity: Manitowoc County	State: WI
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“Governmental Entity”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated November 14, 2022 (“Walmart Settlement”), and acting through the undersigned authorized official, hereby elects to participate in the Walmart Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walmart Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Walmart Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event within 14 days of the Effective Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioiddsettlement.com/>.
3. The Governmental Entity agrees to the terms of the Walmart Settlement pertaining to Subdivisions as defined therein.
4. By agreeing to the terms of the Walmart Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walmart Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walmart Settlement.
7. The Governmental Entity has the right to enforce the Walmart Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walmart Settlement, including but not limited to all provisions of Section X (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walmart Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walmart Settlement shall be a complete bar to any Released Claim.
9. In connection with the releases provided for in the Walmart Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walmart Settlement.

10. Nothing herein is intended to modify in any way the terms of the Walmart Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Walmart Settlement in any respect, the Walmart Settlement controls.



I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



Executive Summary of National Opioid Settlements

[2.03.2023. Subject to ongoing corrections and updates]

In 2021, nationwide settlements were reached to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors—McKesson, Cardinal Health, and AmerisourceBergen (“Distributors”)—and against manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”). These “2021 National Settlements” have been finalized, and payments have already begun. In all, the Distributors will pay up to \$21 billion over 18 years, and J&J will pay up to an additional \$5 billion over no more than nine years.

In late 2022, agreements were announced with three pharmacy chains—CVS, Walgreens, and Walmart—and two additional manufacturers—Allergan and Teva. In January 2023, each of those pharmacy chains and manufacturers confirmed that a sufficient number of states had agreed to the settlements to move forward. As with the 2021 National Settlements, states and local governments that want to participate in the 2022 National Settlements now will have the opportunity to “opt in.” The greater the level of subdivision participation, the more funds will ultimately be paid out for abatement. Assuming maximum participation, the 2022 National Settlements require:

- Teva to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or \$240 million of cash in lieu of product, as each state may elect;
- Allergan to pay up to \$2.02 billion over 7 years;
- CVS to pay up to \$4.90 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years;
and
- Walmart to pay up to \$2.74 billion in 2023, and all payments to be made within 6 years.

(These figures include amounts attributable to prior settlements between the Defendants and certain states/subdivisions and amounts for attorneys’ fees and costs.)



Under both the 2021 and 2022 National Settlements, at least 85% of the funds going directly to participating states and subdivisions must be used for abatement of the opioid epidemic, with the overwhelming bulk of the proceeds restricted to funding future abatement efforts by state and local governments.

In addition to providing billions of dollars for abatement, the settlements also impose changes in the way the settling defendants conduct their business. For example:

- The Distributors will create a groundbreaking clearinghouse through which they will be required to account not only for their own shipments, but also the shipments of the other distributors, in order to detect, stop, and report suspicious opioids orders;
- J&J (which ceased marketing Opioids in 2015 and ceased selling Opioids in 2020) will not market or sell any opioid products in the next ten years and has agreed to cease lobbying concerning prescription opioids for ten years;
- Teva and Allergan have agreed to strict limitations on their marketing, promotion, sale, and distribution of opioids, including a ban on: (1) promotion and lobbying; (2) rewarding or disciplining employees based on volume of opioid sales; and (3) funding or grants to third parties; and
- Walmart, CVS, and Walgreens are required to implement changes in how they handle opioids, including requirements addressing their compliance structures, pharmacist judgment, diversion prevention, suspicious order monitoring, and reporting on red-flag processes, as well as blocked and potentially problematic prescribers.

The 2021 and 2022 National Settlements are the culmination of many years of intense negotiations among representatives of the State Attorneys General, the court-appointed Plaintiffs' Executive Committee and Negotiation Committee, which are comprised of lawyers in the National Prescription Opiate MDL who represent subdivisions, and counsel to the Settling Defendants. These negotiations were facilitated by Judge Dan Polster (who oversees the federal MDL litigation), by the Special Masters appointed by the MDL Court, and by experienced, neutral mediators.

The agreements do not settle or release any claims brought by Tribes or by private parties, including private individuals, private hospitals, or private third-party payers.

Additional information, including answers to FAQs, can be found at nationalopioidsettlement.com/news (<https://nationalopioidsettlement.com/news>).

[HOME \(/\)](#) [NEWS \(https://nationalopioidsettlement.com/news/\)](https://nationalopioidsettlement.com/news/)

[RISKS & ASSUMPTIONS \(https://nationalopioidsettlement.com/risks-assumptions/\)](https://nationalopioidsettlement.com/risks-assumptions/)

[MDL ORDERS \(/mdl-orders/\)](/mdl-orders/) [TRIBAL SETTLEMENTS \(https://www.tribalopioidsettlements.com\)](https://www.tribalopioidsettlements.com)

**ADDENDUM TO WISCONSIN LOCAL GOVERNMENT
MEMORANDUM OF UNDERSTANDING**

WHEREAS, local governments entered into the Wisconsin Local Government Memorandum of Understanding, a copy of which is attached hereto and incorporated herein as *Exhibit I* (the “MOU”), for purposes of memorializing their agreement surrounding, among other things, allocation of the proceeds of the settlements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho- McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.;

WHEREAS, settlement discussions with Walgreens, Walmart, CVS, Teva, and Allergan resulted in tentative agreements as to settlement terms (“Settlement Agreements”) pending agreement from the State of Wisconsin, the Local Governments (as that term is defined in the MOU), and other parties involved in the Litigation (as that term is defined in the MOU); and

WHEREAS, the Local Governments intend this Addendum to Wisconsin Local Government Memorandum of Understanding (“Addendum”) to effectuate the terms of the Settlement Agreements and allocate the proceeds of the Settlement Agreements to each of the Local Governments in the same manner and same percentages as set forth in the MOU and Exhibit A thereto.

NOW, THEREFORE, the Local Governments enter into this Addendum upon the terms described herein.

1. The Local Governments ratify, confirm and agree in all respects to the MOU. By this Addendum, the Local Governments agree that any and all proceeds of the Settlement Agreements defined herein shall be distributed, allocated and otherwise disposed of in the same manner as set forth in the MOU and Exhibit A thereto.
2. Nothing in this MOU is intended to alter or change any Local Government’s right to pursue its own claim. Rather, the intent of this MOU is to provide a mechanism for the receipt and expenditure of Opioid Funds.
3. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

[Signatures on Following Page]



IN WITNESS WHEREOF, the parties hereby execute this Addendum as of the date set forth below.

ON BEHALF OF THE LOCAL GOVERNMENTS:

Adams County
Printed: _____

Date: _____

Ashland County
Printed: _____

Date: _____

Barron County
Printed: _____

Date: _____

Bayfield County
Printed: _____

Date: _____

Brown County
Printed: _____

Date: _____

Buffalo County
Printed: _____

Date: _____

Burnett County
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Date: _____

Calumet County
Printed: _____

Date: _____

Chippewa County
Printed: _____

Date: _____

Clark County
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Date: _____

Columbia County
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Crawford County
Printed: _____

Date: _____

Dane County
Printed: _____

Date: _____

Dodge County
Printed: _____

Date: _____

Door County
Printed: _____

Date: _____

Douglas County
Printed: _____

Superior, City of
Printed: _____

Date: _____

Dunn County
Printed: _____

Date: _____

Eau Claire County
Printed: _____

Date: _____

Florence County
Printed: _____

Date: _____

Fond Du Lac County
Printed: _____

Date: _____

Forest County
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Date: _____

Grant County
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Date: _____

Green County
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Date: _____

Green Lake County
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Date: _____

Iowa County
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Iron County
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Date: _____

Jackson County
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Date: _____

Jefferson County
Printed: _____

Date: _____

Juneau County
Printed: _____

Date: _____

Kenosha County
Printed: _____

Date: _____

Kenosha, City of
Printed: _____

Date: _____

Pleasant Prairie, City of
Printed: _____

Date: _____

Kewaunee County
Printed: _____

Date: _____

La Crosse County
Printed: _____

Date: _____

Lafayette County
Printed: _____

Date: _____

Langlade County
Printed: _____

Date: _____

Lincoln County
Printed: _____

Date: _____

Manitowoc County
Printed: _____

Date: _____

Marathon County
Printed: _____

Date: _____

Marinette County
Printed: _____

Date: _____

Marinette, City of
Printed: _____

Date: _____

Marquette County
Printed: _____

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Menominee County
Printed: _____

Date: _____

Milwaukee County
Printed: _____

Date: _____

Cudahy, City of
Printed: _____

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Franklin, City of
Printed: _____

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Greenfield, City of
Printed: _____

Date: _____

Milwaukee, City of
Printed: _____

Date: _____

Oak Creek, City of
Printed: _____

Date: _____

South Milwaukee, City of
Printed: _____

Date: _____

Wauwatosa, City of
Printed: _____

Date: _____

West Allis, City of
Printed: _____

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Monroe County
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Oconto County
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Oneida County
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Outagamie County
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Ozaukee County
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Pepin County
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Pierce County
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Portage County
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Price County
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Date: _____

Racine County
Printed: _____

Date: _____

Mount Pleasant, City of
Printed: _____

Date: _____

Sturtevant, City of
Printed: _____

Date: _____

Union Grove, City of
Printed: _____

Date: _____

Yorkville Town
Printed: _____

Date: _____

Richland County
Printed: _____

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Rock County
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Rusk County
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Sauk County
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Sawyer County
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Shawano County
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Sheboygan County
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St. Croix County
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Taylor County
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Trempealeau County
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Vernon County
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Vilas County
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Walworth County
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Date: _____

Washburn County
Printed: _____

Date: _____

Washington County
Printed: _____

Date: _____

Waukesha County
Printed: _____

Date: _____

Waupaca County
Printed: _____

Date: _____

Waushara County
Printed: _____

Date: _____

Winnebago County
Printed: _____

Date: _____

Wood County
Printed: _____

Date: _____

Exhibit I

WISCONSIN LOCAL GOVERNMENT MEMORANDUM OF UNDERSTANDING

WHEREAS, the people of the State of Wisconsin (“State”) and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic, including but not limited to those persons or entities identified as Defendants in the matter captioned *In re: Opioid Litigation*, MDL 2804 pending in the United States District Court for the Northern District of Ohio (“Litigation”);

WHEREAS, certain Wisconsin local governments identified on the attached Exhibit A (“Local Governments”), through their counsel, are separately engaged in litigation and settlement discussions seeking to hold the Defendants in the Litigation accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

WHEREAS, the Local Governments share a common desire to abate and alleviate the impacts of the misfeasance, nonfeasance and malfeasance described above throughout the State of Wisconsin and in its local communities;

WHEREAS, the settlement discussions with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (“Settling Defendants”) resulted in a tentative agreement as to settlement terms (“Settlement Agreements”) pending agreement from the State of Wisconsin, the Local Governments and other plaintiffs involved in the Litigation;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the occurrence of certain events detailed in the Settlement Agreements;

WHEREAS, while the Local Governments recognize that the sums which may be available from the aforementioned litigation will likely be insufficient to fully abate the public health crisis caused by the Opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort; and

WHEREAS, the Local Governments intend this Local Government Memorandum of Understanding (“MOU”) to effectuate the terms of the Settlement Agreements and allocate the proceeds of the Settlement Agreements to each of the Local Governments in percentages substantially similar to those identified on the attached Exhibit A.

NOW, THEREFORE, the Local Governments enter into this MOU upon the terms described herein.

1. The Local Governments shall in good faith cooperate and negotiate with the State to identify an appropriate escrow agent (“Escrow Agent”) and, thereafter, prepare an Escrow Agreement relating to the receipt and distribution of the proceeds payable to

Funds”) consistent with the terms of the MOU between the State and the Local Governments and otherwise consistent with this MOU. The Escrow Agreement shall govern the Escrow Agent’s receipt and distribution of all Opioid Funds.

2. The Escrow Agreement shall authorize the escrow agent to establish an account separate and distinct from any account containing funds allocated or allocable to a Local Government which shall be referred to herein as the “Attorney Fees Account.” Pursuant to Wis. Stat. § 165.12(6) a sum up to but in no event exceeding an amount equal to 20% of the total proceeds from the Settlement Agreements attributable to Local Governments shall be deposited into the Attorney Fees Account. If the payments from a single year are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of each payment. A minimum of 80% of the Settlement proceeds attributable to Local Governments shall be paid to each Local Government’s segregated Opioid Abatement Account, which may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements and supporting Memorandums of Understanding. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements of counsel to a Local Government. The Attorney Fees Account shall be further split and attributed among the Local Governments according to the allocation percentages set forth on Exhibit A and counsel shall make application, and receive payment, only on the allocations within the Attorney Fees Account attributable to its clients. The parties shall cooperate in the appointment of a Special Master in the event of any disputes. Any amounts paid counsel from the national fee fund established in the Settlement Agreements and allocable to the Local Government will be deducted from the Attorneys’ Fees Account so that no counsel to the Local Government may recover more than their fee contract with the Local Government. Any excess amounts remaining in the Attorney Fee Fund after funds have been allocated and paid to counsel shall revert back to the Local Governments and the escrow agent shall allocate such sums to Local Governments based on the allocation set forth on Exhibit A, which assigns each Local Government a percentage share. Counsel may make application for payment from the Attorney Fees Account at any time and the Local Governments shall cooperate with counsel in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.
3. Opioid Funds shall not be considered funds of the Local Government unless and until such time as an allocation is made to the Local Government following funding of the Attorney Fees Account as provided in Paragraphs 2 above.
4. The Escrow Agreement shall allocate Opioid Funds as follows: (i) 30% to the State of Wisconsin (“State Share”); (ii) 56% to Local Governments (“LG Share”); and (iii) 14% to the Attorney Fees Account.
5. The LG Share shall be paid to each Local Government by the Escrow Agent based on the allocation created and agreed to by the Local Governments and attached hereto as Exhibit A, which assigns each Local Government a percentage share of the LG Share.

6. Nothing in this MOU is intended to alter or change any Local Government's right to pursue its own claim. Rather, the intent of this MOU is to provide a mechanism for the receipt and expenditure of Opioid Funds.
7. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

IN WITNESS WHEREOF, the parties hereby execute this MOU as of the date set forth below.

ON BEHALF OF THE LOCAL GOVERNMENTS:

Adams County
Printed: _____ Date: _____

Ashland County
Printed: _____ Date: _____

Barron County
Printed: _____ Date: _____

Bayfield County
Printed: _____ Date: _____

Brown County
Printed: _____ Date: _____

Buffalo County
Printed: _____ Date: _____

Burnett County
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Calumet County
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Chippewa County
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Date: _____

Clark County
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Date: _____

Columbia County
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Date: _____

Crawford County
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Dane County
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Dodge County
Printed: _____

Date: _____

Door County
Printed: _____

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Douglas County
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Superior, City of
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Dunn County
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Eau Claire County
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Florence County
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Fond Du Lac County
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Juneau County
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Kenosha County
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Kenosha, City of
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Pleasant Prairie, City of
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Kewaunee County
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La Crosse County
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Lafayette County
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Marathon County
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Marinette County
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Menominee County
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Milwaukee County
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Franklin, City of
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Greenfield, City of
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Milwaukee, City of
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Oak Creek, City of
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South Milwaukee, City of
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Wauwatosa, City of
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West Allis, City of
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Monroe County
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Oconto County
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Oneida County
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Outagamie County
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Ozaukee County
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Pierce County
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Polk County
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Portage County
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Price County
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Racine County
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Mount Pleasant, City of
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Sturtevant, City of
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Union Grove, City of
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Yorkville Town
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Richland County
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Rock County
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Sheboygan County
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St. Croix County
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Vernon County
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Vilas County
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Walworth County
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Washburn County
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Washington County
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Waukesha County
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Waupaca County
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Waushara County
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Winnebago County
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Wood County
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Date: _____

EXHIBIT A

Allocation of Proceeds Among the Local Governments

The following chart is agreed upon by and between the Local Governments identified below as representing the allocation of proceeds from the Settlement Agreements following (a) allocation to the Local Governments; and (b) allocation to the Attorney Fee Fund. The Local Governments shall cooperate with one another and the State in the negotiation and execution of an Escrow Agreement to effectuate the terms of the State-Local Government MOU, the Local Government MOU and the allocation set forth below. **The dollar figures below are estimates based upon full participation and qualification under the Settlement Agreements. The figures will be calculated consistent with the Settlement Agreements.**

Estimated Full Participation Total Cash Value to Wisconsin (Big 3 + J&J)	\$ 402,168,925.80
Local Government Percentage	70%
Estimated Amount to Local Government	\$ 281,518,248.06

Local Government Type	Wisconsin Litigating Local Government	Allocation Percentage	Estimated Amount to Litigating LG
County	Adams County	0.327%	\$ 920,857.75
County	Ashland County	0.225%	\$ 632,683.94
County	Barron County	0.478%	\$ 1,344,657.56
County	Bayfield County	0.124%	\$ 348,803.41
County	Brown County	2.900%	\$ 8,164,847.97
County	Buffalo County	0.126%	\$ 354,625.52
County	Burnett County	0.224%	\$ 629,898.53
County	Calumet County	0.386%	\$ 1,085,573.38
County	Chippewa County	0.696%	\$ 1,960,377.77
County	Clark County	0.261%	\$ 735,869.43
County	Columbia County	1.076%	\$ 3,027,919.34
County	Crawford County	0.195%	\$ 549,582.65
County	Dane County	8.248%	\$ 23,220,547.57
County	Dodge County	1.302%	\$ 3,665,587.68
County	Door County	0.282%	\$ 794,488.51
County	Douglas County	0.554%	\$ 1,559,112.49
City	Superior	0.089%	\$ 250,362.65
County	Dunn County	0.442%	\$ 1,245,283.66
County	Eau Claire County	1.177%	\$ 3,314,731.87

County	Florence County	0.053%	\$ 149,825.25
County	Fond Du Lac County	1.196%	\$ 3,367,738.26
County	Forest County	0.127%	\$ 356,238.12
County	Grant County	0.498%	\$ 1,400,826.32
County	Green County	0.466%	\$ 1,313,012.89
County	Green Lake County	0.280%	\$ 788,436.02
County	Iowa County	0.279%	\$ 784,771.02
County	Iron County	0.061%	\$ 172,904.29
County	Jackson County	0.236%	\$ 663,323.35
County	Jefferson County	1.051%	\$ 2,959,875.98
County	Juneau County	0.438%	\$ 1,232,571.35
County	Kenosha County	3.712%	\$ 10,448,562.62
City	Kenosha	0.484%	\$ 1,362,915.84
City	Pleasant Prairie	0.059%	\$ 166,668.88
County	Kewaunee County	0.156%	\$ 439,004.32
County	La Crosse County	1.649%	\$ 4,641,001.59
County	Lafayette County	0.134%	\$ 378,207.19
County	Langlade County	0.312%	\$ 879,642.19
County	Lincoln County	0.350%	\$ 984,084.26
County	Manitowoc County	1.403%	\$ 3,948,777.09
County	Marathon County	1.259%	\$ 3,543,763.04
County	Marinette County	0.503%	\$ 1,416,659.12
City	Marinette	0.032%	\$ 90,081.84
County	Marquette County	0.246%	\$ 693,899.93
County	Menominee County	0.080%	\$ 224,716.94
County	Milwaukee County	25.220%	\$ 71,000,000.00
City	Cudahy	0.087%	\$ 243,615.24
City	Franklin	0.155%	\$ 434,997.99
City	Greenfield	0.163%	\$ 458,534.05
City	Milwaukee	7.815%	\$ 22,000,000.00
City	Oak Creek	0.166%	\$ 466,459.26
City	South Milwaukee	0.096%	\$ 269,776.41
City	Wauwatosa	0.309%	\$ 870,694.67
City	West Allis	0.378%	\$ 1,064,393.09
County	Monroe County	0.655%	\$ 1,844,626.56
County	Oconto County	0.336%	\$ 945,758.82
County	Oneida County	0.526%	\$ 1,481,854.26
County	Outagamie County	1.836%	\$ 5,168,112.55
County	Ozaukee County	1.036%	\$ 2,915,812.19

Exhibit A – Local Government MOU

County	Pepin County	0.055%	\$ 155,731.14
County	Pierce County	0.387%	\$ 1,090,097.04
County	Portage County	0.729%	\$ 2,051,646.77
County	Price County	0.149%	\$ 418,982.95
County	Racine County	3.208%	\$ 9,032,259.53
City	Mount Pleasant	0.117%	\$ 328,726.36
City	Sturtevant	0.018%	\$ 51,024.75
City	Union Grove	0.007%	\$ 20,391.93
City	Yorkville Town	0.002%	\$ 5,789.19
County	Richland County	0.218%	\$ 613,039.53
County	Rock County	2.947%	\$ 8,296,997.44
County	Rusk County	0.159%	\$ 446,480.93
County	Sauk County	1.226%	\$ 3,452,494.04
County	Sawyer County	0.258%	\$ 726,277.60
County	Shawano County	0.418%	\$ 1,177,533.50
County	Sheboygan County	1.410%	\$ 3,968,065.47
County	St Croix County	0.829%	\$ 2,334,940.90
County	Taylor County	0.159%	\$ 446,606.58
County	Trempealeau County	0.320%	\$ 900,061.49
County	Vernon County	0.322%	\$ 907,265.83
County	Vilas County	0.468%	\$ 1,317,892.57
County	Walworth County	1.573%	\$ 4,428,578.12
County	Washburn County	0.185%	\$ 520,869.98
County	Washington County	1.991%	\$ 5,606,362.93
County	Waukesha County	6.035%	\$ 16,990,548.02
County	Waupaca County	0.606%	\$ 1,706,110.45
County	Waushara County	0.231%	\$ 649,836.14
County	Winnebago County	2.176%	\$ 6,126,478.97
County	Wood County	0.842%	\$ 2,369,203.43

Exhibit A – Local Government MOU

**WISCONSIN STATE-LOCAL GOVERNMENT MEMORANDUM OF
UNDERSTANDING FOR THE ALLOCATION OF
OPIOID SETTLEMENT PROCEEDS**

WHEREAS, the State of Wisconsin (“State”), its communities, and their people have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic, specifically related to the covered conduct by Defendants *In re: Opioid Litigation*, MDL 2804 pending in the United States District Court for the Northern District of Ohio (“Litigation”);

WHEREAS, certain Wisconsin local governments identified on the attached Exhibit A (“Local Governments”), through their counsel, and the State of Wisconsin, through its Attorney General, are separately engaged in investigations, litigation, and settlement discussions seeking to hold the Defendants in the Litigation accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

WHEREAS, the State of Wisconsin and the Local Governments share a common desire to abate and alleviate the impacts of the misfeasance, nonfeasance and malfeasance described above throughout the State of Wisconsin and in its local communities;

WHEREAS, the settlement discussions with Walgreens, Walmart, CVS, Teva, and Allergan (“Settling Defendants”) resulted in tentative agreements as to settlement terms (“Settlement Agreements”) pending agreement from the State of Wisconsin, the Local Governments and other parties involved in the Litigation;

WHEREAS, while the Local Governments and the State recognize that the sums which may be available from the aforementioned Settlement Agreements will likely be insufficient to fully abate the public health crisis caused by the Opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort;

WHEREAS, the State of Wisconsin enacted Wis. Stat. § 165.12 which provides for an allocation of opioid settlement proceeds;

WHEREAS, the State and the Local Governments intend this Memorandum of Understanding (“MOU”) to effectuate the terms of future Settlement Agreements arising out of the Litigation in a manner consistent with Wis. Stat. § 165.12(2); and

WHEREAS, this MOU does *not* supersede or alter any previously agreed upon MOU between the State and Local Governments related to the Litigation.

NOW, THEREFORE, the State and the Local Governments, enter into this MOU upon the terms described herein.

1. As used in this MOU, the term “Opioid Settlement Proceeds” shall mean all funds allocated by a Settlement Agreement (“Settlement Payments”) to the State or Local



Governments for purposes of opioid remediation activities, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies. "Opioid Settlement Proceeds" do not include the "Additional Restitution Amount" (also known as additional remediation, or any other fund, proceed, or amount paid to States who did not utilize outside counsel), reimbursement of the United States Government, or separate funds identified in Settlement Agreements as direct or indirect compensation for a Party's litigation fees, expenses, and/or costs.

2. The Settlement Administrator shall directly distribute the Opioid Settlement Proceeds to the State and to Local Governments in such proportions and for such uses as set forth in this MOU.
3. Opioid Settlement Proceeds shall be allocated as follows: (i) 30% to the State of Wisconsin ("State Share"); and (ii) 70% to Local Governments ("LG Share"). Opioid Settlement Proceeds shall not be considered funds of the State or any Local Government unless and until such time as each annual distribution is made.
4. 100% of the "Additional Restitution Amount" shall be paid to the State and deposited with the Department of Health Services.
5. Except for Opioid Settlement Funds expended in payment of attorney fees as provided in Wis. Stat. § 165.12(6), all Opioid Settlement Proceeds, regardless of allocation, and the entire "Additional Restitution Amount," shall, consistent with Wis. Stat. § 165.12(3) and (4), and except as provided in Wis. Stat. § 165.12(5), be utilized only for purposes identified as approved uses for abatement in a Settlement Agreement.
6. If any portion of the LG Share is used for the payment of owed attorney fees as authorized under Wis. Stat. § 165.12(6), the Local Governments shall report to the Attorney General and the Joint Committee on Finance the amount of the payment(s) and provide the contract(s) under which the attorney fees are purportedly owed.

Notwithstanding any limitations or characterization of funds herein to the contrary, any payments for attorneys' fees and expenses may only be paid for out of the owing Local Governments' share.

7. The parties agree to comply with the terms of the Settlement Agreements, including but not limited to (a) a requirement that a certain percentage of the Settlement Payment be spent on remediation, and (b) that at least 70% of a Settlement Payment be used solely for future Opioid Remediation as defined by the Settlement Agreements.
8. The LG Share shall be paid to each Local Government by the Settlement Administrator based on the allocation created and agreed to by the Local Governments which assigns each Local Government a percentage share of the LG Share, less any applicable attorney fees as authorized under Wis. Stat. § 165.12(6) and referenced above.

9. Nothing in this MOU is intended to alter or change any Local Government's right to pursue its own claim. Rather, the intent of this MOU is to provide a mechanism for the receipt and expenditure of Opioid Settlement Proceeds. Notwithstanding the foregoing, only Local Governments who are Participating Subdivisions under a Settlement Agreement, and who agree to the terms of this MOU may directly receive Opioid Settlement Proceeds.
10. Notwithstanding any limitations or characterization of funds herein to the contrary, any payments for Local Government attorney's fees and expenses may be applied only to the LG Share or any Local Government share of the LG Share. The State shall have no responsibility for payment of attorneys' fees or litigation expenses.
11. The parties understand that the United States may claim a portion of the Opioid Settlement Proceeds for Medicaid reimbursement. The parties agree that, to the extent a claim for Medicaid reimbursement is made, the parties shall bear the liability for the reimbursement on a pro rata basis based upon the particular claims made by the United States related to the Medicaid reimbursement. The parties agree to meet, confer, and cooperate in good faith concerning the allocation of any such liability.
12. The Attorney General may extend this MOU to apply to future settlements with other entities who engage in or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic, specifically related to the covered conduct by Defendants in the Litigation. To exercise this option, the Attorney General shall send written notice to counsel for the Local Governments. The Local Governments shall have 30 days from the date of the notice to express in writing any objection(s) to the extension of the MOU to the settlement(s). If any Local Government objects to the extension of the MOU to the settlement(s), it shall not be extended.

Notice to the Local Governments shall be sent via regular U.S. Mail or email to:

Andrew Phillips
Attolles Law, s.c.
222 E. Erie Street
Suite 210
Milwaukee, WI 53202
aphillips@attolles.com

Erin Dickinson
Crueger Dickinson LLC
4532 N. Oakland Ave.
Milwaukee, WI 53211
ekd@cruegerdickinson.com

Burton LeBlanc
2600 CitiPlace Drive
Suite 400
Baton Rouge, LA 70809
bleblanc@baronbudd.com

Shayna Sacks
360 Lexington Avenue
Eleventh Floor
New York, NY 10017
ssacks@napolilaw.com

Christopher Smith
von Briesen & Roper, s.c.
411 E. Wisconsin Ave.
Suite 1000
Milwaukee, WI 53202
christopher.smith@vonbriesen.com

Steven Nelson
von Briesen & Roper, s.c.
411 E. Wisconsin Ave.
Suite 1000
Milwaukee, WI 53202
steven.nelson@vonbriesen.com

Any objection(s) by a Local Government shall be sent via regular U.S. Mail or email to:

Laura E. McFarlane
Assistant Attorney General
Wisconsin Department of Justice
17 W. Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857
mcfarlanele@doj.state.wi.us

and

R. Duane Harlow
Assistant Attorney General
Wisconsin Department of Justice
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857
harlowrd@doj.state.wi.us

13. This MOU may be executed in counterparts. Electronic signatures shall in all respects be considered valid and binding.

[Signatures on Following Page]

**RESOLUTION ACCEPTING \$11,000 DONATION FOR MANITOWOC
COUNTY AIRPORT GROUND POWER UNIT AND ELECTRICAL
WORK**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Airport has the need for a ground power unit to better
2 serve customers; and

3
4 WHEREAS, a ground power unit is used to supply power to aircraft while they are on the
5 ground; and

6
7 WHEREAS, the cost of purchasing and installing a ground power unit at the airport is
8 \$11,000.00; and

9
10 WHEREAS, Tom Bare has offered to donate the \$11,000.00 necessary to supply the airport
11 with the ground power unit; and

12
13 WHEREAS, after careful consideration and review, the Manitowoc County Highway
14 Committee recommends that the county of Manitowoc accept the donation from Tom Bare to
15 purchase and install a ground power unit for the airport;

16
17 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
18 county of Manitowoc accepts the donation in the amount of \$11,000.00 from Tom Bare to purchase
19 and install a ground power unit for the Manitowoc County Airport; and

20
21 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the
22 2023 budget are amended by the amount of the donation and that the Finance Director is directed
23 to record such information in the official books of the county for the year ending December 31,
24 2023 as may be required; and

25
26 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors wishes
27 to acknowledge and thank Tom Bare for his generous donation.

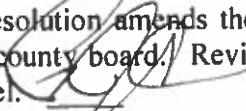
Dated this 21st day of March 2023.

Respectfully submitted by the
Highway Committee

Kevin Behnke, Chair

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

**RESOLUTION ACCEPTING 2023 COPS ANTI-HEROIN GRANT AND
COPS ANTI-METHAMPHETAMINE GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Justice has allocated funds for local
2 multi-jurisdictional drug task forces for reimbursement of overtime hours associated with the
3 development and investigation of narcotics cases that target the illicit trafficking of heroin
4 (Anti-Heroin Grant) or the manufacture and distribution of methamphetamine
5 (Anti-Methamphetamine Grant); and
6

7 WHEREAS, the Manitowoc County Sheriff's Office has been awarded a 2023 COPS
8 Anti-Heroin Grant in the amount of \$15,000 and a COPS Anti-Methamphetamine Grant in the
9 amount of \$7,500; and
10

11 WHEREAS, after careful consideration and review, the Public Safety Committee
12 recommends Manitowoc County accept the COPS Anti-Heroin Grant and the COPS
13 Anti-Methamphetamine Grant as awarded from the Wisconsin Department of Justice;
14

15 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
16 county of Manitowoc hereby accepts the COPS Anti-Heroin Grant in the amount of \$15,000 and
17 the COPS Anti-Methamphetamine Grant in the amount of \$7,500 from the Wisconsin Department
18 of Justice; and
19

20 BE IT FURTHER RESOLVED the Manitowoc County Sheriff is authorized to execute
21 such papers and to take other action as necessary to accept the grant, direct, and complete the
22 project; and
23

24 BE IT FURTHER RESOLVED, that the 2023 budget is amended by the amount of the
25 grant funds allocated and that the Finance Director is directed to record such information in the
26 official books of the County for the year ending December 31, 2023 as may be required.


Dated this 21st day of March 2023.

Respectfully submitted by the
Public Safety Committee

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. Increases revenue (27500.43211 Anti-Heroin COPS Grant) by \$15,000 and (27500.43212 Anti-Meth COPS Grant) by \$7,500. Expenditures will be allocated to (27500.51250 Metro Overtime) and (27500.52999 Other Contract Services).

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION ALERTING THE PUBLIC OF THE DANGERS OF
FENTANYL**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, fentanyl is a highly potent synthetic opioid pain medication with a rapid onset
2 and short duration of action; and

3
4 WHEREAS, the abuse of fentanyl has been linked to elevated overdose deaths in
5 Manitowoc County and the United States, including 19 overdose deaths in Manitowoc County in
6 2022 alone; and

7
8 WHEREAS, the illegal substance distribution and the misuse of fentanyl and other
9 synthetic controlled substances pose an immediate threat to the public health and safety;

10
11 NOW, THEREFORE, BE IT RESOLVED, that county board of supervisors of the county
12 of Manitowoc condemns the abuse of fentanyl and expresses its opposition to any legislative action
13 that could further exacerbate the problem of substance abuse and addiction; and

14
15 BE IT FURTHER RESOLVED, that the county board of supervisors of the county of
16 Manitowoc calls on local, state, and federal authorities to take all necessary measures to combat
17 the illegal distribution and abuse of fentanyl, including strengthening and funding law enforcement
18 efforts, increasing public awareness and education, and expanding access to treatment and
19 recovery services; and

20
21 BE IT FURTHER RESOLVED, the county board of supervisors of the county of
22 Manitowoc commend the efforts of law enforcement and the Manitowoc County drug task force,
23 for the extremely difficult and dangerous mission to prevent these vile substances from entering
24 our communities; and

25
26 BE IT FURTHER RESOLVED, the county board of supervisors of the county of
27 Manitowoc supports efforts to increase research and development of non-opioid pain management
28 options, and to improve harm reduction efforts including increasing the availability of naloxone
29 (Narcan), a medication used to reverse opioid overdose, and fentanyl test strips; and

30
31 BE IT FURTHER RESOLVED, county board of supervisors of the county of Manitowoc
32 requests the Governor to declare a health crisis emergency and provide resources for local
33 government for interdiction and support to mitigate this societal drug abuse plague; and

34
35 BE IT FURTHER RESOLVED, that that the County Clerk is directed to send a copy of
36 this resolution to the Wisconsin Counties Association, the Wisconsin Towns Association, the
37 Wisconsin League of Municipalities, each Wisconsin County Board, Governor Evers and the
38 legislators for Manitowoc County.

Dated this 21st day of March 2023.

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 _____



I respect the prerogative of the members of the Manitowoc County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues or to request action by a governmental entity, or both.

APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE AMENDMENT
(Francis Lulloff)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

11 WHEREAS, the Town of Newton amended its zoning ordinance on March 8, 2023 by
12 rezoning a 25.2 acre parcel of property owned by Francis Lulloff from A-2 (General Agriculture
13 District) to B-1 (Business District) in accordance with Wis. Stat. § 60.62; and
14

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

19 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
20 county of Manitowoc approves the Town of Newton’s zoning ordinance amendment that rezones
21 that certain 25.2 acre parcel of property owned by Francis Lulloff from A-2 (General Agriculture
22 District) to B-1 (Business District) and was adopted by the Newton town board on March 8, 2023.

Dated this 21st day of March 2023.

Respectfully submitted by

Ryan Phipps, Supervisor, District 11

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

TOWN OF NEWTON
6532 CARSTENS LAKE ROAD
MANITOWOC WI 54220

March 9th 2023

To: County Board
Court House
1010 South 8th Street
Manitowoc WI 54220

Ladies and gentlemen,

Please be advised that the Town of Newton at its regularly scheduled Town Board Meeting on Wednesday, March 8th 2023, approved the following:

A request by Francis Luloff to rezone a 25.2-acre parcel from A-2, General Agriculture District, to B-1, Business District. The parcel is located in the SW quadrant of the I-43/CTH C interchange, NE1/4 of the NE1/4, Section 27, T.18, R.23E. The reason for the zone change is to facilitate a possible sale for development. The Town of Newton 2040 Comprehensive Plan has established an I-43 Business Overlay District in this area to promote sensible development growth.

A motion made, seconded, and approved at the Town of Newton Planning Commission meeting on February 6th 2023. Said action was approved and was submitted to the Town Board of the Town of Newton for approval.

The zone change was approved by the Town Board. A motion was made by Supervisor Christiansen and seconded by Supervisor Behnke. Motion carried.

Alyssa Grotegut
Town of Newton Clerk

TOWN OF NEWTON BOARD MEETING- ROUGH DRAFT

MARCH 8, 2023

The Town Board meeting of the Town of Newton was held on Wednesday, March 8, 2023, at the Newton Town Hall, 6532 Carstens Lake Road, Manitowoc WI at 5:00 pm pursuant to posted notices at the posting places as well as on the website.

The meeting was called to order at 5:00 pm by Chairman Denise Thomas. The Pledge of Allegiance was recited by all present and roll call was taken. Present: Denise Thomas, Chairman; Kevin Behnke, Supervisor #1; Kelly Christiansen, Supervisor #2; Alyssa Grotegut, Clerk; Dave Mueller, Road Superintendent/Law Enforcement; Michael Slattery, Zoning Administrator; Paulette Vogt, Treasurer was excused.

An affidavit is on file showing that the agenda was posted in the proper posting places. Kevin Behnke made a motion to approve the agenda as presented and Kelly Christiansen seconded said motion. Motion carried. Kelly Christiansen then made a motion to accept the previous meeting minutes as printed, seconded by Denise Thomas. Motion carried.

There were no questions on the treasurer's report submitted to the board, Kevin Behnke made a motion to accept the treasurer's report, seconded by Kelly Christiansen. Motion carried.

Public input was opened at 5:02 pm, and with no public input, agenda item was closed at 5:03 pm.

Road Supervisor/Law Enforcement Officer, Dave Mueller gave his report mentioning a few more calls on a loose dog. Along with the request that we make a reminder on the website that Dog Licenses are due by April 1st. After April 1st, there will be citations given for dogs not licensed. Next, Dave mentioned how he talked with Alfson's to get our culvert repair season lined up and which culverts the Board would like to repair. He also gave a list of roadwork that needs to be done for the Board to look over and discuss. Lastly, he asked the Board for approval to shop around for new sand supplier for better cost efficiency, the Board approved his request.

Mike Slattery, Zoning Administrator submitted his report to the Board prior to the meeting. There were no questions.

Kevin Behnke, Supervisor #1 checked into the E-Cycle Grant and came to the conclusion it's not worth the effort due to the qualifications of this Grant. Next, he brought a proposal from Backroads Recycling LLC and what he could do for the Town. Kevin requested the rest of the Board look over it and then discuss more at the April Meeting. Following the recycling agenda item, Kevin received more information on pricing and options for special markings on intersections and the mention of rumble strips. The Board will review that information and make a decision at the next meeting. Until then Kevin Behnke made a motion to put flags on the stop sign at the intersection of Union Road and Carstens Lake Road, Kelly Christiansen seconded said motion. Motion carried. Kevin then brought information/options for a new digital sign to replace our current one outside the Town Hall, to the Board and they will review and discuss this more at the next meeting. Lastly, March 20th and 21st guys are going to pick up our firetruck.

Supervisor #2, Kelly Christiansen, discussed our future building and how we have a budget price and we will sit on that until we decide when/if we want to move forward. He then mentioned the Board of Commissioners of Public Lands Lending and what he learned about them at the District Meeting, and how they could potentially benefit the Town. Broadband discussion was next on the agenda, there was just a quick update on how to get funding for this. Kelly then presented a bid from Extreme Audio to get a TV for the meeting room and he is currently waiting for another bid. Kevin Behnke made a motion to approve the current bid of \$3135.28 unless the second bid comes in lower, seconded by Denise Thomas. Motion carried. Lastly, the Town of Newton is hosting the Manitowoc County Unit Meeting at City Limits on March 16th.

Denise Thomas, Chairman started with the Bid from ACE to repair town shop walls, Kevin Behnke made a motion to approve the bid, seconded by Kelly Christiansen. Motion carried. **The Town Board then discussed the approval of the Francis Lulloff Zone Change, Kelly Christiansen made a motion to approve this Zone Change, Kevin Behnke seconded. Motion carried.**

Next, Kevin Behnke made a motion to approve Randy Kasten's Pond permit, Kelly Christiansen seconded said motion. Motion carried. Chairman Thomas, then made the appointments for the Board of Appeals and Plan Commission. The appointment of Lee Glaeser and Charlie Bauer for Plan Commission. Their present tenure expired January 1, 2023 and since they accepted a new term, that now expires on January 1, 2026. Appointments for the Board of Appeals were Dan Stock and Scott Konik whose terms also expired January 1, 2023 and now expires on January 1, 2026.

Denise then discussed CR Motel and the Junk Ordinance, she will be working with the Health Inspector before moving forward. The next agenda item is the discussion of the Annual Meeting, the meeting will be held **April 18th, Dinner at 6:00 pm, and Meeting at 7 pm**. Lastly, the Driveway Permit was discussed and will be decided at the April meeting.

The clerk stated that the Audit will be held on March 15th at the Town Hall. She also mentioned she received a letter from Glacierland and a final notice requesting funding for Phragmites. Kevin Behnke made a motion to pay the bills. Said report was submitted to the Board previous to the meeting. Kelly Christiansen seconded the motion which carried.

Denise Thomas made a motion to adjourn the meeting until April 17, 2023 at 5:00 pm. Kevin Behnke seconded the motion. Motion carried.

Alyssa Grotegut, Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, March 21, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 21st day of March 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 24 members were present at the time of voting for resolutions: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Linsmeier, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisor Maresh was excused.

On a motion by Supervisor Heller, seconded by Supervisor Baumann, the February 21, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life and Service of Supervisor Leland "Lee" A. Braunel to Mrs. Braunel and family members.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life and Service of Supervisor Thomas B. Hein.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life and Service of Supervisor Kenneth L. Swade to Mrs. Swade and their daughter.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Proclaiming the Month of April Child Abuse and Neglect Prevention Month to Human Services Director Lori Fure and staff members.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation in Honor of National Public Safety Telecommunicators Week to Emergency Management Director Kayla Beckerdite.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commending the Manitowoc County Drug Task Force to Lt. David Remiker and other Drug Task Force members.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:27 p.m.

Brittany Boyer, Substance Use Prevention Program Manager of NEWAHEC/HMC Substance Use Prevention Coalition gave a brief summary of the organization's activities and the dangers of drugs in the community.

Maura Yost, Town of Centerville, expressed her discontent with the County's borrowing habits and advocated for a half-cent sales tax.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:38 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Korina Aghmar as Health Officer. Supervisor Metzger moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Shirley Fessler, Dr. Brian Konowalchuk, Supv. Catherine Wagner and Shannon Kanter to the Board of Health. Supervisor Metzger moved, seconded by Supervisor Muench to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Supv. Bonnie Shimulunas to the Human Services Board. Supervisor Brey moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Kayla Beckerdite to the Land Information Council. Supervisor Falkowski moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Joe Jeanty to the Local Emergency Planning Committee. Supervisor Baumann moved, seconded by Supervisor Linsmeier to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Alternate) Audrey Reese to the Local Emergency Planning Committee. Supervisor Behnke moved, seconded by Supervisor Hansen to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Tim Nicholls and Dave Schmalting to the Transportation Coordinating Committee. Supervisor Weiss moved, seconded by Supervisor Hansen to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Vogt to adopt Resolution 2022/2023-55 Authorizing 2023-2024 Snowmobile Trail Aids Program. Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Engelbrecht to enact Ordinance 2022/2023-56 Amending Zoning Map (Dick and Sandra Halverson). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Vogt to enact Ordinance 2022/2023-57 Amending Zoning Map (Daniel and Jacqueline Downey). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Hacker to enact Ordinance 2022/2023-58 Amending Zoning Map (Mary Tisler et al.). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Heller to enact Ordinance 2022/2023-59 Amending Zoning Map (George and Angela Mueller). Upon vote, the motion carried unanimously.

Board of Health: Supervisor Metzger gave a brief report.

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

Executive Committee: Chairperson Martell gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Gerroll to adopt Resolution 2022/2023-60 Authorizing Manitowoc County to Enter into Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc., Agreeing to the Terms of the Addendum to the MOU Allocating Settlement Proceeds, and Authorizing Entry into the MOU with the Attorney General. Upon vote, the motion carried unanimously.

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

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Behnke gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Gerroll, to adopt Resolution 2022/2023-61 Accepting \$11,000 Donation for Manitowoc County Airport Ground Power Unit and Electrical Work. Upon vote, the motion carried unanimously.

Personnel Committee: Supervisor Metzger gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Supervisor Falkowski moved, seconded by Supervisor Vogt, to adopt Resolution 2022/2023-62 Accepting 2023 COPS Anti-Heroin Grant and COPS Anti-Methamphetamine Grant. Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer, to adopt Resolution 2022/2023-63 Alerting the Public of the Dangers of Fentanyl. Upon vote, the motion carried unanimously.

Public Works Committee: Supervisor Sitkiewitz gave a brief report.

Transportation Coordinating Committee: Supervisor Hacker gave a brief report.

Miscellaneous:

Supervisor Phipps moved, seconded by Supervisor Behnke, to adopt Resolution 2022/2023-64 Approving Town of Newton Zoning Ordinance Amendment (Francis Lulloff). Upon vote, the motion carried unanimously.

ANNOUNCEMENTS

Chairperson Martell announced that there will be a county board meeting at 5:30 p.m. on April 18, 2023 at the Heritage Center, County Board Meeting Room, for security training by the Information Systems Department.

ADJOURNMENT

Supervisor Brey moved to adjourn, seconded by Supervisor Baumann, and the motion was adopted by acclamation. The meeting adjourned at 7:19 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=eZ6nVsIO68s>



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: April 18, 2023

TIME: 5:00 P.M.

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

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

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

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

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

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

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

G. Finance Committee

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

H. Highway Committee

I. Human Services Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

O. Miscellaneous

Personnel Committee and Human Services Board

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

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

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

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

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

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

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

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

ORDINANCE AMENDING ZONING MAP
(Lance and Holly Dederig)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on March 27, 2023; and
3

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

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

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

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS APRIL 18, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: LANCE & HOLLY DEDERING 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.

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

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

1. Action taken to date on this request includes:
 - a. Lance & Holly Dederling petitioned for a zoning map amendment on February 17, 2023.
 - b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
 - c. The public hearing notices were published in the Herald-Times-Reporter on March 15, 2023 and on March 20, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on March 27, 2023.
 - e. The Commission at their March 27, 2023 meeting recommended approval of a requested rezoning of approximately 3.08 acres of land located in the NW1/4, NE1/4, Section 4, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.
2. Existing conditions relating to land use, zoning, and natural resources are summarized on the accompanying zone change fact sheet.
3. Testimony at the hearing is summarized as follows:
 - a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
 - b. Mr. & Mrs. Lance Dederling, property owners, spoke in favor of the request.

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

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

RECOMMENDATION

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

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

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

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

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

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



COUNTY OF MANITOWOC COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

March 13, 2023

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

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

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

Name of Owner:

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

Township:

Schleswig

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County Planning and Park Commission

Fee (\$505) Received
Receipt # 40424

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
FEB 17 2023
PLANNING & PARK
COMMISSION

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

Owner Lance + Holly Dederig

Applicant/Agent

Address (1) 2401 Townline Road

Address (1)

Address (2) PO Box 36

Address (2)

City/State/Zip Kiel, WI 53042

City/State/Zip

Phone 920-286-2270

Phone

PROPERTY LEGAL DESCRIPTION

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

House /Fire # 21401

Tax Number 01600400200200

PROPERTY INFORMATION

Existing Zoning District GA

Proposed Zoning district SE

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

Proposed use: (Reason for change)

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

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

Lance Dederig 02/01/2023
Signature (applicant, owner agent) Date

Holly Dederig 02/01/2023
Signature (applicant, owner agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

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

PARCEL

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

ACTION TO DATE

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

ADJACENT USES & ZONING

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

PARCEL USES & ZONING

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

MAP INFORMATION

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

OTHER CONSIDERATIONS

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

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

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

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

UNAPPROVED DRAFT

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

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

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

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

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

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

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

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

Board Member's Report: None.

Assessor's report: None.

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

Visitors' input: None.

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

Old & New Business:

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

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

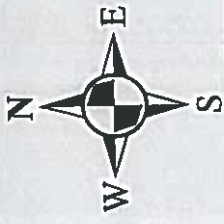
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- D. Approve operator (bartender) license for Jennifer Gleim, Conrad's 2nd Knot – **Motion Neils/Glomski** to approve operator license for Jennifer Gleim; motion carried.

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- A. Review and discuss current recycling contract – The Board agreed to continue service with Waste Management, without a contract with them. If issues occur, the Town will obtain bids for services from other vendors.
- B. District Meeting – Saturday, March 4th at Farm Wisconsin Discovery Center, Manitowoc – Supervisors Neils and Glomski plan to attend.
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- D. Town website update – Town Web Design will be working on our website updates over the next few weeks. Supervisor Glomski requested some type of bulletin board on the main page that highlights urgent issues.

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

Deb Hoepfner, Deputy
Clerk 2-14-23



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

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

Map Overview

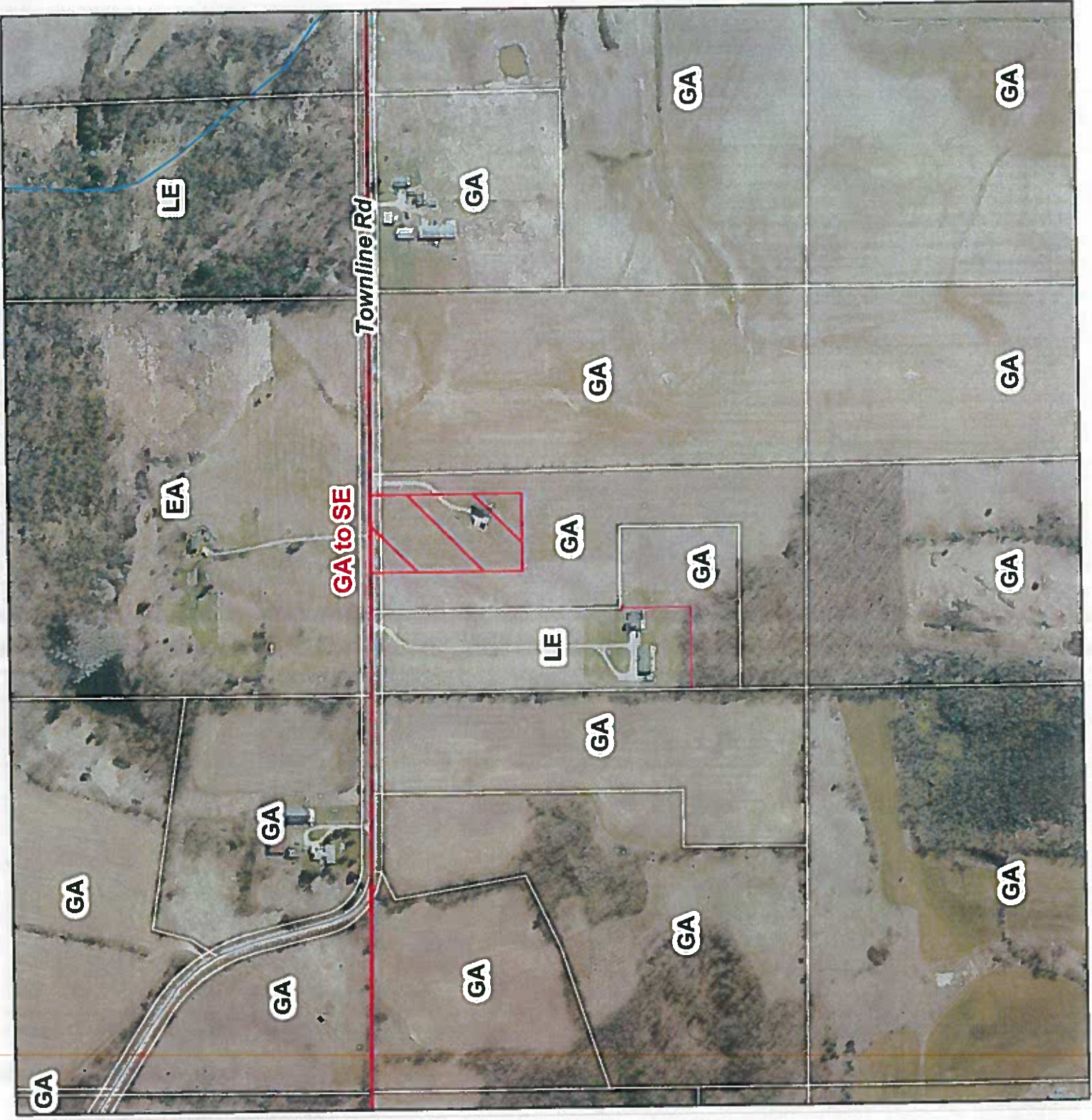
Schleswig

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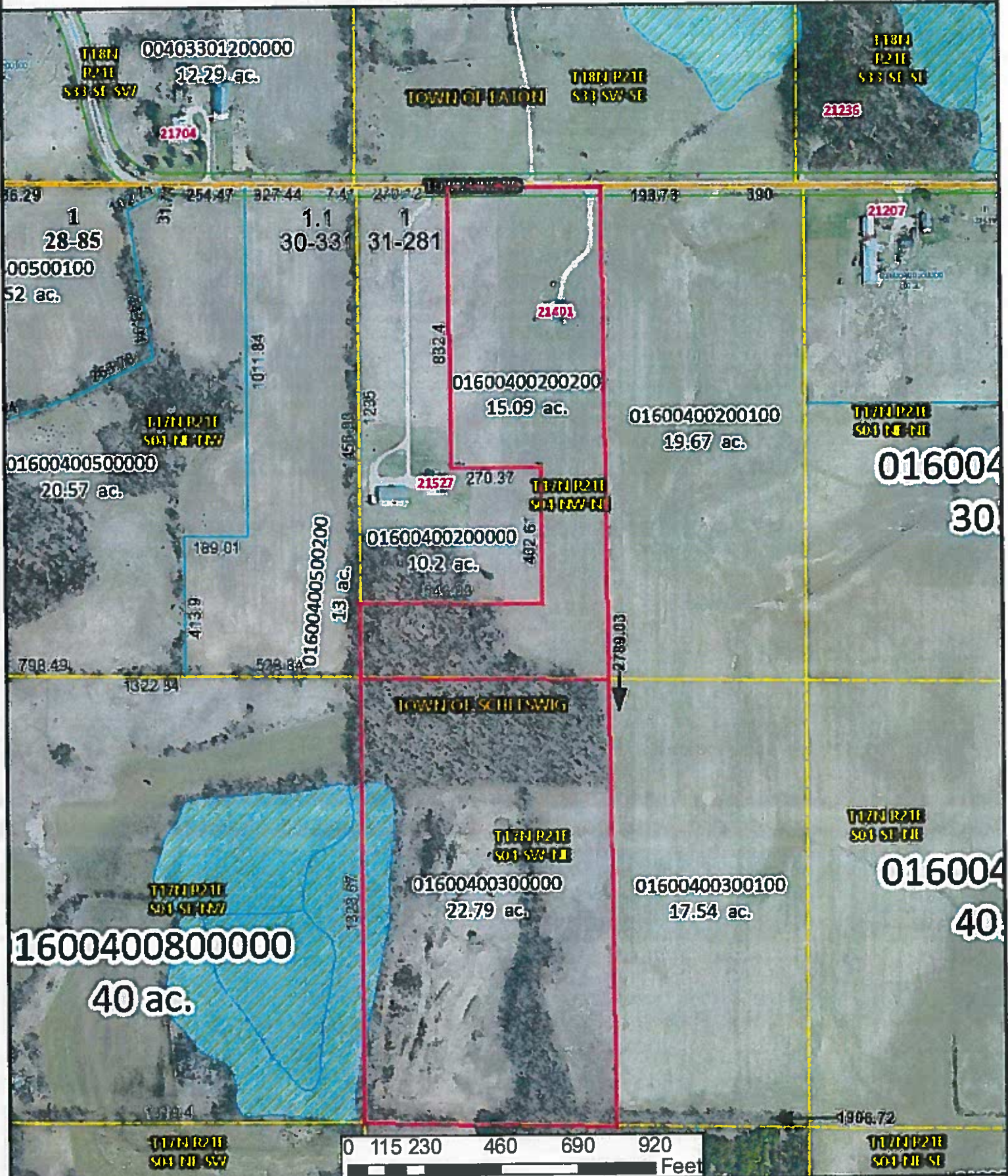


Legend

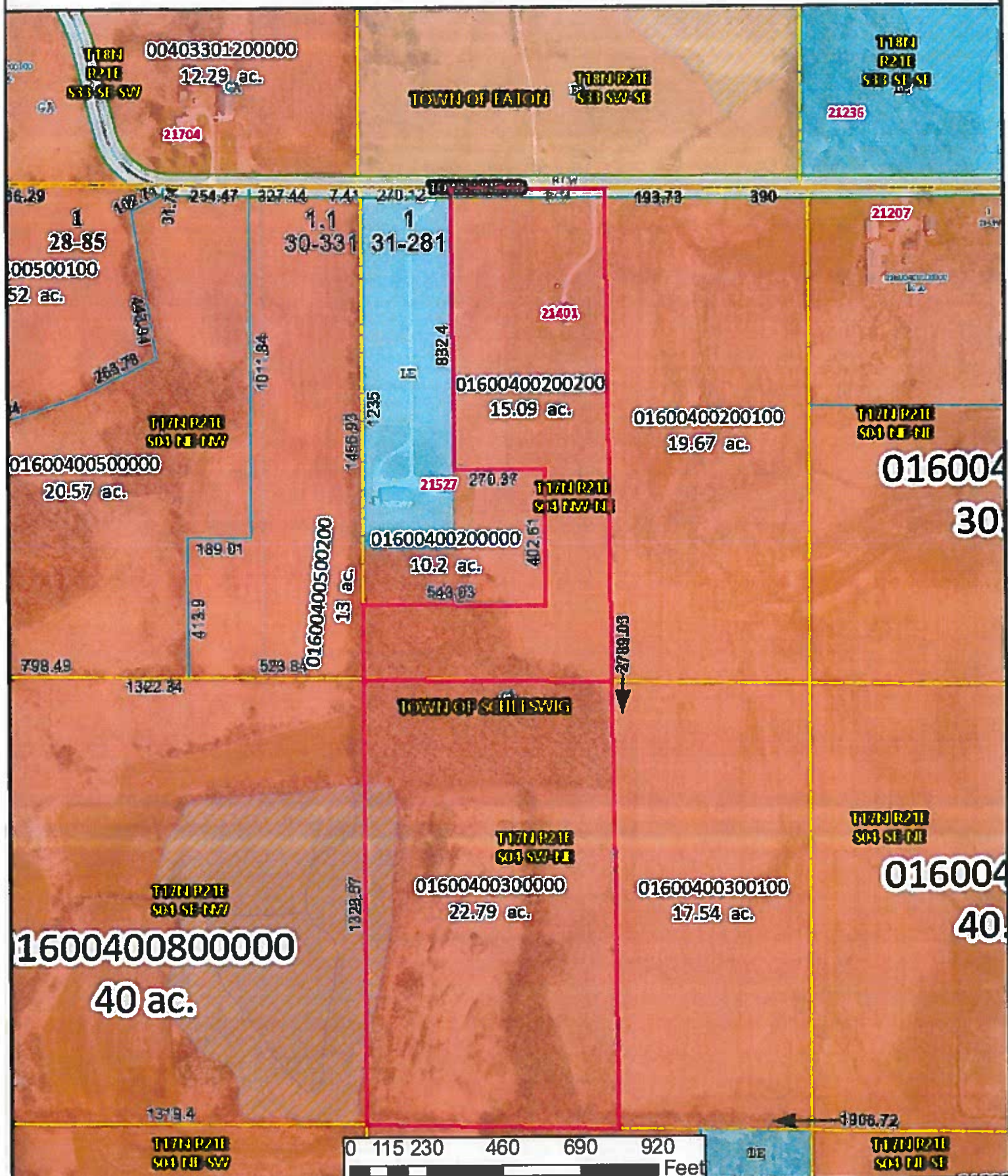
- Proposed Zone Change
- Parcel Line
- Water Way
- Zoning Line



Manitowoc County Parcel Viewer



Manitowoc County Parcel Viewer



Certified Survey Map No. _____

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

Surveyor's Certificate

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

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

Given under my hand this _____ day of _____, _____

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

Owners' Certificate

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

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

Manitowoc County Department of Development & Land Services

Dated this _____ day of _____, 20_____

Lance T. Dedering, Owner

Holly A. Dedering, Owner

State of Wisconsin)
)SS
_____) County)

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

My Commission Expires _____

Notary Public, Wisconsin

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

Certified Survey Map No. _____

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

Certificate of Planning Department

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

Planning Commission Representative

Date

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

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

Recording Information:
Doc No 1035491

Parcel Number(s):
01600400200200

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

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

ORDINANCE AMENDING ZONING MAP
(Jayme and Stephanie Hetland)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on March 27, 2023; and
3

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

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

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

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____ Date
Tyler Martell, County Board Chair

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

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.

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

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

1. Action taken to date on this request includes:

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

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

3. Testimony at the hearing is summarized as follows:

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

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

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

RECOMMENDATION

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

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

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

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

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

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



COUNTY OF MANITOWOC

COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

March 13, 2023

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

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

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

Name of Owner:

Jayne & Stephanie Hetland
1436 Falls Road
Grafton, WI 53024

Township:

Schleswig

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County Planning and Park Commission

Fee (\$490) Received

Receipt # 40444

ZONING MAP AMENDMENT APPLICATION

Date of Application: 1/4/23

OWNER / APPLICANT/ AGENT

Owner Jayne & Stephanie Hetland

Applicant/Agent Jayne & Stephanie Hetland

Address (1) 1436 Falls Road

Address (1) 1436 Falls Road

Address (2) _____

Address (2) _____

City/State/Zip Grafton, WI, 53024

City/State/Zip Grafton, WI 53024

Phone 9203232743

Phone 9203232743

PROPERTY LEGAL DESCRIPTION

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

House /Fire # 19600

Tax Number 01600200901400

PROPERTY INFORMATION

Existing Zoning District SE

Proposed Zoning district RR

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

See Attached



Proposed use: (Reason for change)

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

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

[Signature]
Signature (applicant, owner, agent)

1/4/23
Date

[Signature]
Signature (applicant, owner, agent)

1/4/23
Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

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

PARCEL

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

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

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

PARCEL USES & ZONING

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

MAP INFORMATION

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

OTHER CONSIDERATIONS

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

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

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

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



UNAPPROVED DRAFT

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

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Deb Hoepfner, Deputy
Clerk 2-14-23



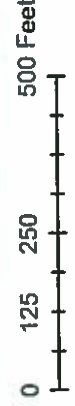
Jayne & Stephanie
 Hetland
 SW 1/4, SW 1/4
 Section 2, T17N-R21E
 Town of Schleswig

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

Map Overview

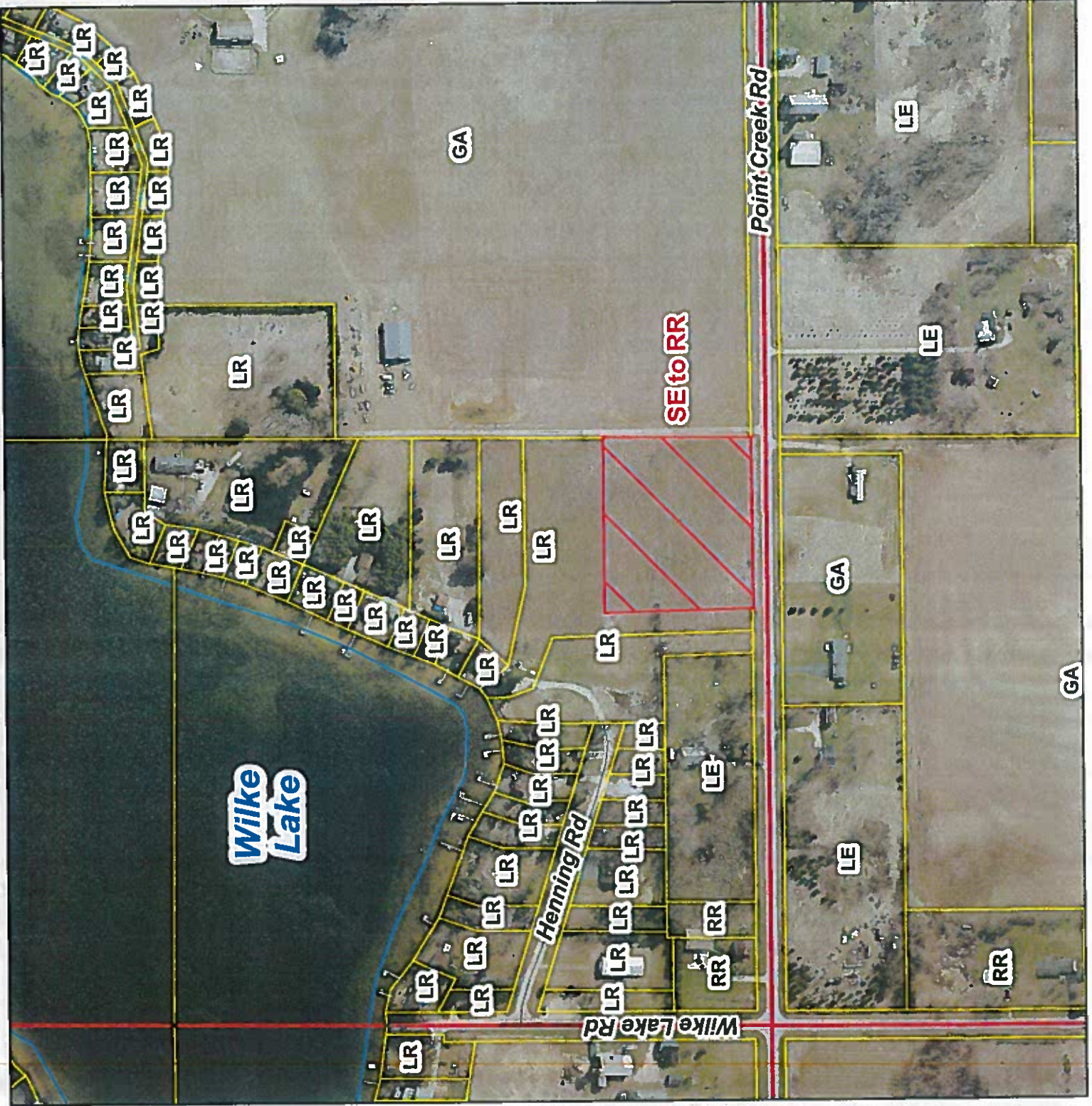
Schleswig

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30	29	28	27	26	25
31	32	33	34	35	36



Legend

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



Wilke Lake

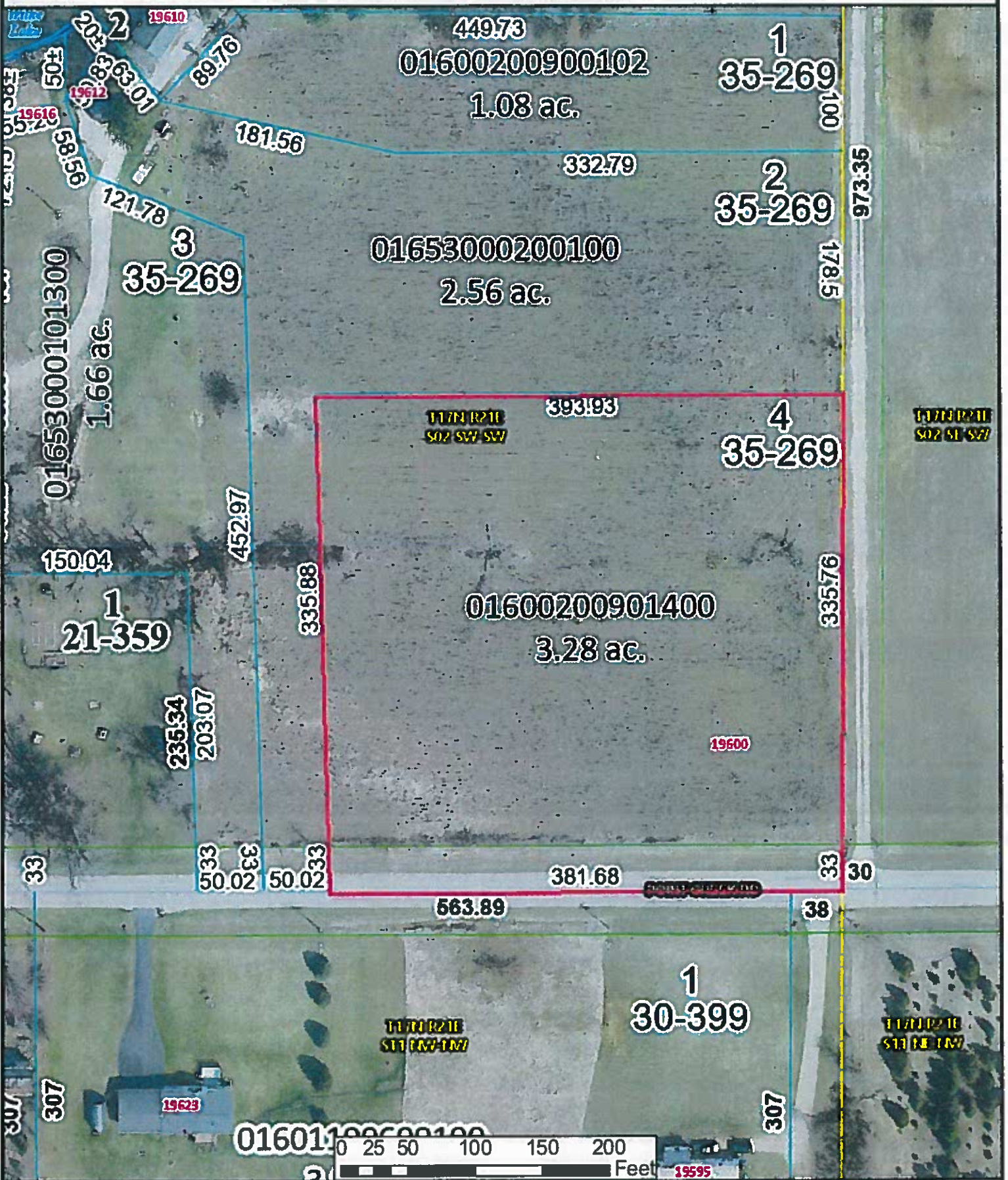
Henning Rd

Point Creek Rd

SE to RR

Wilke Lake Rd

Manitowoc County Parcel Viewer



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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Chapter 13 of the Manitowoc County Code regulates private sewage systems;
2 and
3

4 WHEREAS, the purpose of the Private Sewage Systems Ordinance is to insure the safe
5 and proper use of land and water resources and to promote the public health, safety, and general
6 welfare by regulating the location, design, installation, alteration, inspection, management and use
7 of all private sewage systems; and
8

9 WHEREAS, the Manitowoc County Private Sewage Systems Ordinance is adopted
10 pursuant to Wis. Stat. §§ 59.70(1), 59.70(5), 145.04, 145.19, 145.20, and 145.245; and
11

12 WHEREAS, Section 13.37 of the Manitowoc County Code outlines what constitutes
13 violations of the Private Sewage Systems Ordinance; and
14

15 WHEREAS, the proposed amendment is to confirm Manitowoc County's intent when it
16 passed Ordinance No. 2017/2018-75 that use or occupancy of a building that is not in compliance
17 with M.C.C. § 13.32(2) is not itself unlawful; and
18

19 WHEREAS, the Planning and Park Commission, after providing the required notice, held
20 a public hearing on March 27, 2023 to consider the proposed amendment to the Manitowoc County
21 Private Sewage Systems Ordinance; and
22

23 WHEREAS, the Planning and Park Commission, after careful consideration of the
24 testimony at the hearing and an examination of the facts, recommends that the following
25 amendment of the Manitowoc County Private Sewage Systems Ordinance be approved;
26

27 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
28 ordain as follows:
29

30 Manitowoc County Code § 13.37(7) is amended to read as follows:
31

32 (7) It is unlawful to use or occupy any building that requires a private sewage system,
33 which is not serviced by a private sewage system that complies with the Private Sewage Systems
34 Ordinance. A violation of s. 13.32(2) does not constitute a violation of this sub. (7).
35

36 and
37

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

40
41

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

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

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

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

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

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

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

RECOMMENDATION

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



COUNTY OF MANITOWOC

COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

March 13, 2023

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

and

Manitowoc County Board of Supervisors

ATTN: Tim Ryan and Manitowoc County Board of Supervisors

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

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

Name Petitioner

Manitowoc County Planning and Park Commission

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Planning & Zoning Department

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

APPLICATION FOR AN ORDINANCE TEXT AMENDMENT

Date: March 8, 2023

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

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

Subject: Application for Text Amendment
Manitowoc County Code Chapter 13

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

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

Manitowoc County Planning and Zoning Commission

By: 
James Falkowski, Chair



Planning & Zoning Department

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

APPLICATION FOR AN ORDINANCE TEXT AMENDMENT

Manitowoc County Code Chapter 13 Private Sewage Systems

Part I. Introduction.

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

Part II. Definitions.

- 13.09 Definitions.

Part III. General Requirements.

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

Part IV. Permits and Applications.

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

Part V. Inspections and Testing.

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

Part VI. Management and Maintenance.

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

Part VII. Administration and Enforcement.

13.35 Administration.

13.36 Appeals.

13.37 Violations.

13.38 Enforcement.

13.39 Penalties.

13.40 Effective Date.

13.37 Violations

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

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, events occur after the adoption of the Annual Budget that affect various
2 program activities and their appropriations for a given budget year; and
3

4 WHEREAS, some of the activities, programs, and projects that were planned for the 2022
5 budget year did not take place, were not completed, or are ongoing and must be carried over into
6 the next budget year; and
7

8 WHEREAS, the County Board has previously adopted Resolution Implementing Fund
9 Balance Policy In Accordance With GASB Statement No. 54 in December 2011; and
10

11 WHEREAS, the Finance Director has compiled a pre-audit list designating those activities,
12 programs, projects, and funds that should be carried forward and reappropriated in the 2022
13 budget; and
14

15 WHEREAS, the appropriate oversight committees and the Finance Committee have
16 reviewed the requests and recommend that the designation, carry over, transfer, and re-
17 appropriation requests be approved; and
18

19 WHEREAS, Wisconsin statutes and county board rules require that the county board take
20 official action to authorize the designation, carry over, transfer, and re-appropriation of funds; and
21

22 WHEREAS, sound financial practice requires that such carry over designations and
23 transfers be recorded in the official books of the County; and
24

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

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

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

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NON-SPENDABLE FUND BALANCE

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

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RESTRICTED FUND BALANCE

Account Number	Description	Amount
100.34240	Unres/Desig-Public Health	\$2,308.43
100.34245	Unres/Desig-Veterans Srv	\$49,880.16
100.34270	Unres/Desig-Lnd Rec Modern	\$303,659.43
100.34271	Unres/Desig-ROD Redaction	\$85,812.48
TOTAL		\$440,339.73

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COMMITTED FUND BALANCE

Account Number	Description	Amount
100.34232	Unres/Desig-Mapping	\$109,620.94
100.34233	Unres/Desig-Area Plan PP	\$160,472.82
100.34238	Unres/Desig-PZ Coastal Grant	\$10,315.50
100.34259	Unres/Desig-Prepay debt	\$300,000.00
100.34275	Unres/Desig-Sheriff	\$7,909.62
100.34277	Unres/Desig-Vehicle Pool PW	\$138,926.00
100.34280	Unres/Desig-Emgt Hazmat	\$288,741.51
100.34282	Unres/Desig-Personnel	\$14,965.27
100.34289	Unres/Desig-Elections CC	\$141,231.66
100.34293	Unres/Desig-Communications Pro	\$354,869.20
100.34294	Unres/Desig-PW-PBX Phone Sys	\$227,537.10
100.34295	Unres/Desig-Future Cap Proj	\$60,000.00
100.34298	Unres/Desig-Vehicle	\$35,000.00
TOTAL		\$1,849,589.62

75 and

76
77 BE IT FURTHER RESOLVED that remaining funds in the County's Special Revenue
78 Funds, Debt Service Funds, and Capital Projects Funds be carried forward for their intended
79 purpose as previously approved by the County Board and may be reappropriated in the 2023
80 budget as may be required; and

81
82 BE IT FURTHER RESOLVED that the Finance Director is directed to record such
83 information in the official books of the County for the year ended December 31, 2022 and for the
84 year ending December 31, 2023 as may be required.


Dated this 18th day of April 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

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

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION DENYING CLAIM
(Donna Diaz)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

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

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

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

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

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

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

28
29 NOW, THEREFORE, BE IT RESOLVED that county board of supervisors of the county
30 of Manitowoc amend the “Full Time Equivalent Report (FTE) by Department” included in the
31 Manitowoc County, WI 2023 Adopted Annual Budget to reallocate the FTEs in the human services
32 department by reducing the number of CCS rehabilitation specialist positions by 1.0 FTE and
33 creating a 1.0 FTE clinical service deputy director position; and

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

Dated this 18th day of April 2023.

Respectfully submitted by the
Personnel Committee

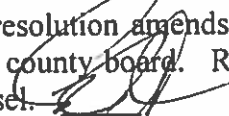
Susie Maresh, Chair

Human Services Board

Jim Brey, Chair

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

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, April 18, 2023

5:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 18th day of April 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 5:00 p.m.

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

Roll call: 21 members were present at the time of voting for resolutions: Baumann, Behnke, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Jadowski, Klein, Linsmeier, Martell, Metzger, Muench, Naidl, Neils, Phipps, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisors Brey, Heller, Maresh, and Shimulunas were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht, the March 21, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Proclaiming the Month of May as Foster Care Month to Foster Care Coordinator Karen Zahn and the Foster Care Team.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 5:12 p.m.

Maura Yost, Town of Centerville, expressed her concern with how the dome project would be funded and advocated for a half-cent sales tax.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 5:18 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Korina Aghmar to the Local Emergency Planning Committee. Supervisor Metzger moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Engelbrecht to adopt Resolution 2023/2024-1 Authorizing Application for and Acceptance of Farmland Preservation Program Planning Grant. Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Neils to enact Ordinance 2023/2024-2 Amending Zoning Map (Lance and Holly Dederling). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Neils to enact Ordinance 2023/2024-3 Amending Zoning Map (Jayme and Stephanie Hetland). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer to enact Ordinance 2023/2024-4 Amending Manitowoc County Code § 13.37(7) (Private Sewage Systems Violations). Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 2023/2024-5 Authorizing Fund Balance Designations, Carry-Over, Transfers, and Reappropriation of Specified Funds from 2022 to 2023. Upon vote, the motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Baumann to adopt Resolution 2023/2024-6 Denying Claim (Donna Diaz). Upon vote, the motion carried unanimously.

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

Personnel Committee: Supervisor Metzger gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous:

Supervisor Metzger moved, seconded by Supervisor Behnke, to adopt Resolution 2023/2024-7 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CCS Rehabilitation Specialist to Clinical Division Deputy Director). Upon vote, the motion carried unanimously.

ANNOUNCEMENTS

Chairperson Martell announced that there will be a County Board Security Training meeting at 5:30 p.m., before the County Board Meeting, on May 16, 2023.

ADJOURNMENT

Supervisor Behnke moved to adjourn, seconded by Supervisor Neils, and the motion was adopted by acclamation. The meeting adjourned at 5:43 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=JjX-jwAa4vA>



**MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE**

DATE: May 16, 2023

TIME: 5:30 P.M.

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

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. Roll Call
- III. Security Training presented by Ashley Smits, IS System Administrator
- IV. Adjournment

Tyler Martell, Chairperson
Prepared by Jessica Backus, 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.



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: May 16, 2023

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 Chairperson Martell.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the April 18, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
 - A. Local Emergency Planning Committee

Appoint two members to succeed Chad Bennin and Robert Wenger, Alternate) Audrey Reese and one member to fill a vacancy for two-year terms expiring June 2025.

 1. Kristy Schmidt
 2. Robert Wenger, Alternate) Audrey Reese
 3. Kevin Klosinski
- X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Ordinance 2023/2024-8 Amending Zoning Map (Signature Enterprises LLC)
 2. Ordinance 2023/2024-9 Amending Manitowoc County Code § 8.18 (General Zoning and Land Use Regulation)
 - B. Aging & Disability Board
 - C. Board of Health
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board

- G. Finance Committee
 - 3. Resolution 2023/2024-10 Authorizing General Fund Balance Transfer and Approving Wilke Lake Pier Extension
 - 4. Resolution 2023/2024-11 Authorizing BEAD Local Planning Grant Participation

- H. Highway Committee

- I. Human Services Board

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

- K. Personnel Committee

- L. Public Safety Committee

- M. Public Works Committee

- N. Transportation Coordinating Committee

- O. Miscellaneous

- Personnel Committee and Human Services Board

- 5. Resolution 2023/2024-12 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CCS Services Facilitator to CCS Administrative Support Specialist)

- XI. ANNOUNCEMENTS

- XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

ORDINANCE AMENDING ZONING MAP
(Signature Enterprises LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on April 24, 2023; and
3

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

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

10 A parcel of land in part of the SW 1/4 of the SE 1/4 including part of Tract 1 of a Certified
11 Survey Map recorded in Volume 13, Page 357, all of Lot 1 of a Certified Survey Map recorded in
12 Volume 30, Page 61, located in Section 21, Town 18 North, Range 22 East, Town of Liberty,
13 Manitowoc County, Wisconsin, described as follows:
14

15 Commencing at the S 1/4 Corner of Section 21; Thence S 88°08'47" E, 845.97 feet
16 coincident with the south line of the SE 1/4 of Section 21 being the point of
17 beginning; Thence continuing S 88°08'47" E, 277.68 feet to the southwest corner
18 of Lot 2 of a Certified Survey Map recorded in Volume 30, Page 61; Thence
19 N 03°56'52" E, 125.75 feet (recorded as S 03°52'35" W, 125.71'); Thence
20 S 85°53'47" E, 20.81 feet (recorded as N 86°07'25" W, 20.71'); Thence N
21 03°49'10" E, 254.26 feet (recorded as S 03°52'35" W, 254.41') coincident with the
22 west line of said Lot 2 to its northwest corner; Thence S 67°19'06" E, 174.95 feet
23 (recorded as S 67°23'13" E, 174.48') coincident with the north line of said Lot 2 to
24 its northeast corner; Thence N 00°06'34" E (recorded as S 00°02'30" W), 613.09
25 feet coincident with the east line of said SW 1/4 of the SE 1/4; Thence S 84°36'58"
26 W, 423.91 feet; Thence S 04°12'49" W, 876.90 feet to the point of beginning, said
27 parcel containing approximately 345,159 Square Feet (7.924 Acres) of land and is
28 hereby rezoned from Exclusive Agriculture (EA) District and Small Estate
29 Residential (SE) District to General Agriculture (GA) District.
30

Dated this 16th day of May 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

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.

Signature Enterprises LLC, on March 22, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 7.92 acres of land located in the SW1/4, SE1/4, Section 21, T18N-R22E, Town of Liberty, from EA, Exclusive Agriculture and SE, Small Estate to GA, General Agriculture.

The Town of Liberty adopted the Manitowoc County Zoning Ordinance on November 14, 2011. The uses permitted in the GA, General Agriculture zoning provides for a rural area with a mixture of agriculture, low-density residential and rural commercial activity.

1. Action taken to date on this request includes:
 - a. Signature Enterprises LLC petitioned for a zoning map amendment on March 22, 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 April 14, 2023 and on April 17, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on April 24, 2023.
 - e. The Commission at their April 24, 2023 meeting recommended approval of a requested rezoning of approximately 7.92 acres of land located in the SW1/4, SE1/4, Section 21, T18N-R22E, Town of Liberty, from EA, Exclusive Agriculture and SE, Small Estate to GA, General Agriculture.
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.

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 and SE, Small Estate Residential District.
2. The Liberty Town Board and the Liberty Planning Commission supports the proposed zone change to GA, General Agriculture.
3. A small amount of cropland is affected by this request.

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 Signature Enterprises LLC to rezone approximately 7.92 acres of land from EA, Exclusive Agriculture and SE, Small Estate to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its April 24, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 7.92 acres of land located in the SW1/4, SE1/4, Section 21, T18N-R22E, Town of Liberty, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture and SE, Small Estate to GA, General Agriculture.

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

April 10, 2023

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

and

Manitowoc County Supervisor Catherine E. Wagner
Supervisory District 15

ATTN: Tim Ryan and Supervisor Wagner

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:
Signature Enterprises, LLC
14124 CTH C
Valders, WI 54245

Township:
Liberty

Applicant/Agent
Shane Mulhaney
15810 Rogne Road
Valders, WI 54245

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 # 40476

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
MAR 22 2023
PLANNING & PARK
COMMISSION

Date of Application:		OWNER / APPLICANT/ AGENT	
Owner	<u>Signature Enterprises LLC</u>	Applicant/Agent	<u>Shane Mulhane</u>
Address (1)	<u>14124 CTH C</u>	Address (1)	<u>15810 Rogne Road</u>
Address (2)	_____	Address (2)	_____
City/State/Zip	<u>Valders, WI 54245</u>	City/State/Zip	<u>Valders, WI 54245</u>
Phone	<u>(920) 374-0928</u>	Phone	_____

PROPERTY LEGAL DESCRIPTION

SW 1/4, SE 1/4, S 21 T 18 N R 22E E Town of Liberty

House /Fire # 14124 Tax Number 008-021-015-001.00

PROPERTY INFORMATION


Existing Zoning District EA + SE Proposed Zoning district GA

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

See attached aerial photo of the are proposed for rezoning. The parcel size is 7.92 acres of which approximately 3 acres could be considered tillable and has not been in production for the last couple of years. Request is for the 7.92 acre parcel to be rezoned from EA to GA.

Proposed use: (Reason for change)

Requesting the rezone for the purpose of locating a landscaping business on the parcel. Lanscaping business is a permitted use in GA (with a conditional use) and not in EA. Granting of the rezone will not be limiting or negatively impacting the adjacent agricultural land.

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185	 Signature (applicant, owner, agent)	<u>3/22/23</u> Date
	_____ Signature (applicant, owner, agent)	_____ Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Liberty from EA and SE to GA)

PETITIONER

Name: Signature Enterprise LLC
Address: 14124 CTH C
Valders, WI 54245
Town: Liberty

PARCEL

Location: SW1/4, SE1/4, Section 21, T18N-R22E
Tax#: 008-021-015-001.00
Area: 5.47 acres (EA) / 2.11 acres (SE) = 7.58 acres

ACTION TO DATE

Petition Submitted: 3/22/2023
Town Action: Approved March 13, 2023
Hearing Notice Published: 4/14/2023 & 4/17/2023
Advisory: 4/24/2023
Hearing: 4/24/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland & Non-Farmland
South	EA & RR	Farmland & Residential
East	EA & RR	Non-Farmland & Residential
West	EA	Farmland

PARCEL USES & ZONING

Existing Zoning District: SE, Small Estate Residential & EA, Exclusive Agriculture
Existing Land Use: Farmland & Old Farmstead
Proposed Zoning District: GA, General Agriculture
Proposed Use: To apply to the BOA for a Landscaping Business

MAP INFORMATION

Farmland Preservation Designation: Both Non-Farmland and Farmland Preservation
Soil Type: HrB, HrD2,
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

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

Soil Test: 12/22/2011– Conventional Inspected
Terrain: 0 to >12 Percent Slopes
Vegetative Cover: Grass, Farmland

Town Future Land Use Designation: Agricultural Zoning District

The designated “agricultural zoning district” is established to support the agricultural industry and heritage of the town. The “agricultural zoning district” is where most of the farm income is generated in the Town Liberty. “Agricultural lands” include lands dedicated to crop production, dairy operations, livestock grazing, timber/pulp/forests, and similar uses. The town intends to limit incompatible non-farm development in this district. All forms of development except farm operations, commercial business operations related to farming, and housing for farm families and for others directly employed in farming are recommended for exclusion from the “agricultural zoning district”.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

Town of Liberty Change Request Form

Requested By: *Signature Enterprises LLC*

Date Received: *Feb 15, 2023*

Evaluation Meeting Date: *March 6, 2023*

Site Address: *14124 CTH C*



Change Requested: *Rezone approximately 7.92 ac lot from EA to GA. Variance for <10ac lot in GA district and Conditional Use for operation of landscaping business.*

1. Current Zoning Map:

EA

2. Within 75 feet of wetland:

Not Applicable at this site

3. Farmland Preservation Area:

Not applicable at this site

4. Woodland Preservation Area:

Not applicable at this site

5. Planning Map & Criteria:

A. Natural Areas

Not applicable at this site

B. Transportation (Commercial Develop.Only)

none

C. Topography & Soil

Red clay, hard pan, slight slope to the north

D. Pre-existing Home Site

yes

E. Detrimental To Air, Ground Water, Or Surface Water Quality

Not as being proposed

F. Any Land Use Conflicts

Not as being proposed. Landscaping business is not a public retail location, two access points to property provides safe entry and exit.

6. Site Inspection

Yes on an individual basis.

Town of Liberty Change Request Form

7. Special Considerations

For rezone:

- Parcel EA zoning was carried over when buildings split off from ag land and is not in correct zoning classification for parcel size
- Less than 3 ac of the 7.92ac is tillable and has not been cropped in last couple of years.
- See application for more details.

For variance:

- Ordinance creates unnecessary burden by not allowing permitted use on the lot at it's current size.
- To add acreage to meet 10 acre minimum would potentially pull additional land out of EA classification if a sale occurred.
- Property location has one neighboring residence and proposed use will not negatively affect them or adjacent farm land.
- See application.

For Conditional Use:

- See application.

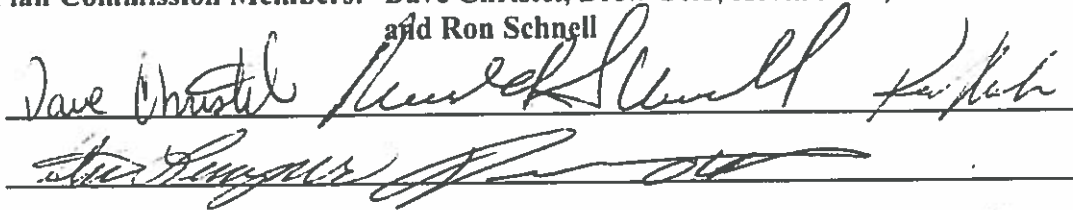
Results of Plan Commission Evaluation, Advisory to Liberty Town Board:

Rezone – approved on 5-0 vote

Variance – approved on 5-0 vote

Conditional Use – approved on 5-0 vote

Plan Commission Members: Dave Christel, Drew Otto, Kevin Neeb, Steve Lenzner and Ron Schnell



\$150 Application Fee received at Planning Commission meeting? No / Yes Cash
Check#

Liberty Town Board Directive



Change supported by the Town Board with Plan Commission




recommendations on this day: 3 / 11 / 3 / 20 / 23 along with the following conditions:

See #7 Under Special Consideration



Town of Liberty Change Request Form

Change not supported by the Town Board on this day: ___ / ___ / 20___
for the following reasons:

Signatures of Board  Date 3-13-2023
 3-3-2023
 3-13-2023



Signature Enterprise LLC
 SW 1/4, SE 1/4
 Section 21, T18N-R22E
 Town of Liberty
 From: EA To: GA
 Approximately 5.47 acre(s)
 From: SE To: GA
 Approximately 2.11 acre(s)
 -87.868, 44.009

Map Overview

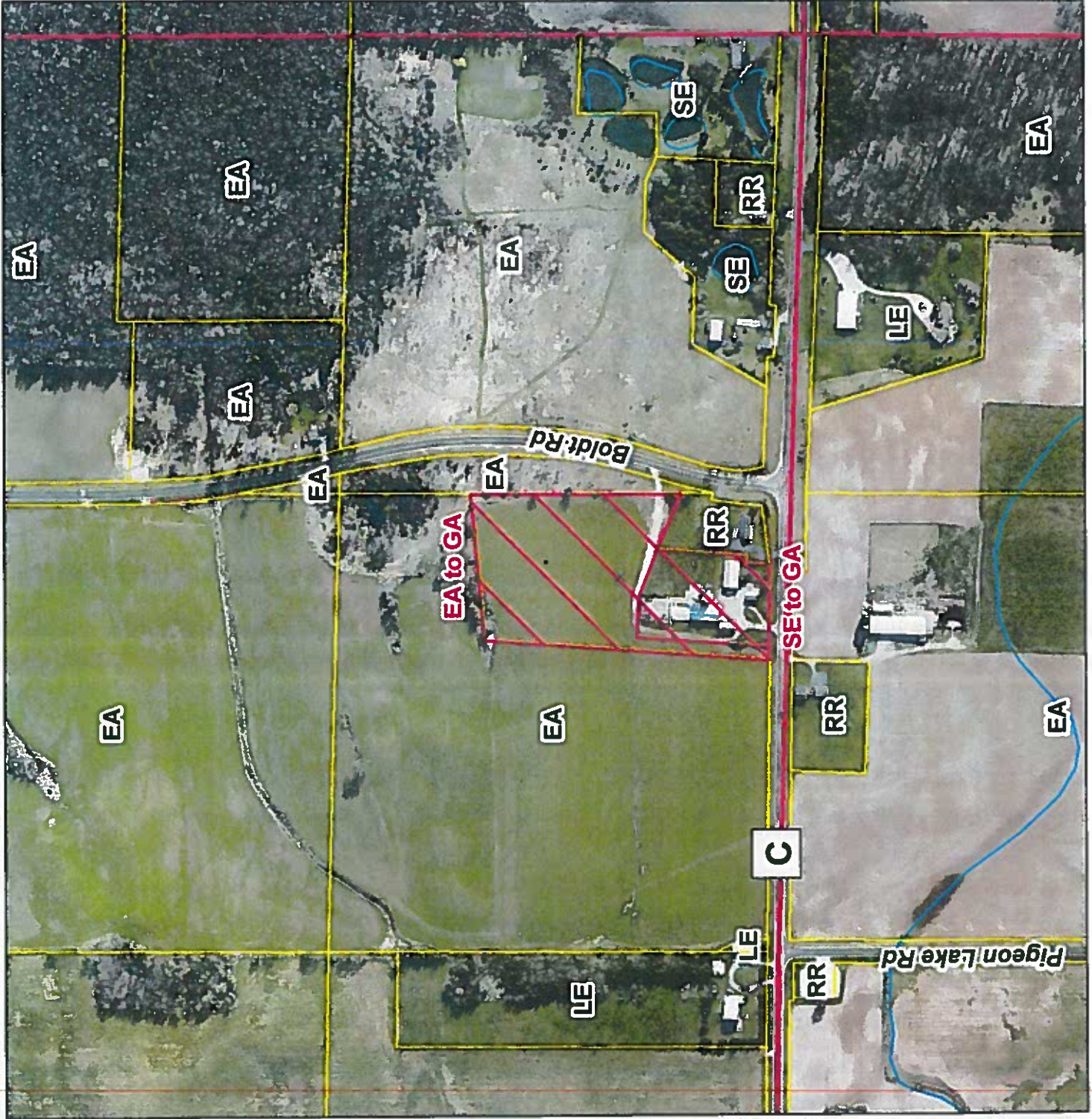
Liberty

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

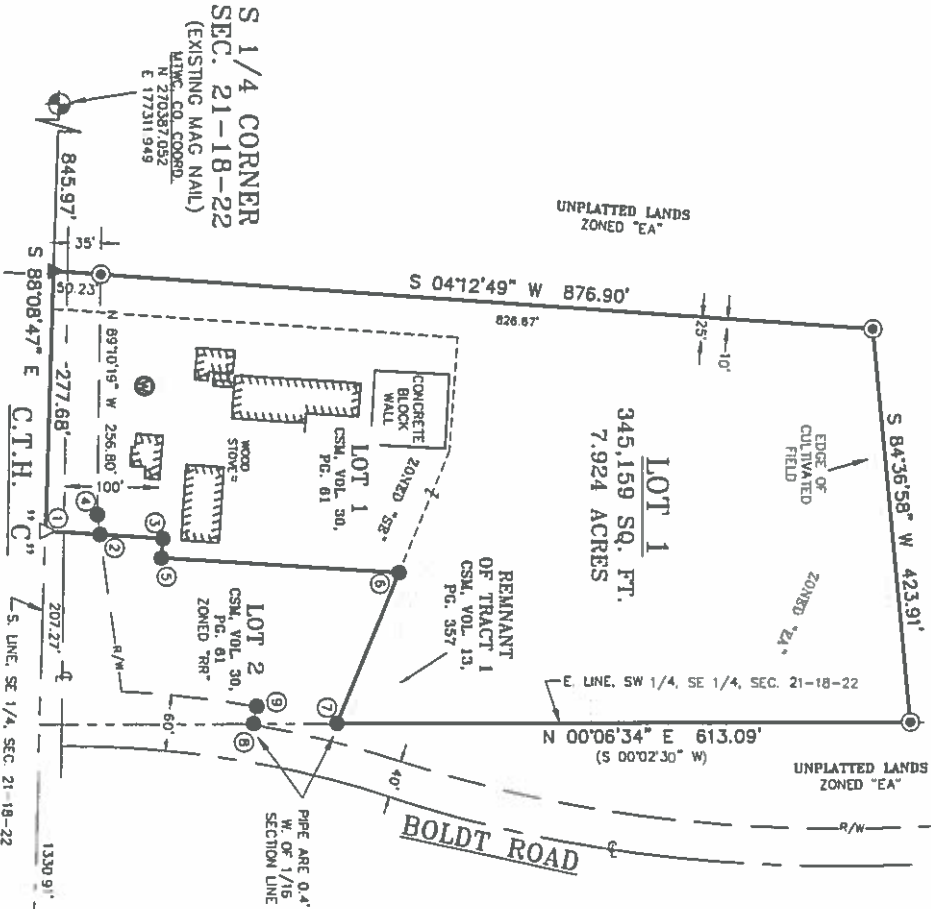
- Proposed Zone Change
- Zoning Line
- Section Line
- Parcel Line
- Water Way





CERTIFIED SURVEY MAP

PART OF THE SW 1/4 OF THE SE 1/4, INCLUDING PART OF TRACTS 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 13, PAGE 357, ALL OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 30, PAGE 61, LOCATED IN SECTION 21, TOWN 18 NORTH, RANGE 22 EAST, TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN



SETBACK NOTE:
The lot shown hereon is subject to a 100 foot building setback from the center line of C.T.H. "C", including a 25 foot principal building setback and a 10 foot accessory building setback.

ZONING NOTE:
This lot is zoned "EA" Exclusive Agriculture and "SE" Small Estate Residential. (Zoning districts are subject to change)

NORTH IS REFERENCED TO THE
MANITOWOC COUNTY COORDINATE
SYSTEM. (PER THE COUNTY PUBLISHED
SECTION SUMMARY)



- LEGEND**
- △ = SET MAG NAIL
 - ▲ = EXISTING MAG/P-K NAIL
 - = EXISTING 1" IRON PIPE
 - ⊙ = EXISTING 3/4" IRON ROD
 - ⊗ = WELL
 - (---) = "RECORDED AS" DIMENSION

NOTE: SEE PAGE 2 OF 2 FOR LINE TABLE

THIS INSTRUMENT WAS DRAFTED BY: Brooke L. Bastion of Corner Point MARCH 31, 2023 JOB No. S623023 FILE: DWG\18-22\21\SIGNATURE\S623023

CERTIFIED SURVEY MAP
PART OF THE SW 1/4 OF THE SE 1/4, INCLUDING PART OF TRACTS 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 13, PAGE 357, ALL OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 30, PAGE 61, LOCATED IN SECTION 21, TOWN 18 NORTH, RANGE 22 EAST, TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Jeffrey A. DeZeeuw, Professional Land Surveyor with Corner Point, do hereby certify that I have surveyed and mopped the following described parcel:

Part of the SW 1/4 of the SE 1/4 including part of Tracts 1 of a Certified Survey Map recorded in Volume 13, Page 357, all of Lot 1 of a Certified Survey Map recorded in Volume 30, Page 61, located in Section 21, Town 18 North, Range 22 East, Town of Liberty, Manitowoc County, Wisconsin, described as follows:

Commencing at the S 1/4 Corner of Section 21; Thence S 88°08'47" E, 845.97 feet coincident with the south line of the SE 1/4 of Section 21 being the point of beginning; Thence continuing S 88°08'47" E, 277.68 feet to the southwest corner of Lot 2 of a Certified Survey Map recorded in Volume 30, Page 61; Thence N 03°56'52" E, 125.75 feet (recorded as S 03°52'35" W, 125.71'); Thence S 85°53'47" E, 20.81 feet (recorded as N 86°07'25" W, 20.71'); Thence N 03°49'10" E, 254.26 feet (recorded as S 03°52'35" W, 254.41') coincident with the west line of said Lot 2 to its northwest corner; Thence S 67°19'06" E, 174.95 feet (recorded as S 67°23'13" E, 174.48') coincident with the north line of said Lot 2 to its northeast corner; Thence N 00°06'34" E (recorded as S 00°02'30" W), 613.09 feet coincident with the east line of said SW 1/4 of the SE 1/4; Thence S 84°36'58" W, 423.91 feet; Thence S 04°12'49" W, 876.90 feet to the point of beginning.

Said parcel contains 345,159 Square Feet (7.924 Acres) of land.

That I have made such survey, land division and map at the direction of Stone Mulhoney.

I further certify that the map hereon is a correct representation of the exterior boundaries of the lands surveyed and the division thereof. Also that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Section 12.07 of the Manitowoc County Subdivision Regulations.

Dated _____

Jeffrey A. DeZeeuw
 Professional Land Surveyor, S-2294

OWNER'S CERTIFICATE

As owners we hereby certify that we caused the land described on this map to be surveyed, mopped, divided and dedicated as represented on this map

Dated _____

Signature Enterprises, LLC

MANITOWOC COUNTY APPROVAL STAMP



LINE	BEARING	DISTANCE	RECORDED AS
1-2	N 03°56'52" E	58.36'	S 03°52'35" W 58.34'
2-3	N 03°56'52" E	67.39'	S 03°52'35" W 67.37'
1-3	N 03°56'52" E	125.75'	S 03°52'35" W 125.71'
2-4	S 82°17'50" W	21.28'	21.17'
3-4	S 83°53'47" E	20.81'	N 86°07'25" W 20.71'
5-6	N 03°49'10" E	254.26'	N 03°52'35" E 254.41'
6-7	S 67°19'06" E	174.95'	S 67°23'13" E 174.48'
7-8	S 00°06'34" W	88.37'	S 00°02'30" W 88.66'
8-9	N 79°49'22" W	19.27'	N 79°46'26" W 18.95'



ORDINANCE AMENDING MANITOWOC COUNTY CODE § 8.18
(General Zoning and Land Use Regulation)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Chapter 8 of the Manitowoc County Code regulates the use and development
2 of land and buildings within Manitowoc County; and

3
4 WHEREAS, single family residences and private garages currently require a conditional use
5 permit in the Natural Area (NA) zoning district; and

6
7 WHEREAS, the Planning and Zoning Department has determined the requirement of a
8 conditional use permit for single family residences and private garages in Natural Area zoned areas
9 causes an undue burden on property owners with increased costs and time and does not result in
10 increased protection of natural resources; and

11
12 WHEREAS, the Planning and Park Commission, after providing the required notice,
13 conducted a public hearing on April 24, 2023 to consider the proposed amendment to the
14 Manitowoc County General Zoning and Land Use Regulation Ordinance; and

15
16 WHEREAS, the Planning and Park Commission, after careful consideration of the testimony
17 at the hearing and an examination of the facts, recommends that the following amendment of the
18 Manitowoc County General Zoning and Land Use Regulation Ordinance be approved;

19
20 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
21 ordain as follows:

22
23 Manitowoc County Code § 8.18(2) (Natural Area (NA)) is amended to read as follows:

24
25 (2) Principal Uses. The following uses are allowed in the NA district:

26 ...

27 (gm) Private Garages.

28 ...

29 (hm) Single Family Residences.

30
31 Manitowoc County Code § 8.18(4) (Natural Area (NA)) is amended to read as follows:

32
33 (4) Conditional Uses. The following uses may be allowed in the NA district upon the
34 issuance of a conditional use permit:

35 ...

36 ~~(e) Private garages.~~

37 ...

38 ~~(h) Single family residences.~~

39

40 and

41

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

44

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

Dated this 16th day of May 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS MAY 16, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: ORDINANCE AMENDMENT FOR CHAPTER 8, GENERAL ZONING AND LAND USE
REGULATION.

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

The Manitowoc County Planning and Park Commission, on April 10, 2023, petitioned the Manitowoc County Board of Supervisors for an ordinance amendment for Chapter 8 of the Manitowoc County Code, Chapter 8, titled "General Zoning and Land Use Regulation" to allow for an amendment to sec. 8.18 (4).

1. Action taken to date on this request includes:
 - a. The Manitowoc County Planning and Park Commission petitioned for an Ordinance amendment of the Manitowoc County Code, Chapter 8 on April 10, 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 April 14, 2023 and on April 17, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on April 24, 2023.
 - e. The Commission at their April 24, 2023 meeting recommended approval of the requested Ordinance Amendment of the Manitowoc County Code, Chapter 8.
2. Testimony from the April 24, 2023 hearing is available at the Planning and Zoning office in the form of a digital recording.
3. Testimony from the April 24, 2023 hearing is summarized as follows:
 - a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
 - b. Mr. Stephen Diedrich, spoke in favor of the text amendment.

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

1. Single family homes and private garages were a permitted use in the NA, Natural Area Zoned District prior to the last revision of the Manitowoc County General Zoning Ordinance (Chapter Eight) in 2011.
2. The Manitowoc County Board of Adjustment has approved all requests to construct single family homes and private garages by home owners since the change to the ordinance was made in 2011.
3. Current requirement is considered overly burdensome on property owners and should be revised to eliminate the Conditional Use Requirement to construct single family homes and private garages in the NA, Natural Zoned areas of Manitowoc County.
4. The following changes should be made to the Manitowoc County General Zoning Ordinance Chapter Eight; omit section 8.18 (4) (e) Private Garages and section 8.18 (4)

(h) Single Family Residences from section 8.18 (4) Conditional Uses and move to section 8.18 (2) Permitted Uses as sections 8.18 (2) (gm) Garages and 8.18 (2) (hm) Single Family Residences.

RECOMMENDATION

The Manitowoc County Planning and Park Commission, at its April 24, 2023 meeting, therefore by unanimous vote and after careful consideration of testimony and an examination of the facts, recommends that an Ordinance Amendment of the Manitowoc County Code Chapter 8, General Zoning and Land Use Regulation Ordinance, related to sec 8.18 (4) be approved.



Planning & Zoning Department

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

APPLICATION FOR AN ORDINANCE TEXT AMENDMENT

Date: April 10, 2023

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

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

Subject: Application for Text Amendment
Manitowoc County Code Chapter 8

The Manitowoc County Planning and Park Commission hereby petitions the Manitowoc County Board of Supervisors for an ordinance text amendment of the Manitowoc County Code Chapter 8, Section 8.18 (4):

To omit section 8.18 (4) (e) Private Garages and section 8.18 (4) (h) Single Family Residences from section 8.18 (4) Conditional Uses and move to section 8.18 (2) Permitted Uses as sections 8.18 (2) (gt) Garages and 8.18 (2) (ht) Single Family Residences.

This amendment updates the General Zoning and Land Use Regulation Ordinance to allow garages and single family residences as a permitted use in the Natural Area (NA) zoning district. The proposed ordinance text amendment may be obtained from the Planning and Park Commission.

Manitowoc County Planning and Zoning Commission

By: 
James Falkowski, Chair



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

April 12, 2023

Tim Ryan, Director
Planning & Park Commission
4319 Expo Dr., P.O. Box 935
Manitowoc, WI 54221-0935

and

Manitowoc County Board of Supervisors

ATTN: Tim Ryan and Manitowoc County Board of Supervisors

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

-Manitowoc County Code, Chapter 8, General Zoning and Land Use Regulation to allow garages and single family residences as a permitted use in the Natural Area (NA) zoning district.

Name Petitioner

Manitowoc County Planning and Park Commission

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

Sincerely,

Jessica Backus

Jessica Backus
Manitowoc County Clerk



Manitowoc County

Planning & Zoning Department

Manitowoc County Office Complex • 4319 Expo Drive, P.O. Box 935
Manitowoc WI 54221-0935 • Phone: 920.683.4185

Chapter 8 Amendment

Section 8.18 Natural Area Zoning District

Yellow highlighted sections to be omitted.

Red font section to be added to the ordinance.

Omit from Section 8.18 (4) “Conditional Uses”:

8.18 (4) (e) Private Garages

8.18 (4) (h) Single Family Residences

Add to Section 8.18 (2) “Permitted Uses”:

8.18 (2) (gt) Private Garages

8.18 (2) (ht) Single Family Residences

Reasons for amending:

1. There have never been any negative issues with allowing a house or garage in an NA district. They are always approved because they always meet conditional use permit standards.
2. The conditional use permit process is an increased burden to owners because of the longer process and additional fee. By making houses and garages a permitted use, it is saving the citizen two monthly meetings and additional fee for something they will be granted anyway.
3. A conditional use permit isn't needed to protect natural areas such as wetlands, floodplain and shorelands because there are other ordinances and regulations that provide that protection.
4. It allows older existing houses in NA areas to become a conforming use rather than nonconforming use.

**RESOLUTION AUTHORIZING GENERAL FUND BALANCE
TRANSFER AND APPROVING WILKE LAKE PIER EXTENSION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Parks Department maintains boat launch facilities at
2 16 lakes in Manitowoc County including Wilke lake; and

3
4 WHEREAS, Wilke Lake is one of five lakes where motor boats are allowed; and

5
6 WHEREAS, the boaters using the Wilke Lake boat launch facility are experiencing
7 difficulty in loading and unloading due to the length of the current launch pier; and

8
9 WHEREAS, the Manitowoc County Lakes Association and the Wilke Lake Advancement
10 Association have sent correspondence verifying the boaters concerns and have requested an
11 extension to the current launch pier; and

12
13 WHEREAS, the Manitowoc County Parks Department has received an estimate to extend
14 the existing launch pier from Pier & Waterfront Solutions, LLC in the amount of \$10,952.00; and

15
16 WHEREAS, the proposed pier extension project was unanticipated and thus not included
17 in the 2023 budget; and

18
19 WHEREAS, there are sufficient reserves in the general fund to fund the purchase and
20 installation of the proposed pier extension; and

21
22 WHEREAS, after careful consideration and review, the Finance Committee recommends
23 that \$11,000.00 be transferred from the general fund to be used to purchase and install an extension
24 to the public access launch pier on Wilke Lake;

25
26 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
27 county of Manitowoc authorizes the transfer of \$11,000.00 from the general fund to be used to
28 purchase and install an extension to the public access launch pier on Wilke Lake; and

29
30 BE IT FURTHER RESOLVED that the Director of the Planning and Zoning Department
31 is authorized to take necessary measures for the construction and installation of an extension to
32 the Wilke Lake launch pier; and

33
34 BE IT FURTHER RESOLVED that that revenues and expenditures in the 2023 Planning
35 and Zoning budget are amended by the amount provided in this resolution and that the Finance
36 Director is directed to record such information in the official books of the County as may be
37 required.

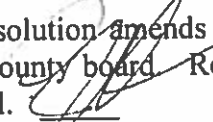
Dated this 16th day of May 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: Transfers \$11,000.00 from the general fund to Planning and Zoning, thereby reducing the general fund by \$11,000 and increasing the Planning and Zoning budget by a like amount.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION AUTHORIZING BEAD LOCAL PLANNING GRANT PARTICIPATION

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Public Service Commission Broadband Office has awarded
2 New North, Inc. a Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant;
3 and

4
5 WHEREAS, New North, Inc. has formed the New North Broadband Alliance to work in
6 partnership with counties within New North Inc.'s region, including Manitowoc County, to
7 coordinate and align planning activities across the region; and

8
9 WHEREAS, per the terms of the attached Memorandum of Understanding (MOU) between
10 Manitowoc County and New North Inc., Manitowoc County could receive up to \$10,000 to help
11 compensate for county staff time needed to conduct county responsibilities as outlined in the
12 MOU; and

13
14 WHEREAS, after careful consideration and review, the Finance Committee recommends
15 Manitowoc County continues participating in the New North Broadband Alliance;

16
17 NOW THEREFORE BE IT RESOLVED that the county board of supervisors of the county
18 of Manitowoc authorizes the Manitowoc County Executive to take such action as necessary to
19 fully participate in the New North Broadband Alliance, including applying for grants and entering
20 into agreements; and

21
22 BE IT FURTHER RESOLVED that that revenues and expenditures in the County
23 Executive's budget are amended by the amount provided in this resolution and that the Finance
24 Director is directed to record such information in the official books of the County as may be
25 required.

Dated this 16th day of May 2023.

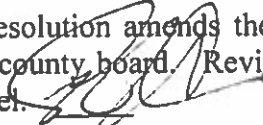
Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: No tax levy impact. Appropriate revenue and expense accounts in the County Executive budget are increased by the amount of any grant amounts received.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE:

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

Memorandum of Understanding
Public Service Commission of Wisconsin (PSC)
Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant
Among Manitowoc County and New North, Inc.
New North Broadband Alliance

This Memorandum of Understanding (MOU) is made and entered into by and between Manitowoc County and New North, Inc. (New North) in order to provide support for the PSC BEAD Local Planning Grant (project).

1. PURPOSE

- a. Manitowoc County and New North agree to work together in a collaborative spirit and negotiate in good faith on tasks and deliverables required for the execution of the project for the purposes of providing reports for inclusion in Wisconsin Public Service Commission Broadband Office Broadband Equity, Access, and Deployment (BEAD) Five-Year Action Plan as part of the Federal Bi-Partisan Infrastructure BEAD Program.
- b. To be successful both New North and Manitowoc County agree to invest time and resources to prepare and plan to improve broadband access locally and throughout the region.

2. TIMEFRAME

- a. This MOU shall be effective for the time-period **beginning on the signing of this document and ending on July 1, 2024, which may be continued with the consent of both entities.**
- b. This MOU may be extended, with the consent in writing of both parties, to cover other grants or joint activities such as USDA Broadband grants.

3. COUNTY ROLES AND RESPONSIBILITIES

To ensure joint success, Manitowoc County shall make its staff, community representatives, volunteers and other resources available to provide the services as outlined:

- a. Identify a "Broadband Champion" to act as the main point of contact. This person will:
 - i. Act as the conduit between New North and Manitowoc County
 - ii. Attend/Participate in regional and state (if needed) Broadband Champion collaborative meetings (frequency TBD)
 - iii. On behalf of Manitowoc County interact with: WI-PSC, WEDC, UW-Extension, utilities and other entities as required
- b. Reach out to stakeholders in the community, which will likely include the creation or continuation of a County Broadband Committee or Task Force;
 - i. Hosting of events to discuss broadband and barriers to adoption;
 - ii. Identifying existing broadband activity in support of the vision and goals
- c. Assist and/or collaborate to provide content, reports, information as needed to complete project and activities as outlined by county through agreed performance period
 - i. Continue GIS mapping provided by GEO Partners and paid for by WEDC along with other speed testing that each county currently provides

- ii. Provide overlay mapping of the various mapping tool results
- iii. Submission of an invoice for the full amount of the award to New North as request for reimbursement
- d. Participate in regional-level community visioning and goal setting
- e. Begin planning and preparation work for possible local and/or regional BEAD grant applications
- f. Facilitate broadband related speed tests and/or surveys at the discretion of each county

4. NEW NORTH ROLES AND RESPONSIBILITIES

New North shall make its staff resources available to provide the services as outlined:

- a. Perform as Fiscal Agent to PSC – financial management and auditing
- b. Function as the Regional point of contact and act as the conduit for information sharing to and from the region
- c. Lead regional “Broadband Champion” collaborative meetings (frequency TBD)
- d. Coordinate, communicate, share and/or facilitate broadband planning grant related activities statewide
- e. Assist with meeting planning and convening of partners, as needed
- f. Assist with access to mapping tools through GEO Partners or other entities
- g. Assist with use of existing broadband information such as the New North regional Broadband study, Microsoft’s Equity information and other existing data sources, demographic data.
- h. Assist with data collection, primarily acting as a broadband library and information access coordination
- i. Provide the WI-PSC report outline or work with partners to create an outline for the initial regional 5yr plan broadband plan
- j. Include Broadband Workforce Planning reports and Digital Equity Reports as part of overall regional submission
- k. Coordinate the dissemination of WEDC’s Broadband Toolkit and UW Extension’s educational material/technical assistance
- l. Submit the required deliverables to PSC by June 19, 2023

5. REPORTING REQUIREMENTS

New North shall

- a. Administer funds and submission of related request for payment requirements
- b. Consolidate, prepare and submit required regional documentation and reports as per PSC grant agreement:
 - i. Required deliverables by June 19, 2023
 - ii. Interim Project Status Report
 - iii. Final Project Status Report

Manitowoc County shall

- a. Provide all initial information generated by Manitowoc County for the PSC BEAD Local Planning Grant shall be provided to the New North by Monday, May 29, 2023.
- b. See Also #6 Compensation and Billing

6. Compensation and Billing – Total Allocation \$302,567.25

- a. \$30,000 - New North, Inc. - Project management responsibilities to include contract administration, financing, audit, reporting, state agencies' point of contact
- b. \$225,000 - *\$15,000 to each participating county (15) to help compensate for county responsibilities as noted in Section 3

Amount of individual county award would depend if county decides to use their staff for layered mapping/data aggregation or would want to participate in a shared GIS mapping position for the purposes of this grant along with a shared data-use agreement with the PSC for additional mapping and survey tools through WISR, which New North would facilitate. (\$5,000 of the \$15,000 allocation per county towards these activities)

- i. County would provide New North with an invoice for the amount of \$15,000 or other agreed upon amount. Payment of invoice will be made upon receipt of findings for report completion (May 29, 2023 or sooner).
- c. \$47,567.25 - New North's Broadband Alliance Activities - available for additional mapping, data collection, and reporting activities as agreed upon by participating counties
- d. At Counties discretion, New North can act as a coordinator to pool funds for additional Broadband related activity such as multi-county mapping, survey and/or outreach efforts.

7. Amendments, Renewal & Termination

- a. This MOU and its provisions may be modified or amended only by written mutual agreement of the parties at any time during the effective time period.
- b. The termination of this agreement can be initiated by any of the parties with the provision of a 30-day written notice stating the reasons for termination. Parties shall negotiate in good faith prior to termination.
- c. Termination, or non-participation does not eliminate the Monday, May 29, 2023 reporting requirement. Manitowoc County shall be compensated by New North for work complete up to, and through the termination date.

8. Acceptance of Terms

This MOU and its conditions, terms and expectations are hereby agreed upon and will be upheld to the highest of standards.

Name, Title, County, Date

Barb LaMue, President & CEO, New North, Inc., Date

RESOLUTION AUTHORIZING REALLOCATION OF HUMAN SERVICES DEPARTMENT 1.0 FULL-TIME EQUIVALENT POSITION (CCS Services Facilitator to CCS Administrative Support Specialist)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a decision has been made to move the CCS Unit of the Human Services
2 Department to the newly acquired building located 808 Hamilton Street; and
3

4 WHEREAS, with the move to the new building, there is a need for an on-site receptionist
5 and clerical support; and
6

7 WHEREAS, there are currently two (2) vacant CCS Facilitator positions within the CCS
8 Unit; and
9

10 WHEREAS, reallocating a CCS Facilitator position to a CCS Administrative Support
11 Specialist position will allow the department to have the clerical support needed at the new
12 building; and
13

14 WHEREAS, reallocating a CCS Facilitator position to a CCS Administrative Support
15 Specialist position will result in a pay grade change from a salaried C43 to an hourly C42; and
16

17 WHEREAS, reallocating a CCS Facilitator position to a CCS Administrative Support
18 Specialist position will not change the funding source of the position or the Human Services
19 Department’s total FTE count; and
20

21 WHEREAS, after careful consideration and review, the Personnel Committee and the
22 Human Services Board recommends the current 1.0 FTE CCS Facilitator position be converted to
23 a 1.0 FTE CCS Administrative Support Specialist position;
24

25 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
26 county of Manitowoc authorized the reallocation of one of the 1.0 FTE CCS Facilitator positions
27 to a 1.0 FTE CCS Administrative Support Specialist position; and
28

29 BE IT FURTHER RESOLVED that the 2023 Full-Time Equivalent Report (FTE) by
30 Department included in the 2023 Adopted Annual Budget Book is amended accordingly and that
31 the Finance Director is directed to record such information in the official books of the County for
32 the year ending December 31, 2023 as may be required.

Dated this 16th day of May 2023.

Respectfully submitted by the
Personnel Committee

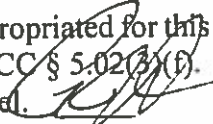
Susie Maresh, Chair

Human Services Board

Jim Brey, Chair

FISCAL IMPACT: None. The pay grade for the positions involved will change from a salaried C43 to an hourly B21, *i.e.* a decrease in wages; however, the position is currently grant funded, so there will be no impact to the tax levy.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Sufficient funds have been appropriated for this position and only a majority vote is required pursuant to MCC § 5.02(3)(f). Reviewed and approved as to form by Corporation Counsel. 

APPROVED: _____
Bob Ziegelbauer, County Executive Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, May 16, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 16th day of May 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 22 members were present at the time of voting for resolutions: Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Maresh, Martell, Metzger, Muench, Naidl, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisors Baumann, Linsmeier, and Neils were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht, the April 18, 2023 meeting minutes were approved on a unanimous vote.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:03 p.m.

No one present wished to speak, subsequently Chairperson Martell closed public input at 6:03 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointments of Kristy Schmidt, Robert Wenger, (Alternate) Audrey Reese, and Kevin Klosinski to the Local Emergency Planning Committee. Supervisor Sitkiewitz moved, seconded by Supervisor Hacker to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Zimmer to enact Ordinance 2023/2024-8 Amending Zoning Map (Signature Enterprises LLC). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Vogt to enact Ordinance 2023/2024-9 Amending Manitowoc County Code § 8.18 (General Zoning and Land Use Regulations). Upon vote, the motion carried unanimously.

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

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-10 Authorizing General Fund Balance Transfers and Approving Wilke Lake Pier Extension. Upon vote, the motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-11 Authorizing BEAD Local Planning Grant Participation. Upon vote, the motion carried unanimously.

Highway Committee: Supervisor Behnke gave a brief report.

Human Services Board: Supervisor Brey gave a brief report.

Personnel Committee: Supervisor Metzger gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous:

Supervisor Maresh moved, seconded by Supervisor Brey, to adopt Resolution 2023/2024-12 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CCS Services Facilitator to CCS Administrative Support Specialist). Upon vote, the motion carried unanimously.

ANNOUNCEMENTS

Chairperson Martell provided a report regarding the Ad Hoc Courthouse Dome Advisory Committee.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 6:25 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



**MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE**

DATE: Tuesday, June 20, 2023

TIME: 5:30 P.M.

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

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. Roll Call
- III. Ice Cream Social in Honor of June Dairy Month
- IV. Adjournment

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: June 20, 2023

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 Wagner.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the May 16, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer – Report on Courthouse Project Funding
 2. County Executive Bob Ziegelbauer and County Board Chair Tyler Martell – Proclamation Proclaiming June Dairy Month
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
 - A. Board of Adjustment

Appoint two members to succeed Dave Christel and Robert Salm for three-year terms expiring in July 2026.

 1. Dave Christel
 2. Robert Salm
 - B. Northeast Wisconsin Regional Economic Partnership

Appoint three members to succeed Jamie Zastrow, alternate Adam Tegen and alternate Elizabeth Runge for one-year terms expiring July 2024.

 1. Adam Tegen
 2. Alternate) Elizabeth Runge
 3. Alternate) Jamie Zastrow
 - C. Planning and Park Commission

Appoint one member to succeed Mary Muench for a seven-year term expiring in July 2030.

 1. Mary Muench

D. Transportation Coordinating Committee

Appoint one person to fill a vacancy expiring April 2024.

1. Ronald Shannon

Appoint one person to fill a vacancy expiring April 2026.

1. Heather Ihlenfeldt

X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

A. Planning & Park Commission

- Petitions:
- 1) Kyle & Bailey Reeve – Town of Gibson
 - 2) Eugene J. Andres Revocable Living Trust – Town of Kossuth
 - 3) Peter J. Lindemann & Jean M. Lindemann Revocable Trust – Town of Liberty

B. Aging & Disability Board

C. Board of Health

D. Criminal Justice Coordinating Council

E. Executive Committee

F. Expo-Ice Center Board

G. Finance Committee

H. Highway Committee

I. Human Services Board

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

K. Personnel Committee

L. Public Safety Committee

1. Resolution 2023/2024-13 Authorizing Acceptance of Hazard Mitigation Plan Update Grants

M. Public Works Committee

2. Resolution 2023/2024-14 Amending Weapons Policy

N. Transportation Coordinating Committee

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF HAZARD
MITIGATION PLAN UPDATE GRANTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Hazard Mitigation Plan is a federally mandated
2 planning document that is reviewed and renewed every five years; and

3
4 WHEREAS, the Manitowoc County Hazard Mitigation Plan identifies hazards that directly
5 impact Manitowoc County, as well the likelihood and significance of those hazards; and

6
7 WHEREAS, the Federal Emergency Management Administration (“FEMA”) has awarded
8 Manitowoc County \$21,612.62 in grant funds towards the costs of developing the updated
9 Manitowoc County Hazard Mitigation Plan (the “Project”); and

10
11 WHEREAS, Wisconsin Emergency Management (“WEM”) has awarded Manitowoc
12 County an additional \$3,412.52 towards the costs of the Project; and

13
14 WHEREAS, Manitowoc County intends to contract with Bay Lakes Regional Planning to
15 prepare the updated Manitowoc County Hazard Mitigation Plan; and

16
17 WHEREAS, after careful consideration and review, the Public Safety Committee
18 recommends that Manitowoc County accept the grant funds from FEMA and WEM to complete
19 the Project;

20
21 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
22 county of Manitowoc authorizes the Manitowoc County Emergency Services Director to accept
23 the FEMA Hazard Mitigation Grant Program funds of \$21,612.62 and WEM grant funds of
24 \$3,412.52 for the purpose of updating the Manitowoc County Hazard Mitigation Plan; and

25
26 BE IT FURTHER RESOLVED that the Emergency Services Director is authorized to sign
27 documents and take the actions necessary to undertake, direct, and complete the Project; and

28
29 BE IT FURTHER RESOLVED that the 2023 budget is amended by the amount of the grant
30 funds allocated and that the Finance Director is directed to record such information in the official
31 books of the County for the year ending December 31, 2023 with carryover to 2024 as may be
32 required.

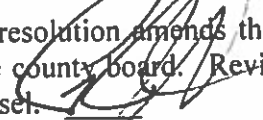
Dated this 20th day of June 2023.

Respectfully submitted by the
Public Safety Committee

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. Appropriate revenue and expense accounts in the Emergency Services Department budget are hereby increased by the amount of the grant funds and commensurate Project expenses.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION AMENDING WEAPONS POLICY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in 2011, the legislature passed 2011 Wisconsin Act 35, which repealed
2 prohibitions against carrying concealed and dangerous weapons; and
3

4 WHEREAS, 2011 Wisconsin Act 35 prohibits concealed carry licensees from carrying a
5 firearm in certain government buildings, such as a courthouse, jail, or sheriff's department; and
6

7 WHEREAS, 2011 Wisconsin Act 35 allows local governments to prohibit employees and
8 the public from carrying specific weapons in local government buildings in certain circumstances;
9 and
10

11 WHEREAS, in 2011 Manitowoc County passed Resolution No. 2011/2012-88, which
12 adopted the "Manitowoc County Weapons Policy" ("Weapons Policy") consistent with Wisconsin
13 law; and
14

15 WHEREAS, amendments must be made to the Weapons Policy from time-to-time to keep
16 policies current, reflect current practice, and address new issues and circumstances; and
17

18 WHEREAS, Section 3(d) of the Weapons Policy establishes the buildings that are owned
19 by Manitowoc County where the concealed carry of a firearm is prohibited; and
20

21 WHEREAS, due to the relocation of certain county functions, the Public Works
22 Committee, after careful consideration and review, recommends that Section 3(d) of the Weapons
23 Policy be amended to prohibit the concealed carry of firearms in the Human Services Hamilton
24 Street Office Building and the Manitowoc County Office Complex on Expo Drive;
25

26 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
27 county of Manitowoc amends the Manitowoc County Weapons Policy as follows:
28

29 Manitowoc County Weapons Policy Section 3(d) is amended to read as follows:
30

- 31 (d) Any other provision of this policy notwithstanding, Manitowoc County prohibits
32 the concealed carry of a firearm or other weapon in the following building(s):
33

34 Communications & Technology Building
35 1024 South 9th Street
36 Manitowoc, WI 54220
37

38 Human Services Department - Main Office
39 926 South 8th Street
40 Manitowoc, WI 54220

41
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~~Human Services Department Job Center Office~~
~~3733 Dewey Street~~
~~Manitowoc, WI 54220~~
Human Services Department – Hamilton Street Office
808 Hamilton Street
Manitowoc, WI 54220

Manitowoc County Office Complex
4319 Expo Drive
Manitowoc, WI 54220

Dated this 20th day of June 2023.

Respectfully submitted by the
Public Works Committee

Rick Gerroll, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



APPROVED:

Bob Ziegelbauer, County Executive

Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, June 20, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 20th day of June 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 23 members were present at the time of voting for resolutions: Baumann, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Linsmeier, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, and Weiss. Supervisors Behnke and Zimmer were excused.

On a motion by Supervisor Engelbrecht, seconded by Supervisor Baumann, the May 16, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Proclaiming June Dairy Month to UW-Extension Agricultural Educator Angie Ulness, UW-Extension Director Jayna Hintz, Dairy Princess Jenna Gries, and the Dairy Judging Group of Jenna Gries, Clarissa Ulness, Lauren Siemers, and Emma Vos.

County Executive Bob Ziegelbauer reported the funding options of a county sales tax versus bonding for the Courthouse Dome Project.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:26 p.m.

Maura Yost, Town of Centerville, advocated for the half-cent county sales tax instead of borrowing.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:31 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointments of Dave Christel and Robert Salm to the Board of Adjustment. Supervisor Hansen moved, seconded by Supervisor Neils to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Adam Tegen, Alternate) Elizabeth Runge, and Alternate) Jamie Zastrow to the Northeast Wisconsin Regional Economic Partnership. Supervisor Hansen moved, seconded by Supervisor Engelbrecht to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Mary Muench to the Planning and Park Commission. Supervisor Maresch moved, seconded by Supervisor Falkowski to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Ronald Shannon and Heather Ihlenfeldt to the Transportation Coordinating Committee. Supervisor Hacker moved, seconded by Supervisor Weiss to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Board of Health: Supervisor Metzger gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Highway Committee: Supervisor Gerroll gave a brief report.

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

Personnel Committee: Supervisor Metzger gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Supervisor Falkowski moved, seconded by Supervisor Muench, to adopt Resolution 2023/2024-13 Authorizing Acceptance of Hazard Mitigation Plan Update Grants. Upon vote, the motion carried unanimously.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Sitkiewitz, to adopt Resolution 2023/2024-14 Amending Weapons Policy. Upon vote, the motion carried unanimously.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Falkowski, and the motion was adopted by acclamation. The meeting adjourned at 6:55 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: Tuesday, July 18, 2023
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 Chairperson Martell.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the June 20, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
- X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Ordinance 2023/2024-15 Amending Zoning Map (Peter J Lindemann and Jean M Lindemann Revocable Trust)

Petitions: 1) Justin Morris – Town of Mishicot
2) Lawrence A. Krepline Revocable Living Trust – Town of Rockland
 - B. Aging & Disability Board
 - C. Board of Health
 2. Resolution 2023/2024-16 Accepting 2023 Public Health Infrastructure Grant
 3. Resolution 2023/2024-17 Accepting 2023 Public Health Vending Machine Grant
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board
 - G. Finance Committee
 4. Resolution 2023/2024-18 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

- H. Highway Committee
- I. Human Services Board
- J. Land Conservation Committee/ UW-Extension Education and Agriculture Committee
- K. Personnel Committee
 - 5. Resolution 2023/2024-19 Establishing Compensation for County Board Supervisors for Term Beginning April 2024

- L. Public Safety Committee
- M. Public Works Committee
- N. Transportation Coordinating Committee
- O. Miscellaneous
 - Public Works Committee and Finance Committee
 - 6. Resolution 2023/2024-20 Expressing Intent to Proceed with Courthouse Dome Project

Supervisor Ryan Phipps

- 7. Resolution 2023/2024-21 Approving Town of Newton Zoning Ordinance (Ronald and Luann Waack)

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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

ORDINANCE AMENDING ZONING MAP
(Peter J Lindemann and Jean M Lindemann Revocable Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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 June 26, 2023; 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 in part of the NE 1/4 of the NW 1/4 of Section 35, Town 18 North, Range 22 East, Town of Liberty, Manitowoc County, Wisconsin, described as follows:

Commencing at the N 1/4 Corner of said Section 35; Thence S 89°41'09" W, 367 feet more or less coincident with the north line of said NW 1/4 to the point of beginning; Thence continuing S 89°41'09" W, 356 feet more or less; Thence S 00°18'51" E, 335 feet more or less; Thence N 89°41'09" E, 356 feet more or less; Thence N 00°18'51" W, 335 feet more or less to the point of beginning, said parcel containing approximately 2.74 acres of land and is hereby rezoned from Exclusive Agriculture (EA) District to Rural Residential (RR) District.


Dated this 18th day of July 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS JULY 18, 2023.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	PETER J LINDEMANN & JEAN M LINDEMANN REVOCABLE TRUST 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.

The Peter J Lindemann & Jean M Lindemann Revocable Trust, on May 30, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.0 acres of land located in the NE1/4, NW1/4, Section 35, T18N-R22E, Town of Liberty, from EA, Exclusive Agriculture to RR, Rural Residential.

The Town of Liberty adopted the Manitowoc County Zoning Ordinance on November 14, 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. The Peter J Lindemann & Jean M Lindemann Revocable Trust petitioned for a zoning map amendment on May 30, 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 June 15, 2023 and on June 19, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on June 26, 2023.
 - e. The Commission at their June 26, 2023 meeting recommended approval of a requested rezoning of approximately 3.0 acres of land located in the NE1/4, NW1/4, Section 35, T18N-R22E, Town of Liberty, 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.

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 EA, Exclusive Agriculture District.
2. The Liberty Town Board & the Town Planning Commission supports the proposed zone change.
3. Area to be rezoned is a prior homestead and no farmland is affected by this request.

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 the Peter J Lindemann & Jean M Lindemann Revocable Trust to rezone approximately 3.0 acres of land from EA, Exclusive Agriculture to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its June 26, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.0 acres of land located in the NE¼, NW¼, Section 35, T18N-R22E, Town of Liberty, 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

June 12, 2023

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

and

Manitowoc County Supervisor Ryan W. Phipps
Supervisory District 17

ATTN: Tim Ryan and Supervisor Phipps

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:

Peter J. Lindemann & Jean M. Lindemann Revocable Trust
9001 Flower Lane
Valders, WI 54245

Township:

Liberty

Applicant/Agent

Peter James Lindemann
9001 Flower Lane
Valders, WI 54245

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 # 40621

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
MAY 30 2023
PLANNING & PARK
COMMISSION

Date of Application:		OWNER / APPLICANT/ AGENT	
<i>Peter J Lindemann & Jean M Lindemann Revocable Trust</i>		<i>Peter James Lindemann</i>	
Owner	<u>Peter Jan Lindemann</u>	Applicant/Agent	<u>Peter James Lindemann</u>
Address (1)	<u>9001 Flower Lane</u>	Address (1)	<u>9001 Flower Lane</u>
Address (2)		Address (2)	
City/State/Zip	<u>Valders, WI 54245</u>	City/State/Zip	<u>Valders, WI 54245</u>
Phone	<u>920-901-2932</u>	Phone	<u>920-901-8932</u>

PROPERTY LEGAL DESCRIPTION

NE 1/4, NW 1/4, S 35 T 18 N R 22 E Town of Liberty

House/Fire # 12023 Newton Road Tax Number 00803500500000

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:

We are requesting to rezone no more than .3 acres of non-tillable land where a previous homestead existed. See attached air photo.

Proposed use: (Reason for change)

We would like to build on this property self storage units for the general public to rent. We would be removing no more than 3 acres of non tillable land from this 40 acre parcel to create economic value on this otherwise dormant property. We wish to keep a harmonious presence with the neighboring farmland and only wish to square off this property for economic use.

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185	<u>Peter Lindemann</u> Signature (applicant, owner, agent)	<u>05MAY2023</u> Date
	_____ Signature (applicant, owner, agent)	_____ Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Peter J & Jean M Lindemann Revoc Trust
Address: 9001 Flower Ln
Valders, WI 54245
Town: Liberty

PARCEL

Location: NE1/4, NW1/4, Section 35, T18N-R22E
Tax#: 008-035-005-000.00
Area: 3.00 acres

ACTION TO DATE

Petition Submitted: 5/30/2023
Town Action: Approved May 8, 2023
Hearing Notice Published: 6/15/2023 & 6/19/2023
Advisory: 6/26/2023
Hearing: 6/26/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland
South	EA	Farmland
East	EA	Farmland
West	EA	Farmland

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmland & Old Farmstead
Proposed Zoning District: RR, Rural Residential
Proposed Use: To apply to the BOA for
Self storage units

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: HrB, SyA
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well - poorly drained
Soil Limitations: Moderate – Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Newton Rd.

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

Town Future Land Use Designation: Agricultural Zoning District

The designated "agricultural zoning district" is established to support the agricultural industry and heritage of the town. The "agricultural zoning district" is where most of the farm income is generated in the Town Liberty. "Agricultural lands" include lands dedicated to crop production, dairy operations, livestock grazing, timber/pulp/forests, and similar uses. The town intends to limit incompatible non-farm development in this district. All forms of development except farm operations, commercial business operations related to farming, and housing for farm families and for others directly employed in farming are recommended for exclusion from the "agricultural zoning district".

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

Town of Liberty Change Request Form

Requested By: *Pete James Lindemann as agent for Peter Jan Lindemann*

Date Received: *4/11/2023*

Evaluation Meeting Date: *5/1/2023*

Site Address: *12023 Newton Road*

Change Requested: *Rezone no more than 3 acres from EA to RR and Conditional Use request for purpose of building mini storage units.*

1. Current Zoning Map:

EA – Exclusive Ag

2. Within 75 feet of wetland:

NO – N/A

3. Farmland Preservation Area:

Proposed building site is not active farmland

4. Woodland Preservation Area:

NO – N/A

5. Planning Map & Criteria:

A. Natural Areas

No – N/A

B. Transportation (Commercial Develop. Only)

No – N/A

C. Topography & Soil

Gentle sloping site, clay soil

D. Pre-existing Home Site

Previous homestead was located on non-fillable land

E. Detrimental To Air, Ground Water, Or Surface Water Quality

No, not as presented

F. Any Land Use Conflicts

No, proposal is in harmony with Town comprehensive plan

6. Site Inspection

Yes, on individual basis.

Town of Liberty Change Request Form

7. Special Considerations

Rezone:

Proposed building site was previous homestead and is non-tillable
3 acre maximum rezone will not result in loss of tillable land
Rezone is for use compatible with surrounding agricultural uses
See attached rezone application for added details

Conditional Use:

Water run-off from roofs to be channeled to roadside ditch
Buildings to meet all necessary set-back distances
Maximum building area on the site not to exceed 50,000 sq feet under roof.
No outside storage is planned at this time.
See attached conditional use application for added details

Results of Plan Commission Evaluation, Advisory to Liberty Town Board:

Rezone: approved on 5-0 vote

Conditional Use: approved on 5-0 vote

Plan Commission Members: Dave Christel, Drew Otto, Steve Lenzner and Ron Schnell

Dave Christel _____
Drew Otto _____
Steve Lenzner _____
Ron Schnell _____

\$150 Application Fee received at Planning Commission meeting? No Yes Cash Check#
will bring payment to Town Board mtg. dx

Liberty Town Board Directive

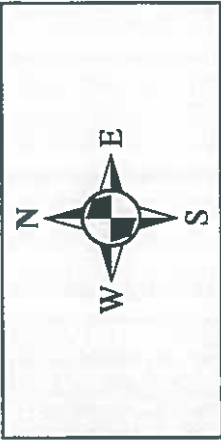
Change supported by the Town Board with Plan Commission recommendations on this day: 05 / 08 / 2023 along with the following conditions:

Rezone + Conditional Use with Special Considerations.

Change not supported by the Town Board on this day: ___ / ___ / 20___ for the following reasons:

Town of Liberty Change Request Form

Signatures of Board	<u><i>[Signature]</i></u>	Date	<u>5/8/2023</u>
	<u><i>[Signature]</i></u>		<u>5/8/2023</u>
	<u><i>[Signature]</i></u>		<u>5/8/2023</u>



**Peter J & Jean M
Lindemann Revoc Trust
NE 1/4, NW 1/4
Section 35, T18N-R22E
Town of Liberty
From: EA To: RR
Approximately 2.73 acre(s)
-87.834, 43.993**

Map Overview

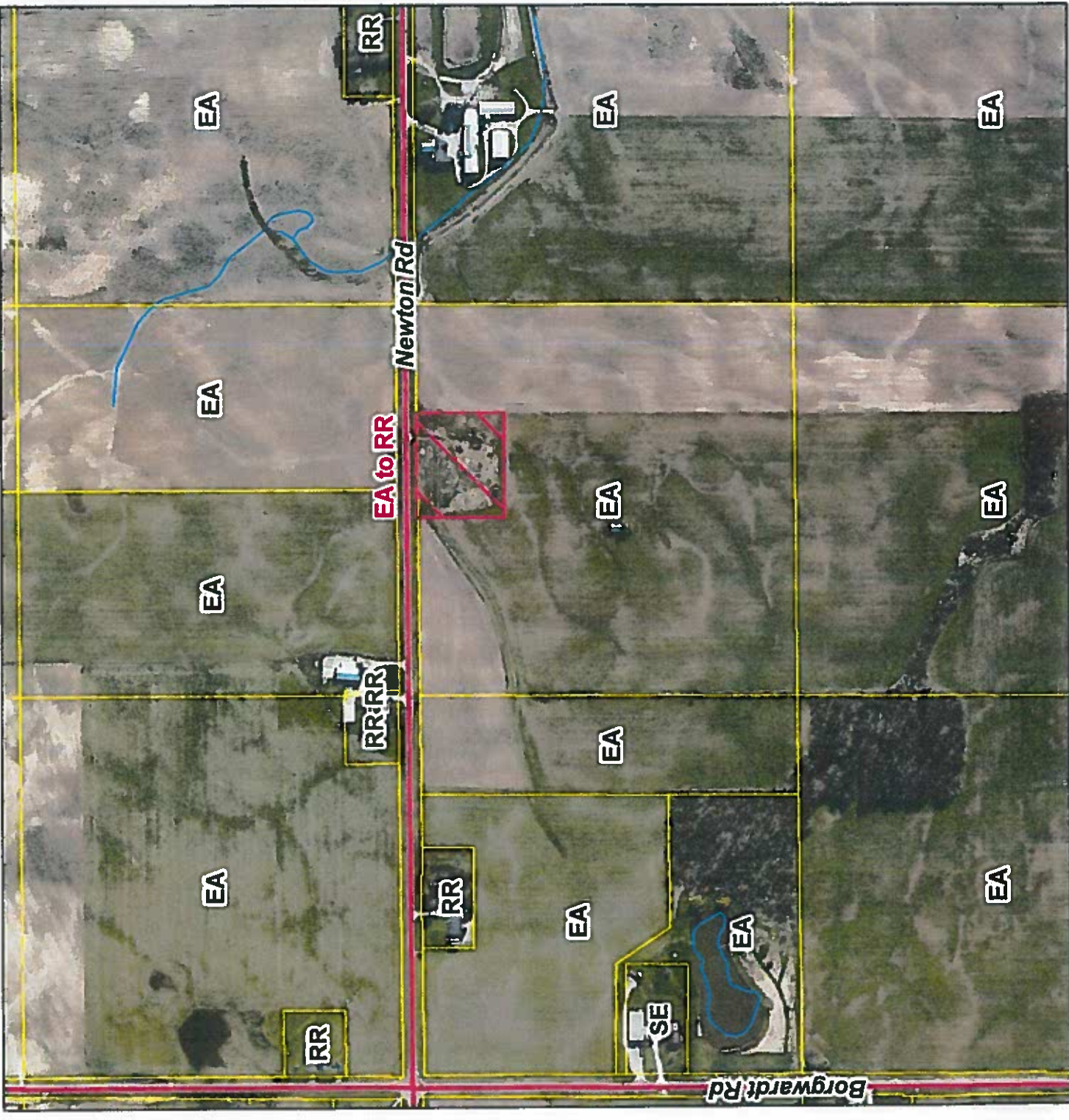
Liberty

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



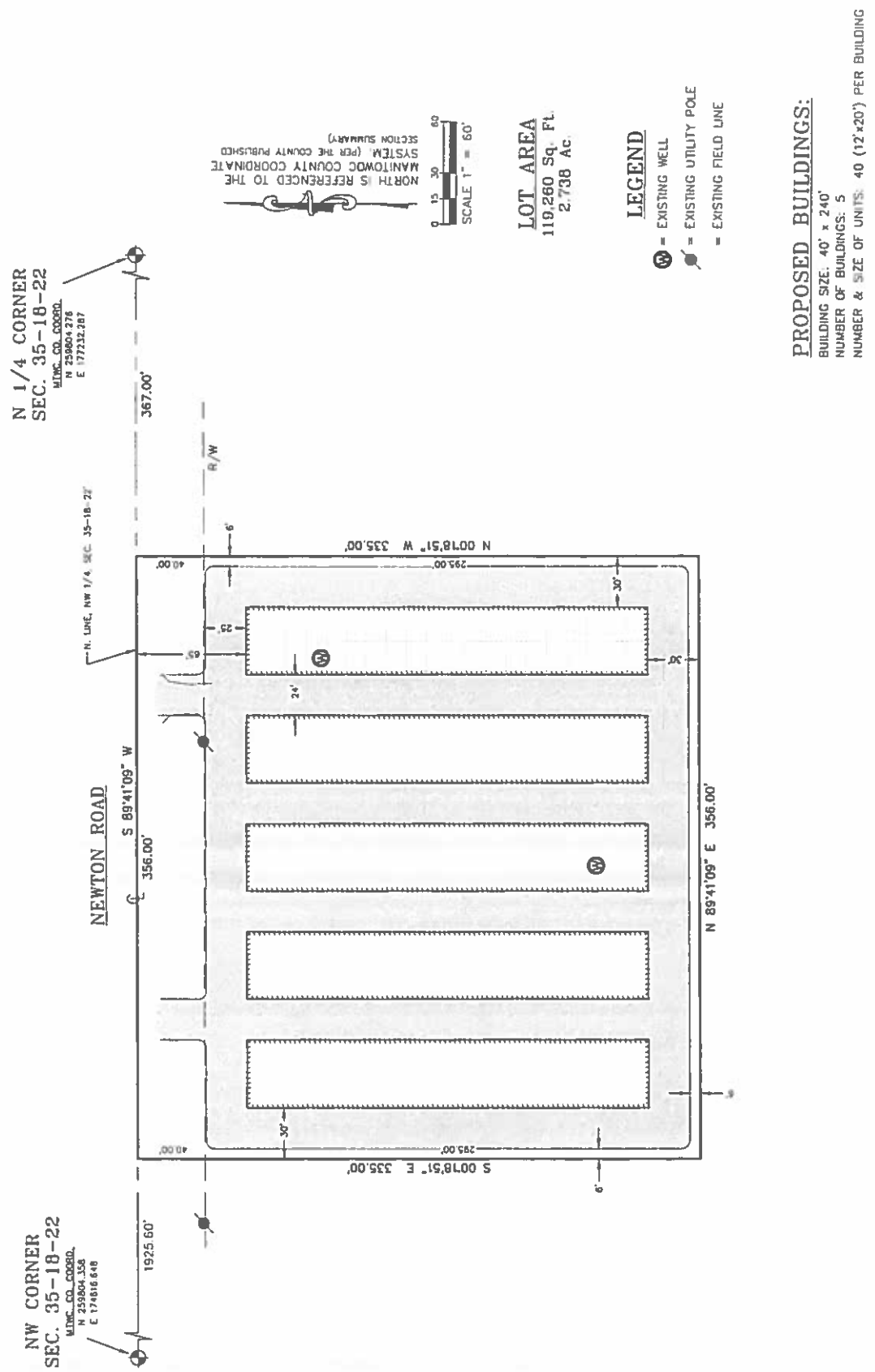
Legend

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



PETER LINDEMANN
9001 FLOWER LANE
VALDERS, WI 54245

PROPOSED PARCEL
LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 35, TOWN 18 NORTH, RANGE 22 EAST,
TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN



**RESOLUTION ACCEPTING 2023 PUBLIC HEALTH
INFRASTRUCTURE GRANT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Division of Public Health has received funding from the
2 CDC's Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems grant to
3 pass through to local and Tribal health department partners in the state of Wisconsin; and
4

5 WHEREAS, Manitowoc County Health Department has been allocated an estimated
6 \$259,361 to support the recruitment, hiring, training, and retention of Health Department staff; and
7

8 WHEREAS, after careful consideration and review, the Board of Health recommends
9 Manitowoc County accept the Public Health Infrastructure funds from the Wisconsin Division of
10 Public Health;
11

12 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
13 county of Manitowoc hereby accepts the Public Health Infrastructure Grant in the full amount
14 awarded; and
15

16 BE IT FURTHER RESOLVED the Manitowoc County Health Department is authorized
17 to execute such papers and to take other action as necessary to accept the grant, direct, and
18 complete required grant activities; and
19

20 BE IT FURTHER RESOLVED that the 2023 budget is amended by the amount of the grant
21 funds allocated and that the Finance Director is directed to record such information in the official
22 books of the County for the year ending December 31, 2023 as may be required.

Dated this 18th day of July 2023.


Respectfully submitted by the
Board of Health

Rita Metzger, Chair

FISCAL IMPACT: No tax levy impact. Appropriate revenue and expense accounts in the Health Department are hereby increased by the amount of any State grant authorized.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE:

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

APPROVED:

_____ Date
Bob Ziegelbauer, County Executive

RESOLUTION ACCEPTING 2023 PUBLIC HEALTH VENDING MACHINE GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department has been awarded a 2023 Public
2 Health Vending Machine Grant from the Wisconsin Department of Health Services in the amount
3 of \$25,000; and

4
5 WHEREAS, the funds will be used in collaboration with community partners to expand
6 access to harm reduction efforts in the community; and

7
8 WHEREAS, after careful consideration and review, the Board of Health recommends
9 Manitowoc County accept the Public Health Vending Machine Grant as awarded from the
10 Wisconsin Department of Health Services;

11
12 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
13 county of Manitowoc hereby accepts the Public Health Vending Machine Grant in the amount of
14 \$25,000; and

15
16 BE IT FURTHER RESOLVED the Manitowoc County Health Department is authorized
17 to execute such papers and to take other action as necessary to accept the grant, direct, and
18 complete the project; and

19
20 BE IT FURTHER RESOLVED, that the 2023 budget is amended by the amount of the
21 grant funds allocated and that the Finance Director is directed to record such information in the
22 official books of the County for the year ending December 31, 2023 as may be required.

Dated this 18th day of July 2023.

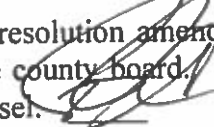
Respectfully submitted by the
Board of Health

Rita Metzger, Chair

FISCAL IMPACT: No tax levy impact. Appropriate revenue and expense accounts in the Health Department are hereby increased by the amount of any State grant authorized.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE:

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

APPROVED:

_____ Date
Bob Ziegelbauer, County Executive

**RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE
EXPENDITURES FROM PROCEEDS OF BORROWING**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, county of Manitowoc, Wisconsin (the “Issuer”) plans to undertake certain
2 highway department projects (collectively, the “Project”); and

3
4 WHEREAS, the Issuer expects to finance the Project on a long-term basis by issuing tax-
5 exempt bonds or other tax-exempt obligations (collectively, the “Bonds”); and

6
7 WHEREAS, because the Bonds will not be issued prior to commencement of the Project,
8 the Issuer must provide interim financing to cover costs of the Project incurred prior to receipt of
9 the proceeds of the Bonds; and

10
11 WHEREAS, the county board of supervisors of the county of Manitowoc (the “Governing
12 Body”) of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to
13 advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the
14 Bonds are issued;

15
16 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

17 **Section 1. Expenditure of Funds.** The Issuer shall make expenditures as needed from its
18 funds on hand to pay the cost of the Project until proceeds of the Bonds become available.

19
20
21 **Section 2. Declaration of Official Intent.** The Issuer hereby officially declares its intent
22 under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the
23 principal amount of which is not expected to exceed \$2,500,000.

24
25 **Section 3. Unavailability of Long-Term Funds.** No funds for payment of the Project
26 from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a
27 long-term basis, or otherwise set aside by the Issuer pursuant to its budget or financial policies.

28
29 **Section 4. Public Availability of Official Intent Resolution.** The Resolution shall be
30 made available for public inspection at the office of the Issuer’s Clerk within 30 days after its
31 approval in compliance with applicable State law governing the availability of records of official
32 acts including Subchapter II of Chapter 19, and shall remain available for public inspection until
33 the Bonds are issued.

34
35 **Section 5. Effective Date.** This Resolution shall be effective upon its adoption and
36 approval.

Dated this 18th day of July 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION ESTABLISHING COMPENSATION FOR COUNTY BOARD SUPERVISORS FOR TERM BEGINNING APRIL 2024

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, pursuant to Wis. Stat. § 59.10, Manitowoc County elected to become a “self-
2 organized” county; and

3
4 WHEREAS, the county board of supervisors of the county of Manitowoc determines the
5 method of compensation for the members of the board as a self-organized county, subject to the
6 County Executive’s authority to approve or veto resolutions or ordinances under Wis.
7 Stat. § 59.17(6); and

8
9 WHEREAS, the current compensation for members of the county board of supervisor is
10 \$275.00 monthly; and

11
12 WHEREAS, the current compensation for the county board chair is \$400.00 monthly; and

13
14 WHEREAS, after careful consideration and review, the Personnel Committee recommends
15 that compensation for members of the county board of supervisors and the county board chair
16 remain the same for the next term;

17
18 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
19 county of Manitowoc County Board of Supervisors makes no changes to the compensation for
20 members of the county board of supervisors and the county board chair and re-establishes the
21 salary for those positions as follows:

22
23 County Board Supervisors: \$275.00 per month;

24
25 County Board Chair: \$400.00 per month;

26
27 and

28
29 BE IT FURTHER RESOLVED that the established salary for members of the county board
30 of supervisors of the county of Manitowoc and the county board chair will continue for ensuing
31 terms unless changed by the County Board of Supervisors in accordance with Wisconsin law.

Dated this 18th day of July 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

A handwritten signature in black ink, appearing to be 'J. Ziegelbauer', is written over the line for the Corporation Counsel.

APPROVED:

_____ Date
Bob Ziegelbauer, County Executive

**RESOLUTION EXPRESSING INTENT TO PROCEED WITH
COURTHOUSE DOME PROJECT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the current Manitowoc County courthouse (“Courthouse”) was originally built in
2 1907; and

3
4 WHEREAS, throughout the history of the Courthouse, multiple improvements have been
5 made, including in 1950 when the exterior dome was rebuilt and repaired after sustaining damage from
6 a severe wind and hail storm; and

7
8 WHEREAS, in 2022 the Public Works Department commissioned a study to assist the
9 department with project scope and budget considerations for restoration and repair of the Courthouse
10 tower and exterior dome, restoration of the atrium interior dome, replacement of the Courthouse
11 exterior windows, and courthouse HVAC system (“Project”); and

12
13 WHEREAS, the Courthouse is the civic image of the Manitowoc County government and is
14 central to the fiber of Manitowoc County; and

15
16 WHEREAS, in January of 2023 the county board of supervisors of the county of Manitowoc
17 formed an ad hoc Courthouse Dome Advisory Committee (“ad hoc Committee”) that included the
18 members of the Executive Committee, the chair of the Public Works Committee, the chair of the
19 Finance Committee, six members of the County Board appointed by the County Board chair, two
20 citizen members, and one Manitowoc County circuit court judge; and

21
22 WHEREAS, the ad hoc Committee meet a total of five times to discuss project scope and
23 budget considerations; and

24
25 WHEREAS, on May 24, 2023, the ad hoc Committee forwarded the Committee’s project
26 scope-of-work recommendations to the Public Works Committee; and

27
28 WHEREAS, on June 14, 2023, the Public Works Committee passed a motion to accept the ad
29 hoc Committee’s recommendations; and

30
31 WHEREAS, on July 10, 2023, the Finance Committee and Public Works Committee held a
32 joint meeting to consider the recommendations of the ad hoc Committee; and

33
34 WHEREAS, after careful consideration and review, both the Finance Committee and the
35 Public Works Committee recommend proceeding with the Project at a cost not to exceed thirty million
36 dollars with the Project to be funded by long term borrowing;

37
38 NOW THEREFORE BE IT RESOLVED that the county board of supervisors of the county of
39 Manitowoc hereby expresses its intent to proceed with the repair and restoration of the Courthouse
40 tower and exterior dome, repair and restoration of the atrium interior dome, replacement of the
41 Courthouse exterior windows, and update of the courthouse HVAC system at a cost not to exceed thirty
42 million dollars with the Project to be funded through long term borrowing; and

43
44
45

BE IT FURTHER RESOLVED that the next step in the process is for the Public Works Committee to undertake the bidding process consistent with Wisconsin law.

Dated this 18th day of July 2023.

Respectfully submitted by the
Public Works Committee

Rick Gerroll, Chair

Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date



**RESOLUTION APPROVING TOWN OF NEWTON ZONING
ORDINANCE**
(Ronald and Luann Waack)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Manitowoc County adopted a zoning ordinance pursuant to the authority
5 granted to counties under Wis. Stat. § 59.69; and

6
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments
8 thereto, are subject to county board approval in counties that have adopted a zoning ordinance
9 under Wis. Stat. § 59.69; and

10
11 WHEREAS, the town of Newton amended its zoning ordinance on June 14, 2023 by
12 rezoning a 25.88-acre parcel of property owned by Ronald and Luann Waack from A-2 (General
13 Agriculture) District to A-3 (Farmland Preservation) District in accordance with Wis.
14 Stat. § 60.62; and

15
16 WHEREAS, the town of Newton has submitted its amended zoning ordinance to the
17 Manitowoc County Board of Supervisors for approval, and a copy of the amended zoning
18 ordinance has been provided to each member of the county board for review;

19
20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc approves the town of Newton's amended zoning ordinance that rezones that
22 certain 25.88 acre parcel of property owned by Ronald and LuAnn Waack from A-2 (General
23 Agriculture) District) to A-3 (Farmland Preservation) District and was adopted by the Town Board
24 of Newton on June 14, 2023.

Dated this 18th day of July 2023.

Respectfully submitted by

Ryan Phipps, Supervisor, District 11

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



APPROVED: _____
Bob Ziegelbauer, County Executive Date

TOWN OF NEWTON
6532 CARSTENS LAKE ROAD
MANITOWOC WI 54220

June 15th 2023

To: County Board
Court House
1010 South 8th Street
Manitowoc WI 54220

Ladies and gentlemen,

Please be advised that the Town of Newton at its regularly scheduled Town Board Meeting on Wednesday, June 14th 2023, approved the following:

A request by Ronald and Luann Waack to rezone a 25.88-acre parcel from A-2, General Agriculture District, To A-3, Farmland Preservation District. The parcel is located on the Northwest corner of Carstens Lake Road and HWY 42, SE1/4 of the SW1/4, Section 17, T.18,R.23E..

A motion made, seconded, and approved at the Town of Newton Planning Commission meeting on June 5th 2023. Said action was approved and was submitted to the Town Board of the Town of Newton for approval.

The zone change was approved by the Town Board. A motion was made by Supervisor Christiansen and seconded by Supervisor Behnke. Motion carried.

Alyssa Grotegut
Town of Newton Clerk

**TOWN OF NEWTON BOARD MEETING – ROUGH DRAFT
JUNE 14, 2023**

The June 14, 2023 meeting of the Town of Newton meeting was called to order by Chairperson Thomas at 4:58 p.m. at the Town Hall, 6532 Carstens Lake Road, Manitowoc, WI.

ROLL CALL

The roll was called, and members present were: Denise Thomas – Chairperson, Kevin Behnke – Supervisor 1, Kelly Christianson- Supervisor 2, Alyssa Grotegut-Clerk, Paulette Vogt-Treasurer, Dave Mueller-Road Supervisor/Law Enforcement Office. Members excused: Mike Slattery-Zoning Administrator.

VERIFICATION OF POSTING- APPROVAL OF AGENDA & MINUTES

An affidavit is on file showing the agenda was posted in the proper posting places. Chairperson Thomas presented the June 14, 2023 agenda. Supervisor Christianson moved to approve the agenda, seconded by Supervisor Behnke. All approved, motion carried.

Chairperson presented the minutes from the May 3, 17, 31, 2023 meetings. Supervisor Behnke moved to approve all the meeting minutes, seconded by Supervisor Christianson. All approved, motion carried.

TREASURER’S REPORT

Treasurer’s report was submitted to the Board prior to the meeting, nothing needed to be added. Supervisor Behnke made a motion to approve the treasure’s report, seconded by Supervisor Christianson. All approved, motion carried.

PUBLIC INPUT

Chairperson Thomas opened public input at 5:01 p.m.

Charlie Bauer thanked the Board and those involved for getting the cemetery stones fixed so quickly before Memorial Day. Larry Stock voiced concern on how meetings and agendas were being handled. Along with his opinions on the handling of culvert bids. Dave Mueller also voiced his opinions on the handling of culvert bids and the website. Roger Busse commented on what he thought about the website and his opinions on the culvert bids.

With no further input, Chairperson Thomas closed public input at 6:15 pm

REPORTS

Road Supervisor – Dave Mueller reported that burning barrel covers price increased. Doors on the building could be redone. He thinks truck 602 could be sandblasted and painted. He mentioned the County came in to do ditching, and that he is 2/3 done with ditch cutting. There has been garbage being dumped on Silver Creek Road and there is someone stealing Road Name signs, please keep an eye out for this. A.C.E will be coming to repair the posts in July. Lastly, he gave an update on culverts.

Law Enforcement- Dave Mueller reported that we received the citation back from the Corner of Center and Newton Road and the resident was found guilty by default.

Zoning Adminstartor – Mike was excused and Chairperson Thomas forgot to mention this report during the meeting, will discuss at the next meeting.

Supervisor 1 – Supervisor Behnke reported that the Digital Sign is being packed and should be shipped shortly.

Supervisor 2 – Supervisor Christianson reported that Committee chair for the future building needs Garrett Braun had a report to give. Garrett Braun stated that they are going to keep moving forward, there isn't much backlash to the design or what they have in place now. Supervisor Christianson suggested we look at future expenditures and decide what the next steps can be with this. Next, he reported that he met with the City of Manitowoc about Orchard Road and the next step is to get a proposal/contract from them and discuss again next month.

Chairperson – Chairperson Thomas' report started with the Zone Change for Ronald and Luann Waack. Supervisor Christiansen made a motion to approve the zone change, seconded by Supervisor Behnke. All approved, motion carried. Next, bids for road work were received and opened. Supervisor Behnke made a motion to allow Manitowoc County Highway to do Newton Road Bridge with a bid of \$4,500.00, and to allow Scott Construction to do Wilharms Road at \$30,671.00 and Brunner Road at \$27,417.00, seconded by Supervisor Christianson. All approved, motion carried. Supervisor Behnke also requested that we need to receive a new bid from the County with price per ton so they can compare to Northeast Asphalt and make a more informed decision. The Board will meet June 26, 2023 @ 5:00 p.m. to discuss the revised bid. Chairperson touched on next steps for CR motel and the Corner of Center and Newton Road, along with how they need more clarification for the English Lake High Water Mark No Wake before making any decisions.

Clerk – Clerk Grotegut stated there are a few grants available that the Board should consider for Election upgrades with ExpressVote and Absentee Ballot Envelopes. Chairperson Thomas moved to approve the paying of the bills, Supervisor Behnke seconded. Motion carried.

CLOSED SESSION

Supervisor Behnke moved that the Board go into closed session pursuant to Chapter 19.85 (1) (C) of Wisconsin Statutes to discuss personnel matters, seconded by Supervisor Christianson. Roll call vote was taken, the motion carried unanimously. The Board was now in closed session at 6:30 p.m. The Board discussed personnel issues/resolutions. Chairperson Thomas moved to adjourn close session and open back to regular meeting at 6:53 p.m., Supervisor Behnke seconded. Roll call vote was taken, motion carried unanimously.

NEXT MEETING DATES

Board Meeting – June 26, 2023 at 5:00 p.m.

Monthly Meeting – July 12, 2023 at 5:00 p.m.

There being no further discussion, Supervisor Behnke moved to adjourn; seconded by Supervisor Christianson, and the motion was adapted by acclamation. The meeting was adjourned at 6:54 p.m.

Respectfully submitted,
Alyssa Grotegut, Clerk

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, July 18, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 18th day of July 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 25 members were present at the time of voting for resolutions: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Linsmeier, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weis and Zimmer.

On a motion by Supervisor Engelbrecht, seconded by Supervisor Heller, the June 20, 2023 meeting minutes were approved on a unanimous vote.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:04 p.m.

Katherine Dahlke, City of Two Rivers, provided comments on spending and supported use of referendum or half-cent sales tax for courthouse dome project.

Horst Abel, City of Manitowoc, commented on the proposed dome project and the need for fiscal restraint.

Forest La Fave, Town of Gibson, supported courthouse repairs, but does not support borrowing.

Judith Perlman, Village of Cleveland, supports repairs of HVAC and windows, but suggests investigation of alternatives and exploration of other funding sources for courthouse project.

Steve Erdmann, City of Manitowoc, does not support the half-cent sales tax option for the courthouse project.

Steve Spiering, Town of Kossuth, questioned timing of courthouse project and would like to see a referendum.

Maura Yost, Town of Centerville, provided comments on courthouse project cost and advocated for the half-cent county sales tax instead of borrowing.

Peter Lindemann, Town of Liberty, requested approval of his rezone request.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:28 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Phipps to enact Ordinance 2023/2024-15 Amending Zoning Map (Peter J Lindemann and Jean M Lindemann Revocable Trust). Upon vote, the motion carried unanimously.

Board of Health: Supervisor Metzger gave a brief report.

Supervisor Metzger moved, seconded by Supervisor Muench, to adopt Resolution 2023/2024-16 Accepting 2023 Public Health Infrastructure Grant. Upon vote, the motion carried unanimously.

Supervisor Metzger moved, seconded by Supervisor Neils, to adopt Resolution 2023/2024-17 Accepting 2023 Public Health Vending Machine Grant. Discussion followed.

Supervisor Phipps moved, seconded by Supervisor Zimmer to refer the resolution back to committee. Upon discussion and vote the motion failed 7 ayes and 18 noes.

Supervisors Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Linsmeier, Maresh, Metzger, Muench, Neils, Shimulunas, Sitkiewitz, Weiss and Zimmer voted no.

The original motion by Supervisor Metzger, seconded by Supervisor Neils to adopt Resolution 2023/2024-17 Accepting 2023 Public Health Vending Machine Grant was discussed. Upon vote, the motion passed 20 ayes and 5 noes. Supervisors Klein, Martell, Naidl, Phipps and Zimmer voted no.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-18 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing. Upon vote, the motion carried unanimously.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Heller, to adopt Resolution 2023/2024-19 Establishing Compensation for County Board Supervisors for Term Beginning April 2024. Upon vote, the motion carried unanimously.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

Miscellaneous:

Supervisor Gerroll moved, seconded by Supervisor Hansen to adopt Resolution 2023/2024-20 Expressing Intent to Proceed with Courthouse Dome Project. Discussion followed.

Amendment: Supervisor Behnke moved, seconded by Supervisor Baumann to in lines 39-40 strike “repair and restoration of the Courthouse tower and exterior dome, repair and restoration of the atrium interior dome” and in line 41 change the word “thirty” to “four”. Discussion followed.

Supervisor Brey moved, seconded by Supervisor Falkowski, to call the question. Upon vote, the motion failed 16 ayes and 9 nays. Supervisors Baumann, Behnke, Jadowski, Klein, Maresh, Martell, Naidl, Phipps and Zimmer voted no.

Discussion continued on Amendment. Upon vote, the motion failed 10 ayes and 15 noes. Supervisors Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Jadowski, Linsmeier, Metzger, Muench, Shimulunas, Sitkiewitz, Vogt, Weiss, and Zimmer voted no.

Amendment: Supervisor Baumann moved, seconded by Supervisor Metzger to in lines 36 and 42 strike “with the Project to be funded by long term borrowing”. Upon discussion and vote, the motion failed 10 ayes and 15 noes. Supervisors Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Linsmeier, Metzger, Muench, Neils, Shimulunas, Vogt, Wagner, Weis and Zimmer voted no.

Supervisor Brey moved, seconded by Supervisor Falkowski, to call the question. Upon vote, the motion passed 18 ayes and 7 noes. Supervisors Behnke, Heller, Jadowski, Klein, Martell, Naidl, and Phipps voted no.

The original motion by Supervisor Gerroll, seconded by Supervisor Hansen to adopt Resolution 2023/2024-20 Expressing Intent to Proceed with Courthouse Dome Project was brought to a vote. Upon vote, the motion passed 16 ayes and 9 noes. Supervisors Baumann, Behnke, Heller, Klein, Jadowski, Maresh, Martell, Naidl and Phipps voted no.

Supervisor Phipps moved, seconded by Supervisor Muench, to adopt Resolution 2023/2024-21 Approving Town of Newton Zoning Ordinance (Ronald and Luann Waack). Upon vote, the motion carried unanimously.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Hansen, and the motion was adopted by acclamation. The meeting adjourned at 8:06 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: Tuesday, August 15, 2023

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 Gerroll.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the July 18, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Honoring the Kiel Girls' Varsity Soccer Team Division 4 State Champions
 2. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Declaring September as Juror Appreciation Month
 3. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life of Lyle L. Heide
 4. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commending Emma Dvorak as Manitowoc County Fairest of the Fair
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. APPOINTMENTS BY COUNTY EXECUTIVE
 - A. Aging & Disability Board

Appoint one member to fill a vacancy that expires December 31, 2023.

 1. Cindy Neelis
 - B. Local Emergency Planning Committee

Appoint three members to succeed Todd Bergmann, Joseph Jeanty and Amy John, Alternate) Debbie Holschbach for two-year terms expiring September 2025.

 1. Todd Bergmann
 2. Joseph Jeanty
 3. Amy John, Alternate) Debbie Holschbach

X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

A. Planning & Park Commission

1. Resolution 2023/2024-22 Approving and Adopting the Manitowoc County Park and Open Space Plan
2. Ordinance 2023/2024-23 Amending Zoning Map (Kyle and Bailey Reeve)
3. Ordinance 2023/2024-24 Amending Zoning Map (Lawrence A Krepline Revocable Living Trust)
4. Ordinance 2023/2024-25 Amending Zoning Map (Justin Morris)
5. Ordinance 2023/2024-26 Amending Zoning Map (Eugene J Andres Revocable Living Trust)

- Petitions: 1) Derek and Regina Burkholder – Town of Cato
2) Michael Miller – Town of Kossuth
3) Curt Rabe – Town of Schleswig
4) Lloyd and Darlean Rumpff – Town of Schleswig

B. Aging & Disability Board

C. Board of Health

D. Criminal Justice Coordinating Council

E. Executive Committee

F. Expo-Ice Center Board

G. Finance Committee

6. Resolution 2023/2024-27 Denying Claim (Kathleen Hagen)
7. Resolution 2023/2024-28 Denying Claim (Robert Shimon)
8. Resolution 2023/2024-29 Initial Resolution Authorizing Not to Exceed \$2,500,000 General Obligation Promissory Notes for Highway Projects

H. Highway Committee

I. Human Services Board

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

K. Personnel Committee

9. Resolution 2023/2024-30 Amending Employee Manual § 4.10(5) (Classification of Employees)
10. Resolution 2023/2024-31 Amending Employee Policy Manual § 18.05 (Shift Premium)
11. Resolution 2023/2024-32 Amending Employee Policy Manual § 23.07(6) (Electronic Mail (E-Mail))
12. Resolution 2023/2024-33 Amending Employee Manual Sec. 8.10(3) (Designation of Outdoor Smoking Areas)

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

**RESOLUTION APPROVING AND ADOPTING THE MANITOWOC
COUNTY PARK AND OPEN SPACE PLAN**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission has identified the need to update the
2 Manitowoc County Park and Open Space Plan; and

3
4 WHEREAS, Manitowoc County was awarded a grant from the Wisconsin Coastal
5 Management Program to aid in the development of the Manitowoc County Park and Open Space
6 Plan update; and

7
8 WHEREAS, the Manitowoc County Planning and Zoning Department and Bay Lake
9 Regional Planning Commission have developed and prepared an update to the Manitowoc County
10 Park and Open Space Plan; and

11
12 WHEREAS, the Manitowoc County Park and Open Space Plan provides guidance to the
13 county parks department in their efforts to develop, maintain and manage the various county parks,
14 public accesses and open spaces to meet the recreational needs of the citizens, visitors and future
15 generations of Manitowoc County; and

16
17 WHEREAS, adoption of the Manitowoc County Park and Open Space Plan is a
18 requirement to be eligible for financial aid opportunities administered by the State of Wisconsin
19 and the federal government relating to outdoor recreation and open space programs; and

20
21 WHEREAS, the Manitowoc County Planning and Park Commission held an open house
22 and public hearing on July 24, 2023 on the Manitowoc County Park and Open Space Plan; and

23
24 WHEREAS, after careful consideration and review, the Manitowoc County Planning and
25 Park Commission recommends approval of the updated Manitowoc County Park and Open Space
26 Plan;

27
28 NOW, THEREFORE BE IT RESOLVED that the county board of supervisors of the
29 county of Manitowoc hereby approves and adopts the Manitowoc County Park and Open Space
30 Plan dated July 24, 2023.

Dated this 15th day of August 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director

LEGAL NOTE: Reviewed and approved as to form by Corp

APPROVED:

Bob Ziegelbauer, County Executive

**ORDINANCE AMENDING ZONING MAP
(Kyle and Bailey Reever)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 26, 2023 and July 24,
3 2023; and
4

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

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

12 A parcel of land located in part of Lot 1 of Certified Survey Map Volume 28 Page 341
13 being part of the Northwest 1/4 of the Northeast 1/4 of Section 25, T.21 N. - R.23 E., Town of
14 Gibson, Manitowoc County, Wisconsin described as follows:
15

16 Beginning at the Southeast corner of said Lot 1; thence North 89°45'23" West
17 317.24 feet; thence North 00°00'00" East 149.23 feet; thence South 89°45'23" East
18 333.05 feet; thence South 6°03'03" West 150.00 feet to the point of beginning, said
19 parcel containing approximately 1.11 acres of land and is hereby rezoned from
20 Large Estate (LE) District to Rural Residential (RR) District.
21

22 and

23
24 A parcel of land located in part of Lot 1 of Certified Survey Map Volume 28 Page 341
25 being part of the Northwest 1/4 of the Northeast 1/4 of Section 25, T.21 N. - R.23 E., Town of
26 Gibson, Manitowoc County, Wisconsin described as follows:
27

28 Beginning at the Southwest corner of said Lot 1; thence North 34°14'24" East
29 569.92 feet; thence South 64°38'57" East 225.44 feet; thence North 84°49'30" East
30 149.41 feet to the centerline of Princel Road; thence along said line South 6°03'03"
31 West 242.97 feet; thence North 89°45'23" West 333.05 feet; thence South 0°00'00"
32 West 149.23 feet; thence North 89°45'23" West 314.55 feet to the point of
33 beginning, said parcel containing approximately 3.74 acres of land and is hereby
34 rezoned from Large Estate (LE) District to Small Estate (SE) District.

Dated this 15th day of August 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS AUGUST 15, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: KYLE & BAILEY REEVER 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.

Kyle and Bailey Reever, on May 16, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 1.11 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate to RR, Rural Residential and approximately 3.74 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate to SE, Small Estate.

The Town of Gibson adopted the Manitowoc County Zoning Ordinance on December 5, 2011. The uses permitted in RR, Rural Residential zoning provides for mixed residential and low impact non-residential development on relatively small lots with a minimum lot size of one acre and the uses permitted in SE, Small Estate zoning provides for mixed residential and agriculture activity with a minimum lot size of two acres.

1. Action taken to date on this request includes:

- a. Kyle & Bailey Reever, petitioned for a zoning map amendment on May 16, 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 June 15, 2023 and on June 19, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on June 26, 2023.
- e. The Commission at their June 26, 2023 meeting recommended postponement of a requested rezoning of approximately 1.11 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate to RR, Rural Residential and approximately 3.74 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate to SE, Small Estate.
- f. The Commission at their July 24, 2023 meeting recommended approval of a requested rezoning of approximately 1.11 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate to RR, Rural Residential and approximately 3.74 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, from LE, Large Estate 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 June hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.
- b. Ms. Brenda Rank, adjacent property owner, spoke in opposition of the rezone.
- c. Mr. Steven Page, adjacent property owner, spoke in opposition of the rezone.

4. Testimony at the July hearing is summarized as follows:

- a. Mr. Steve Zeitler, surveyor, spoke in favor of the request.
- b. Mr. Richard Wegner, Town Chairperson, spoke with regards to the town approval.
- c. Ms. Brenda Rank, adjacent property owner, spoke in opposition of the rezone.
- d. Mr. Kyle Reeve, property owner, spoke in favor of the request.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the LE, Large Estate District.
2. The Gibson Town Board supports the proposed zone change to RR, Rural Residential and SE, Small Estate.
3. Rezoning will allow for the construction of a single family home adjacent to an existing residential area.
4. Area to be rezoned is located in the southeast corner of the property and has adequate road frontage.

RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of Kyle & Bailey Reeve to rezone approximately 1.11 acres of land from LE, Large Estate to RR, Rural Residential and approximately 3.74 acres of land from LE, Large Estate to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its July 24, 2023 meeting, therefore by a 5-1 (Mr. Korinek abstaining) vote recommended that the subject property (an approximately 1.11 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson, and approximately 3.74 acres of land located in the NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from LE, Large Estate to RR, Rural Residential and 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

June 12, 2023

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

and

Manitowoc County Supervisor James J. 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:

Kyle & Bailey Reeve
14006 Princ Road
Mishicot, WI 54228

Township:

Gibson

Applicant/Agent

Steve Zeitler
7410 Hidden Valley Road
Maribel, WI 54227

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



ZONE 505
SUBV 200
705

Manitowoc County Planning and Park Commission

Fee (\$505) Received
Receipt # 40644

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
MAY 16 2023
PLANNING & PARK
COMMISSION

Date of Application: _____ OWNER / APPLICANT/ AGENT _____

Owner	<u>Kyle & Bailey Reeve</u>	Applicant/Agent	<u>Steve Zeiter</u>
Address (1)	<u>14006 Princel Rd</u>	Address (1)	<u>7410 HIDDEN VLY RD</u>
Address (2)	<u>Mishicot, WI</u>	Address (2)	<u>Maribel, WI</u>
City/State/Zip	<u>54228</u>	City/State/Zip	<u>54227</u>
Phone	<u>926-652-6866</u>	Phone	<u>920-857-4670</u>

PROPERTY LEGAL DESCRIPTION

NW 1/4, NE 1/4, S 25 T 21 N R 23 E Town of GIBSON

House /Fire # _____ Tax Number 006-025-002-001.00

PROPERTY INFORMATION

Existing Zoning District LE Proposed Zoning district RR + 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

Proposed use: (Reason for change)

my mother in law would like construct a one family residence on one lot

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

[Signature] 5/11/23
Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Gibson from LE to SE & RR)

PETITIONER

Name: Kyle & Bailey Reeve
Address: 14006 Princ Road
Mishicot WI 54228
Town: Gibson

PARCEL

Location: NW1/4, NE1/4, Section 25, T21N-R23E
Tax#: 006-025-002-001.00
Area: 4.85 acres

ACTION TO DATE

Petition Submitted: 5/16/2023
Town Action: Approved June 5, 2023
Hearing Notice Published: 6/15/2023 & 6/19/2023
Advisory: 6/26/2023
Hearing: 6/26/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	RR	Building & Woods
South	EA & RR	Farmland & Residential
East	EA & GA	Woods & Grassland/Pond
West	EA	Farmland & Woods

PARCEL USES & ZONING

Existing Zoning District: LE, Large Estate Residential
Existing Land Use: Residence & Woods
Proposed Zoning District: SE, Small Estate Residential
RR, Rural Residential
Proposed Use: Sell off 1 acre lot to mother-in-law
to build a house

MAP INFORMATION

Farmland Preservation Designation:
Non-Farmland Preservation
Soil Type: HmB, MsA
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well - Somewhat poorly drained
Soil Limitations: Moderate - Severe (Percolates Slowly)
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Princ Rd

Soil Test: 4/7/99 Conventional
Terrain: 0 to >12 Percent Slopes
Vegetative Cover: Woodland

Town Future Land Use Designation: Woodlands/Natural Area

Encouraging the preservation of woodlands and valuable open spaces within the Town of Gibson. Benefits of preserving woodlands include maintaining/improving wildlife habitat and recreation opportunities, restoration of clean water resources, erosion prevention, etc. Woodlands should not be developed with great densities. Utilizing unique development options such as clustering can help maintain the continuity of woodlands. By preserving the woodlands and vast open spaces, the town will maintain its rural nature,

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

TOWN OF GIBSON

Linda S. Herman
Clerk/Treasurer
2211 Rockledge Road
Mishicot, WI 54228

Phone (920)973-2212
townofgibson@gmail.com

March 8, 2023



Manitowoc County Planning & Park Dept.
4319 Expo Drive
Manitowoc, WI 54220

Dear Sir or Madam:

On March 6, 2023, the following matter came before the Gibson Town Board with respect to building permits/zoning:

Kyle and Bailey Reeve – Kyle Reeve appeared before the board with a request to rezone approximately 1 acre of land located in the S1/2, NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson (Parcel No. 006-025-002-001.00) from Large Estate Residential (LE) to Rural Residential (RR) to allow building a home on the land. After discussion, **a motion was made by Supervisor Rabitz, seconded by Supervisor Argall, to adopt Resolution No. 2023-01 Approving Rezoning Request of Kyle and Bailey Reeve for Parcel No. 006-025-002-001.00, All voting aye, motion carried.** A certified copy of the Resolution is enclosed.

Should you have any questions or need further information, please feel free to contact me.
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Linda S. Herman".

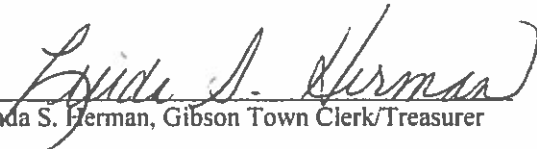
Linda S. Herman

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 passed and adopted by the Town Board of the Town of Gibson at a meeting held on the 6th day of March, 2023. I further certify that the attached Resolution was posted by me, as required by law, in three public places on the 9th day of March, 2023.

Set my hand and official seal this 9th^h day of March, 2023.


Linda S. Herman, Gibson Town Clerk/Treasurer

STATE OF WISCONSIN

TOWN OF GIBSON

MANITOWOC COUNTY

No. 2023-01

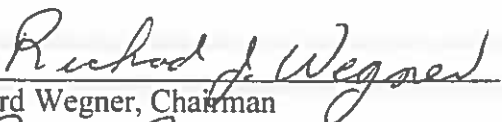
**RESOLUTION APPROVING REZONING REQUEST
KYLE AND BAILEY REEVER
PARCEL NO. 006-025-002-001.00**


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 March 6, 2023, 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:

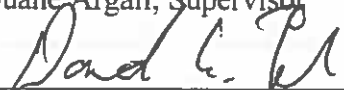
The request of Kyle and Bailey Reever to rezone 1 acre of land located in the S1/2, NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson (Parcel No. 006-025-002-001.00 from Large Estate Residential (LE) to Rural Residential (RR) was approved by a vote of 3 to 0 of the Gibson Town Board on March 6, 2023.

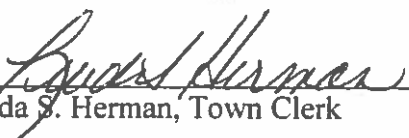
The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

Adopted this 7th day of March, 2023.


Richard Wegner, Chairman


Duane Argall, Supervisor


Donald Rabitz, Supervisor

Attest: 
Linda S. Herman, Town Clerk

STATE OF WISCONSIN
TOWN OF GIBSON
MANITOWOC COUNTY



No. 2023-01 (a)

**AMENDMENT TO RESOLUTION APPROVING REZONING REQUEST
KYLE AND BAILEY REEVER
PARCEL NO. 006-025-002-001.00**

WHEREAS, the Town Board of the Town of Gibson of Manitowoc, Wisconsin adopted Resolution No. 2023-01 Approving Rezoning Request of Kyle and Bailey Reever on March 7, 2023, a copy of which is attached hereto.

WHEREAS, it is necessary to amend the request of Kyle and Bailey Reever to rezone a parcel of land located in the S1/2, NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson (Parcel No. 006-025-002-001.00) as follows: rezone one (1) acre of land to Rural Residential (RR) and the remainder of the parcel (approximately 3.85 acres) to Small Estate Residential (SE).

NOW, THEREFORE, BE IT RESOLVED, that the Gibson Town Board hereby approves the amendment to Resolution No 2023-01 to reflect the requested rezoning of 006-025-002-001.00.

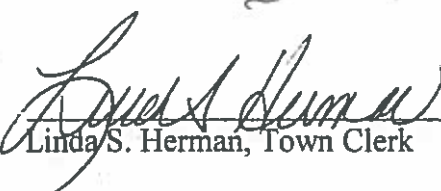
The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

Adopted this 5th day of June, 2023.


Richard Wegner, Chairman


Donald Rabitz, Supervisor


Steven Rahmlow, Supervisor

Attest: 
Linda S. Herman, Town Clerk

STATE OF WISCONSIN
TOWN OF GIBSON
MANITOWOC COUNTY

No. 2023-01

**RESOLUTION APPROVING REZONING REQUEST
KYLE AND BAILEY REEVER
PARCEL NO. 006-025-002-001.00**

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 March 6, 2023, 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:

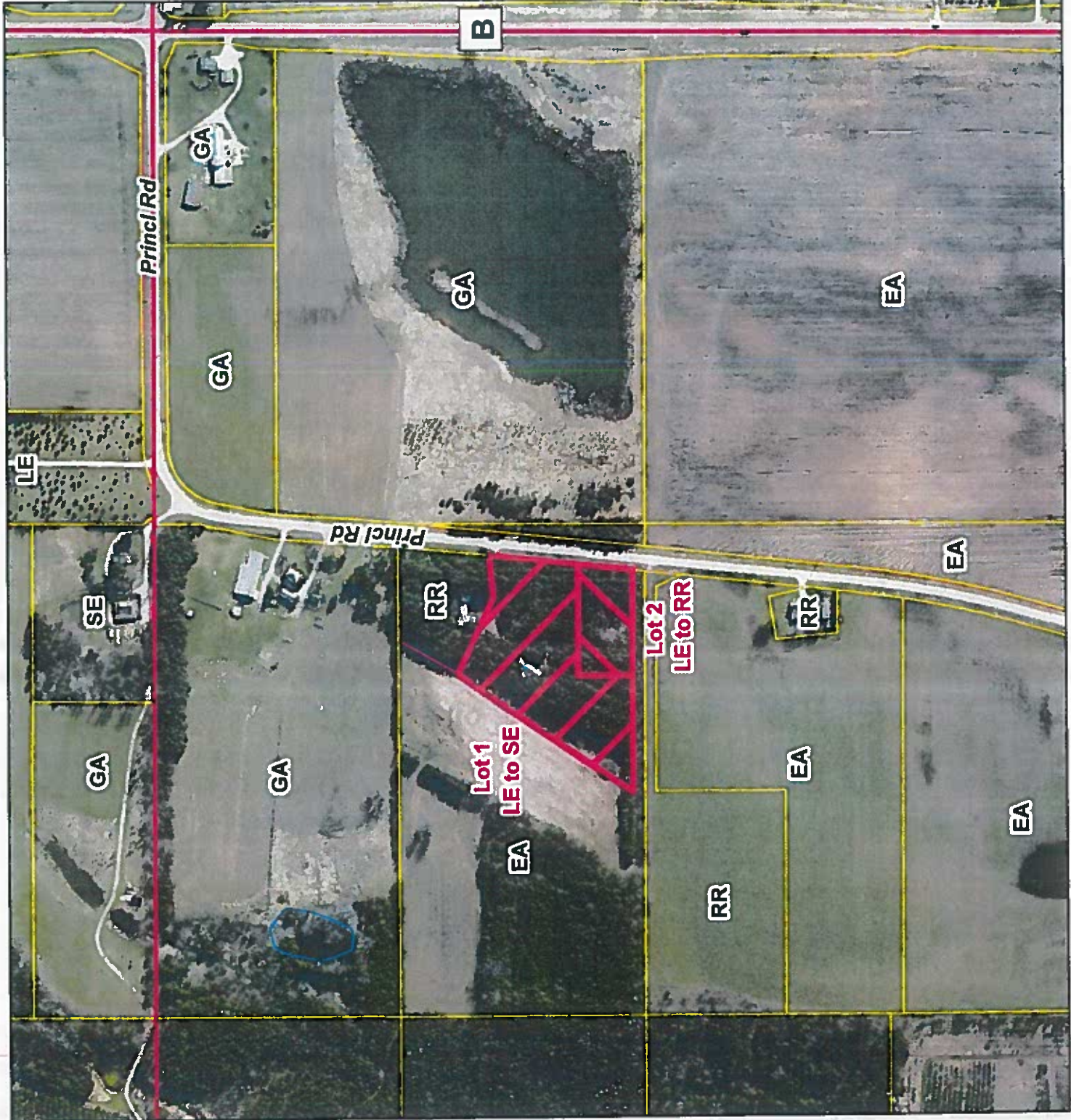
The request of Kyle and Bailey Reever to rezone 1 acre of land located in the S1/2, NW1/4, NE1/4, Section 25, T21N-R23E, Town of Gibson (Parcel No. 006-025-002-001.00 from Large Estate Residential (LE) to Rural Residential (RR) was approved by a vote of 3 to 0 of the Gibson Town Board on March 6, 2023.

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

Adopted this 7th day of March, 2023.

Richard J. Wegner
Richard Wegner, Chairman
Duane Argall
Duane Argall, Supervisor
Donald C. Rabitz
Donald Rabitz, Supervisor

Attest: Linda S. Herman
Linda S. Herman, Town Clerk



Kyle & Bailey Reeve
 NW 1/4, NE 1/4
 Section 25, T21N-R23E
 Town of Gibson
 Lot 1
 From: LE To: SE
 Approximately 3.74 acre(s)
 Lot 2
 From: LE To: RR
 Approximately 1.11 acre(s)
-87.651, 44.267

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

- Zoning Line
- Section Line
- Lot Line
- Water Way

Certified Survey Map

ALL OF LOT 1 OF CERTIFIED SURVEY MAP VOLUME 28 PAGE 341 BEING PART OF THE NW 1/4 - NE 1/4, SECTION 25, T. 21 N.- R.23 E, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN.

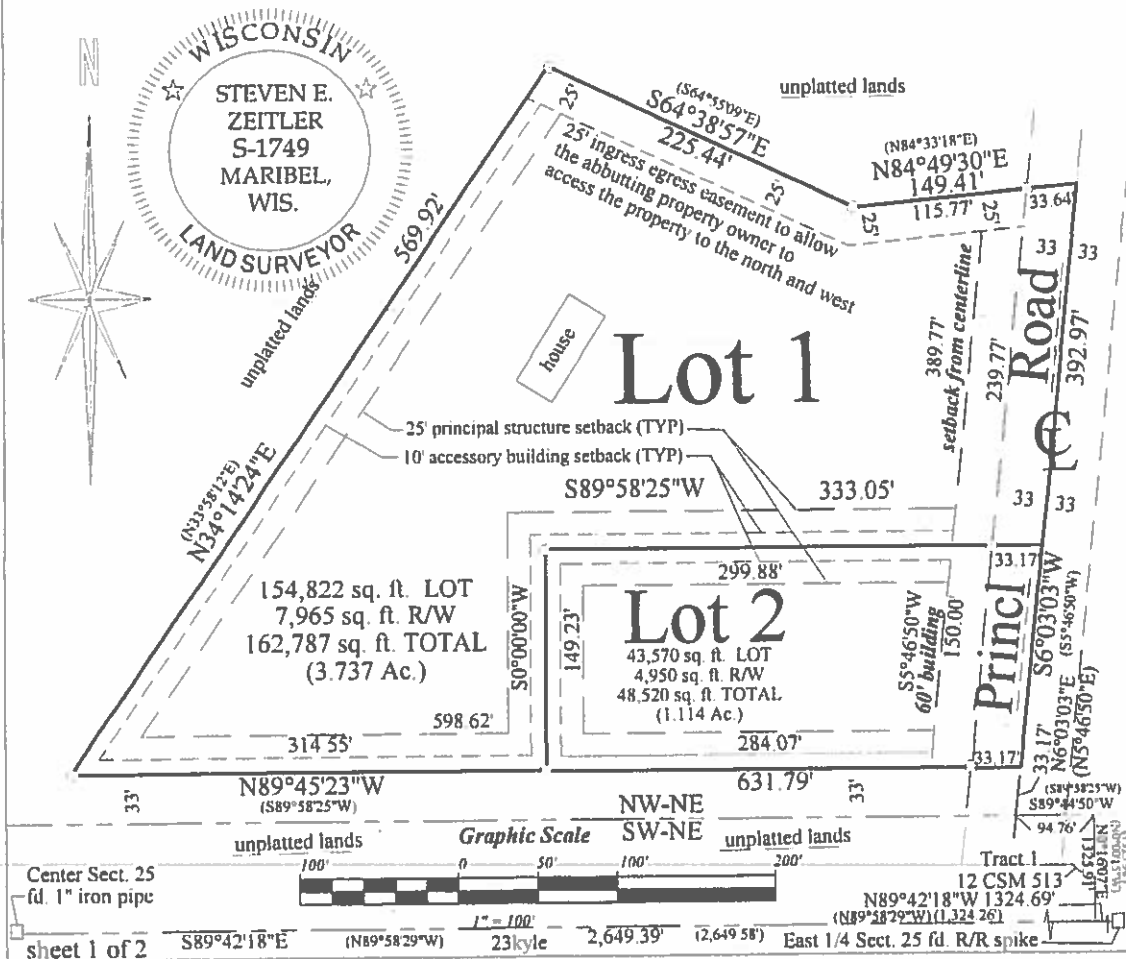
Surveyors Certificate:

I, Steven E. Zeitler, Registered Land Surveyor, do hereby certify that I have surveyed, Divided and mapped the land described hereon; that I have made such survey and map by the direction of the owners listed hereon; and that I have complied with the provisions of Chapter 236 Section 236.34 of the Wisconsin Statutes and Section 12.07 of the Subdivision Regulations for Manitowoc County, Wisconsin. That the map hereon is a true and correct representation of the survey.

Steven E. Zeitler 4/24/23
 Steven E. Zeitler R/L S # 1749 Date

Legend

- 1" iron pipe found
 - 1" X 18" iron pipe (set) min. wt. 1.13 lb./lin.ft.
- Bearings referenced to the southerly line of the NE 1/4 assumed N89°58'30"W



Certified Survey Map

ALL OF LOT 1 OF CERTIFIED SURVEY MAP VOLUME 28 PAGE 341 BEING PART OF THE NW 1/4 - NE 1/4, SECTION 25, T. 21 N. - R.23 E, TOWN OF GIBSON, MANITOWOC COUNTY, WISCONSIN.

DESCRIPTION:

All of Lot 1 of Certified Survey Map Volume 28 Page 341 being Part of the Northwest 1/4 of the Northeast 1/4 of Section 25, T.21 N. - R.23 E., Town of Gibson, Manitowoc County, Wisconsin described as;

Beginning at the Southeast corner of said Lot 1;
thence North 89°45'23" West 631.79 feet; thence North 34°14'24" East 569.92 feet;
thence South 64°38'57" East 225.44 feet; thence North 84°49'30" East 149.41 feet
to the centerline of Princel Road; thence along said line South 6°03'03" West 392.97
feet to the point of beginning and containing 4.85 acres.

OWNERS CERTIFICATE:

As owners We, hereby certify that we caused the land described on this map to be surveyed, divided, and mapped as represented hereon; We also certify that this Certified Survey Map is required to be submitted to the Manitowoc County Planning and Park Commission for approval or objection in accordance with current Land Subdivision Ordinances.

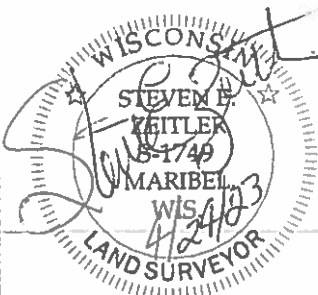
Kyle Reever

Bailey Reever

STATE OF WISCONSIN)
MANITOWOC COUNTY)

Personally came before me this _____ day of _____, 2023 the above named owners, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Steven E. Zeitler
My commission expires 1/14/23



ORDINANCE AMENDING ZONING MAP
(Lawrence A Krepline Revocable Living Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on July 24, 2023; and
3

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

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

11 A parcel of land located in part of the Northeast Quarter (NE1/4) of the Southeast Quarter
12 (SE1/4) of Section Eight (8), Township Nineteen (19) North, Range Twenty-One (21) East, Town
13 of Rockland, Manitowoc County, Wisconsin described as follows:
14

15 Commencing at the east quarter corner of said Section 8; thence S89°-47'-06"W
16 (recorded as N89°-28'-27"E) along the north line of the SE1/4 of said Section 8, a
17 distance of 130.00 feet; thence S02°-35'-28"E (recorded as N02°-54'-19"W) 33.03
18 feet to the south right of way line of Boxwood Road and the point of real beginning;
19 thence continue S02°-35'-28"E (recorded as N02°-54'-19"W) 387.14 feet; thence
20 N56°-33'-04"W 418.18 feet; thence N00°-12'-54"W 155.00 feet to said south right
21 of way line; thence N89°-47'-06"E along said south right of way line, a distance of
22 332.00 feet to the point of real beginning, said parcel containing approximately
23 91,183 square feet (2.093 acres) of land and is hereby rezoned from Exclusive
24 Agriculture (EA) District to Small Estate (SE) District.

Dated this 15th day of August 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



COUNTERSIGNED: _____ Date
Tyler Martell, County Board Chair

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS AUGUST 15, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: LAWRENCE A KREPLINE REVOCABLE LIVING TRUST 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.

The Lawrence A Krepline Revocable Living Trust, on June 29, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 2.9 acres of land located in the NE1/4, SE1/4, Section 8, 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 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. The Lawrence A Krepline Revocable Living Trust petitioned for a zoning map amendment on June 29, 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 July 13, 2023 and on July 17, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on July 24, 2023.
- e. The Commission at their July 24, 2023 meeting recommended approval of a requested rezoning of approximately 2.9 acres of land located in the NE1/4, SE1/4, Section 8, 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. Nicholas Griffey, 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. Rezoning will allow for the construction of a single family home in an existing residential neighborhood next to their relative.
4. Area to be rezoned is located in the northeast corner of the property and borders the town road and a creek.

5. Request affects a minimal amount of farmland.

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 the Lawrence A Krepline Revocable Living Trust to rezone approximately 2.9 acres of land from EA, Exclusive Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its July 24, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 2.9 acres of land located in the NE1/4, SE1/4, Section 8, 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@manitowoccountymi.gov

July 10, 2023

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:

Lawrence A. Krepline Revocable Living Trust
21913 W Goodwin Rd
Reedsville, WI 54230

Township:

Rockland

Applicant/Agent

Nicholas Griffey
8158 CTH NN
Greenleaf, WI 54126

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 # 40706

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
JUN 29 2023
PLANNING & PARK
COMMISSION

Date of Application: 6/29/23 OWNER / APPLICANT/ AGENT

Lawrence A Krepline Revocable Living Trust

Owner	<u>Larry Krepline</u>	Applicant/Agent	<u>Nicholas Griffey</u>
Address (1)	<u>21913 W Goodwin RD</u>	Address (1)	<u>8158 CTH NN</u>
Address (2)	_____	Address (2)	_____
City/State/Zip	<u>Reedsville, WI 54230</u>	City/State/Zip	<u>Greenleaf, WI 54126</u>
Phone	<u>(920) 378-4004</u>	Phone	<u>(920) 680-2516</u>

PROPERTY LEGAL DESCRIPTION

NE 1/4, SE 1/4, S 8 T 19 N R 21 E Town of Rockland

House /Fire # _____ Tax Number 01500801300100

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:

Air view of the property will be attached. Approximately 2.9 acres of land.

Proposed use: (Reason for change)

To put a well and septic system on the property. Build a barndominium for living. Also plant grass and trees on the property.

Return to: Manitowoc County Planning and Park Commission 4319 Expo Drive, PO Box 935 Manitowoc, WI 54220-0935 (920) 683-4185		<u>6/29/23</u>
	Signature (applicant, owner, agent)	Date
	Signature (applicant, owner, agent)	Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Lawrence A Krepline Rev. Living Trust
Nicholas Griffey (*Applicant*)
Address: 21913 W Goodwin Rd.
Reedsville WI 54230
Town: Rockland

PARCEL

Location: NE1/4, SE1/4 Section 8, T19N-R21E
Tax#: 015-008-013-001.00
Area: 2.9 acres

ACTION TO DATE

Petition Submitted: 06/29/2023
Town Action: Approved June 12, 2023
Hearing Notice Published: 7/13/2023 & 7/17/2023
Advisory: 7/24/2023
Hearing: 7/24/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland
South	EA	Farmland
East	EA	Creek/Residential
West	EA	Farmland
	CB	Residential

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

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: KnB, MbA, Po
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Mostly well drained
Soil Limitations: Severe – Percs Slowly
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Boxwood 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

June 19, 2023

From: Rockland Township Board



To: Manitowoc County Planning and Park Commission:

On Monday June 12, 2023, Nick Griffey requested a zoning approval for an approximate 2.6 acre parcel on Boxwood Road in the Town of Rockland. He requested that this agricultural land be zoned residential in the event he goes forward to purchase.

Included in this communication are the minutes from the Board Meeting. The board did approve the request. Also included in this communication is a map of the property.

In the event you have question regarding this, please feel free to contact any of the board members. Mr. Griffey has been advised to alert your department of this approval, as well.

Sincerely,

Rockland Town Board,

Rosalie Geiger

Tim Thor

Mike Havlinek



Minutes to be approved July 17, 2023.....

**Town of Rockland June 12, 2023 Board Meeting
Rockland Town Hall @ 7:00 P.M**

Call to Order and Roll Call: Chairman, Rosie Geiger, called the meeting to order at 7:00 p.m. Officials present were Rosie Geiger, Tim Thor, Mike Havlinek, Paula Winkel, Laura Henze and Dan Benter. There were 8 citizens present.

Review and Approve May's Minutes and Treasurer's Report: 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 and second by Mike Havlinek to accept the Treasurer's report. Motion approved.

The agenda was followed as printed and posted.

Public Input: A citizen shared concern that there is a hole in road at corner of Beech and Boxwood roads. Road superintendent will be informed. Also, a separate mention of a hump remaining at Hilltop bridge.

Reports and Communications: Fire inspection of Town Hall/Shop was completed.

Nick Griffey: Request for zoning approval on a 3 acre parcel (agricultural to residential): Tim made a motion and Mike seconded to approve zoning change for an approximate 2.6 acre parcel. Motion approved. Griffey will work with Park and Planning on next steps and land purchase.

License and Permits: Tim Thor made a motion and Mike Havlinek second to approve the Liquor Class (B&C), Class B Beer, and Tobacco licenses to applicants as well as Operator's licenses for 2023-2024 year. Mike Havlinek second. Motion approved. Tim Thor made a motion to approve the fireworks permit for Camp 10 and Mike Havlinek second. Motion passed. Five building permits were issued in last month.

WEC Grant: – There is a new \$750 grant available from WEC for upgrading older ADA compliant voting equipment such as the Town or Rockland's Automark machine. Paula will be attending a County demonstration and get more information on duration and ability to use AutoMark if we don't do the upgrade to ExpressVote.

Communications with Road Superintendent & Culvert/Striping replacement: Paula shared an update on Keith's behalf including that Scott's construction completed wedging. Tim made a motion to allow TOR employees to do grass cutting in ditches for Village of Reedsville at a \$5/hr increase to last year's price. Mike Havlinek second and motion carried. A follow up road check will be done on Monday, June 19th at 6:00 p.m. to evaluate needs on Blue Heron/Whitetail Run.

No road striping planned at this time. Estimates for culvert replacements have been obtained. It was shared that there is ARPA funds (with County 50% match available) to use for this as well as potentially Bridge Aid for larger cross-pipes. This will be reviewed in the July meeting after Board has a chance to review details.

Constable Report: Assistance given to a loose horse and meeting with property owner this week regarding ashes in ditch.

Review Timing for Annual Open Book and Board of Review: The open book is scheduled for Wednesday June 28th 5-7 p.m. and the Board of Review is scheduled for Wednesday, July 12, from 5-7 p.m.

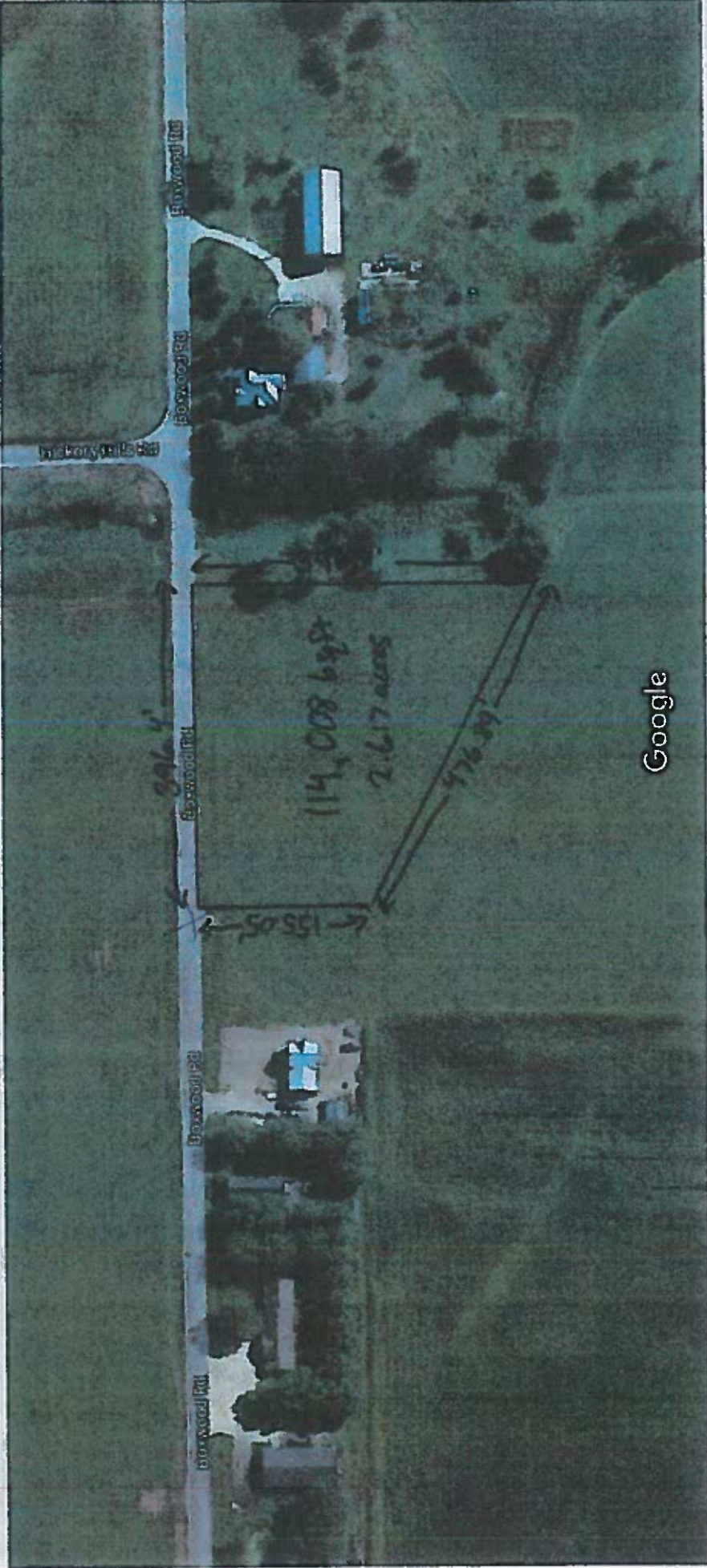
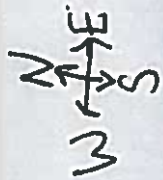
Vouchers Approved: Motion made by Mike Havlinek and second by Tim Thor to approve payment of vouchers #21544 to #21567 and EFT's in the amount of \$13,607.65. Motion carried.

Decide Leader for July 10th Board Meeting (Rosie on vacation): Mike Havlinek made a motion to move the Board meeting from July 10th to July 17th to allow all three Board members to be present, Tim Thor second. Motion Carried.

Topics for July 17, 2023 Meeting: Culvert replacements.

Adjournment: Motion made by Tim Thor and second by Mike Havlinek to adjourn the meeting at 8:20 p.m. Motion carried. Meeting adjourned.

Respectfully submitted, Paula Winkel Deputy Clerk/Treasurer, Town of Rockland, Manitowoc County



Google



Lawrence Krepline
 Revocable Living Trust
 NE 1/4, SE 1/4
 Section 8, T19N-R21E
 Town of Rockland
 From: EA To: SE
 Approx. 2.62 acre(s)
-88.004 44.131

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

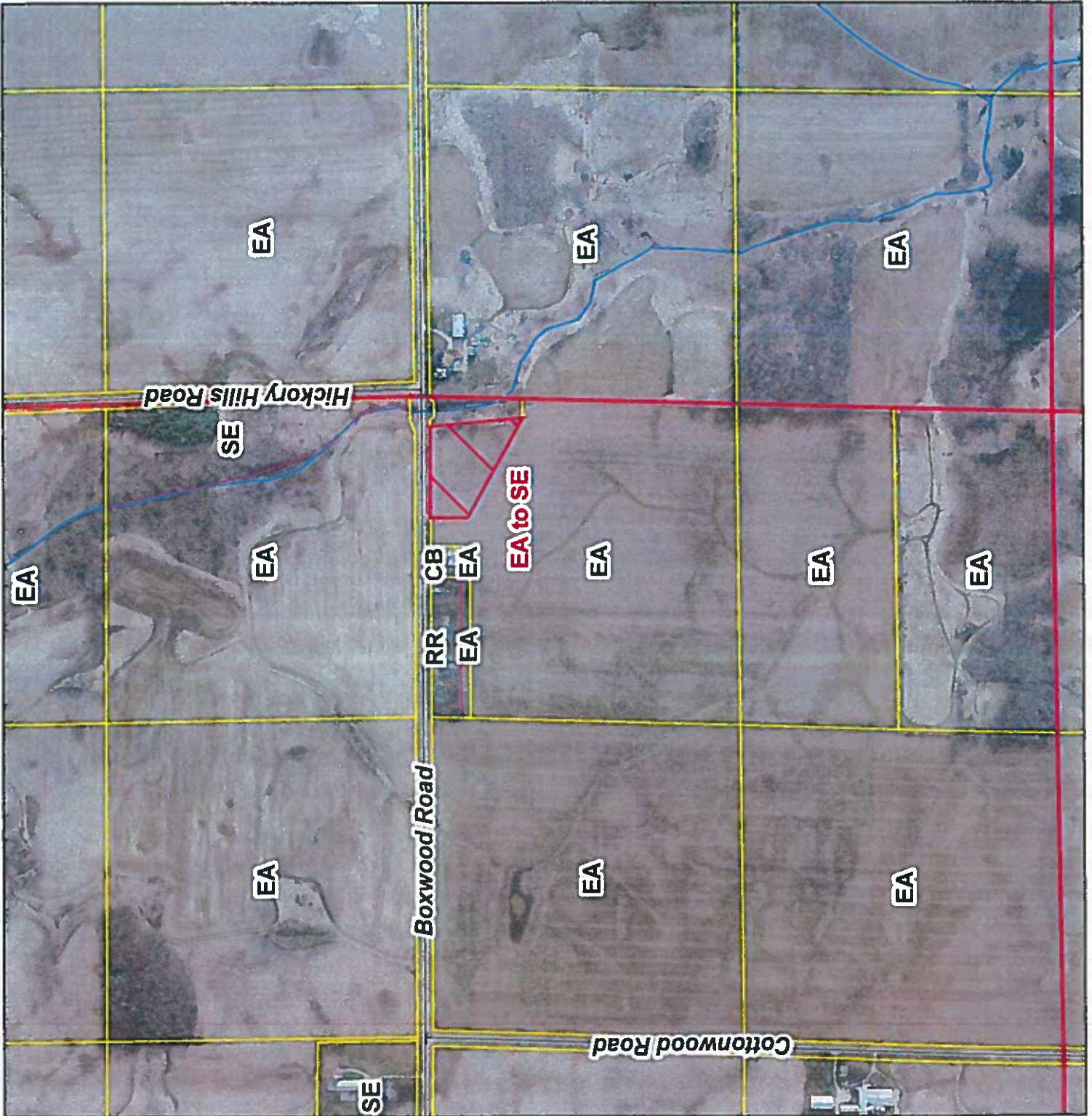
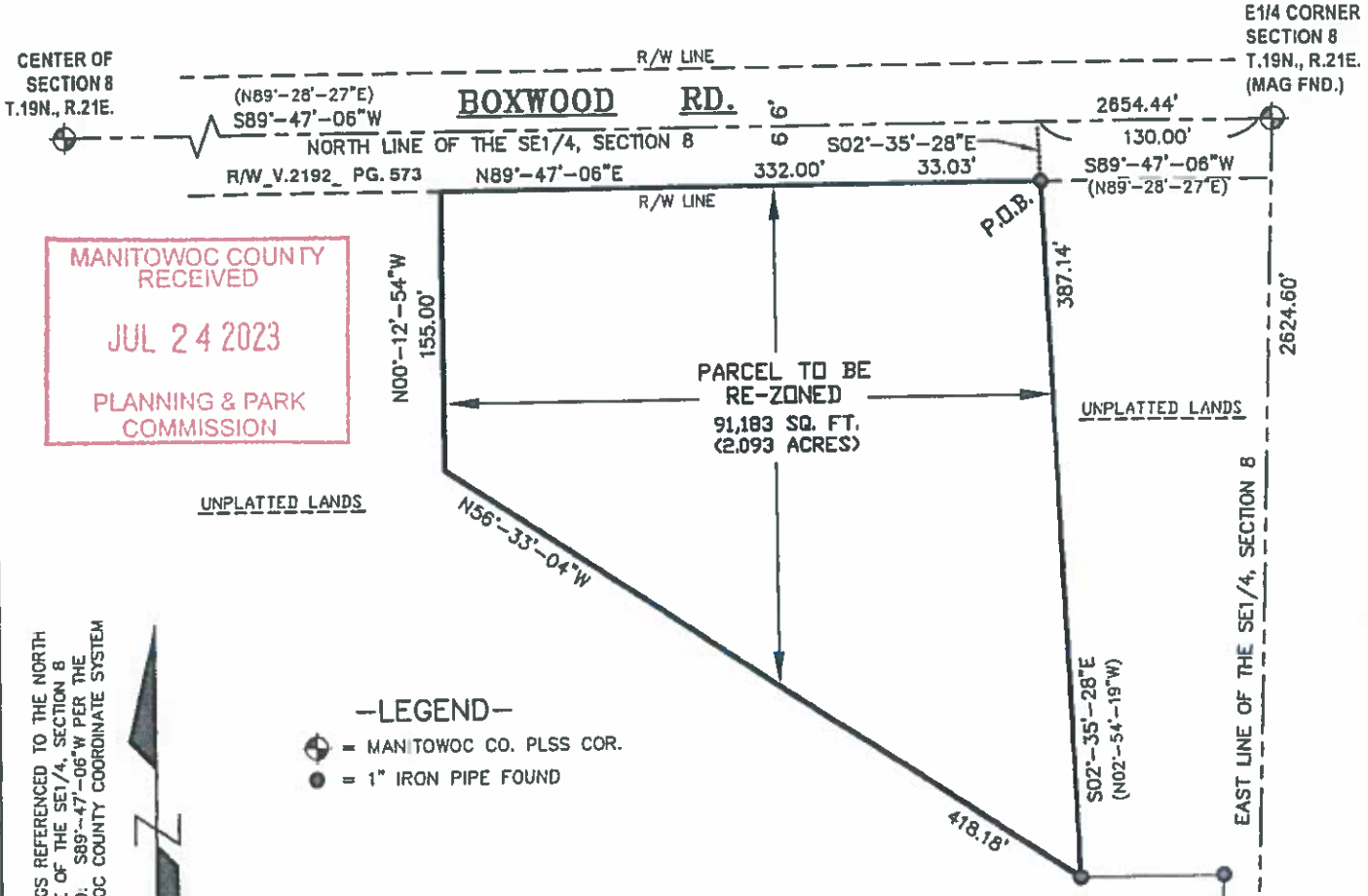


EXHIBIT MAP FOR NICK GRIFFEY

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4 OF THE SE1/4),
SECTION 8, T.19N., R.21E., TOWN OF ROCKLAND, MANITOWOC COUNTY, WISCONSIN



MANITOWOC COUNTY
RECEIVED

JUL 24 2023

PLANNING & PARK
COMMISSION

UNPLATTED LANDS

UNPLATTED LANDS

—LEGEND—

- = MANITOWOC CO. PLSS COR.
- = 1" IRON PIPE FOUND

BEARINGS REFERENCED TO THE NORTH
LINE OF THE SE1/4, SECTION 8
ASSIGNED: S89°-47'-06"W PER THE
MANITOWOC COUNTY COORDINATE SYSTEM



A part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Eight (8), Township Nineteen (19) North, Range Twenty-One (21) East, Town of Rockland, Manitowoc County, Wisconsin containing 91,183 square feet (2.093 acres) of land and being described by:

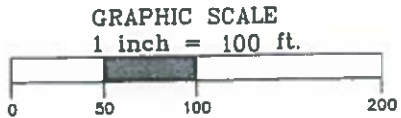
Commencing at the east quarter corner of said Section 8; thence S89°-47'-06"W (recorded as N89°-28'-27"E) along the north line of the SE1/4 of said Section 8, a distance of 130.00 feet; thence S02°-35'-28"E (recorded as N02°-54'-19"W) 33.03 feet to the south right of way line of Boxwood Road and the point of real beginning; thence continue S02°-35'-28"E (recorded as N02°-54'-19"W) 387.14 feet; thence N56°-33'-04"W 418.18 feet; thence N00°-12'-54"W 155.00 feet to said south right of way line; thence N89°-47'-06"E along said south right of way line, a distance of 332.00 feet to the point of real beginning.



I, Bradley A. Buechel, Professional Land Surveyor of Meridian Surveying, LLC, certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

Dated this 24 day of July, 2023.

Bradley A. Buechel
WISCONSIN PROFESSIONAL LAND SURVEYOR
Bradley A. Buechel, S-2613



SURVEYED FOR:
NICK GRIFFEY

PARCEL NO.:
015-008-013-001.00

MERIDIAN
SURVEYING, LLC

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

DRAWN BY: JD	FIELD WORK DATE: 7-13-23
CHECKED BY: BB	FIELD BOOK: NOTES
JOB NO.: 14738	SHEET 1 OF 1

ORDINANCE AMENDING ZONING MAP
(Justin Morris)

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 July 24, 2023; and
3

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

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

11 A parcel of land located in part of Lot 2 of Certified Survey Map Volume 24 page 65 being
12 part of the Southeast 1/4 of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section
13 7, T.21 N. - R.24 E., Town of Mishicot, Manitowoc County, Wisconsin described as follows:
14

15 Commencing at the southeast corner of said Lot 2; thence South 89°09'11" West
16 606.33 feet; thence North 89°44'07" West 307.54 feet to the point of beginning;
17 thence continuing North 89°44'07" West 307.52 feet; thence along a tangent line
18 North 32°14'53" East 99.29 feet; thence North 48°32'20" East 302.55 feet; thence
19 South 5°33'24" East 287.07 feet to the point of beginning, said parcel containing
20 approximately 1.11 acres of land and is hereby rezoned from General Agriculture
21 (GA) District to Rural Residential (RR) District.

Dated this 15th day of August 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date



REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS AUGUST 15, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: JUSTIN MORRIS 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.

Justin Morris, on June 19, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 1.11 acres of land located in the SE1/4, NW1/4, Section 7, T21N-R24E, Town of Mishicot, from GA, General Agriculture to RR, Rural Residential.

The Town of Mishicot adopted the Manitowoc County Zoning Ordinance on January 2, 2012. 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. Justin Morris petitioned for a zoning map amendment on June 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 July 13, 2023 and on July 17, 2023.
 - d. The County Planning and Park Commission held a public hearing on this amendment request on July 24, 2023.
 - e. The Commission at their July 24, 2023 meeting recommended approval of a requested rezoning of approximately 1.11 acres of land located in the SE1/4, NW1/4, Section 7, T21N-R24E, Town of Mishicot, from GA, General 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. Justin Morris, property owner, spoke in favor of the request.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from GA, General Agriculture District.
2. The Mishicot Town Board supports the proposed zone change.
3. Rezoning will allow for the construction of a single family home adjacent to existing residential areas.
4. The area to be rezoned is wooded.

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 Justin Morris to rezone approximately 1.11 acres of land from GA, General Agriculture to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its July 24, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 1.11 acres of land located in the SE¼, NW¼, Section 7, T21N-R24E, Town of Mishicot, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General 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

July 10, 2023

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

and

Manitowoc County Supervisor Lee Engelbrecht
Supervisory District 20

ATTN: Tim Ryan and Supervisor Engelbrecht

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:

Justin Morris
17411 Tisch Mills Road
Mishicot, WI 54228

Township:

Mishicot

Applicant/Agent

Steve Zeitler
7410 Hidden Valley Road
Maribel, WI 54227

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

*505
200/05
M 103 ->

Fee (\$505) Received
Receipt # 40702

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY RECEIVED
JUN 19 2023
PLANNING & PARK COMMISSION

Date of Application: _____ OWNER / APPLICANT/ AGENT _____

Owner Justin Morris Applicant/Agent Steve Z. Pley

Address (1) 17411 Tisch Mills Rd Address (1) 7410 Hidden Valley Road

Address (2) _____ Address (2) _____

City/State/Zip Mishicot WI 54228 City/State/Zip Maribel, WI 54227

Phone 920 629-6295 Phone 920-857-4670

PROPERTY LEGAL DESCRIPTION

SE 1/4, NW 1/4, S 7 T 21 N R 24 E Town of Mishicot

House /Fire # 17411 Tax Number 013-107-008-003.00

3 00.3

PROPERTY INFORMATION

Existing Zoning District GA Proposed Zoning district RR LOT 1

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

SEE ATTACHED @3m

Proposed use: (Reason for change)

I would like to create a 1-acre parcel for my sister Sarah for a future building site.

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

Justin Morris 04-30-2023
Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Mishicot from GA to RR)

PETITIONER

Name: Justin Morris
Address: 17411 Tisch Mills Road
Mishicot WI 54228
Town: Mishicot

PARCEL

Location: SE1/4, NW1/4, Section 7, T21N-R24E
Tax#: 013-107-008-003.00
Area: 1.11 acres

ACTION TO DATE

Petition Submitted: 6/19/2023
Town Action: Approved June 5, 2023
Hearing Notice Published: 7/13/2023 & 7/17/2023
Advisory: 7/24/2023
Hearing: 7/24/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	GA & RR	Woods & Residential
South	LE	Woods & Residential
East	GA	Woods & Residential
West	GA	Woods & Residential

PARCEL USES & ZONING

Existing Zoning District: GA, General Agriculture
Existing Land Use: Woods
Proposed Zoning District: RR, Rural Residential
Proposed Use: Sell off 1 acre lot to my sister to build a house

MAP INFORMATION

Farmland Preservation Designation:
Non-Farmland Preservation
Soil Type: PIB
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Excessively drained, rapidly permeable soils	Soil Test: N/A
Soil Limitations: Slight	Terrain: 0 to >12 Percent Slopes
Sewage Disposal: Private Onsite Wastewater Treatment	Vegetative Cover: Woodland
Road Access: Tisch Mills Rd	

Town Future Land Use Designation: Natural Areas

Areas of special environmental, natural resource and open space significance. These Natural Areas should not be developed with parcel size less than 20 acres because of natural resource conditions. The considerations include shoreline conservation, flooding, wetland conservation, wildlife habitats, unique aesthetic features, cultural and historic sites, existing and proposed parks, and State Forest and Wildlife Areas. The delineation of lands with these characteristics often falls into a linear pattern, hence the reference to environmental areas as corridors.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

TOWN OF MISHICOT

Office of Town Clerk

Lee Stefaniak, Chairperson
10534 Division Drive
Two Rivers, WI 54241
(920) 755-4263

Dean Anhalt, Supervisor
P.O. Box 272
Mishicot, WI 54228-0272
(920) 755-4128

Robert DesJarlais, Supervisor
17624 Kasmer Road
Mishicot, WI 54228
(920) 776-2150

Tammy Thielbar, Treasurer
3029 E. Church Street
Two Rivers, WI 54241
(920) 323-3529

Connie Tesarik, Clerk
618 Tisch Mills Road
Mishicot, WI 54228
920-776-1597
mishicotown@charter.net

Richard Franz, Constable
2727 Maplewood Road
Two Rivers, WI 54241
(920) 793-4657

MANITOWOC COUNTY
RECEIVED

JUN 09 2023

PLANNING & PARK
COMMISSION

June 6, 2023

Mr. Tim Ryan
Manitowoc County Planning & Park Dept.
4319 Expo Drive
P. O. Box 610
Manitowoc, WI 54221-0610

Dear Tim:

RE: MORRIS RE-ZONING - TISCH MILLS ROAD

Justin Morris, a Town of Mishicot resident, came before the Mishicot Town Board at their monthly meeting last evening, June 5. Mr. Morris has had a CSM done on Parcels: 013-107-003-003.00 and 013-107-008-003.00. The CSM creates Lot 1 and Lot 2. Mr. Morris is requesting to rezone Lot 1 from GA to RR for the purpose of a family member constructing a single-family dwelling. Mr. Morris is requesting a variance for Lot 2 to remain zoned GA.

The Mishicot Town Board made the following motion at their June 5, 2023, Town Board Meeting: **Supervisor Anhalt moved to approve the rezoning of Lot 1 to RR (Rural Residential) and to further approve the variance request for Lot 2 to remain GA (General Ag) both with Manitowoc County's approval. Motion seconded by Supervisor DesJarlais. All votes in favor. Motion carried.**

Mr. Anhalt said that Mr. Morris' requests fit the residential use of the surrounding area, and noted it is a good use of the property. Mr. Morris said he had not yet had the property tested for septic. Mr. Anhalt further noted that holding tanks for new construction are not allowed in the town.

Sincerely yours,

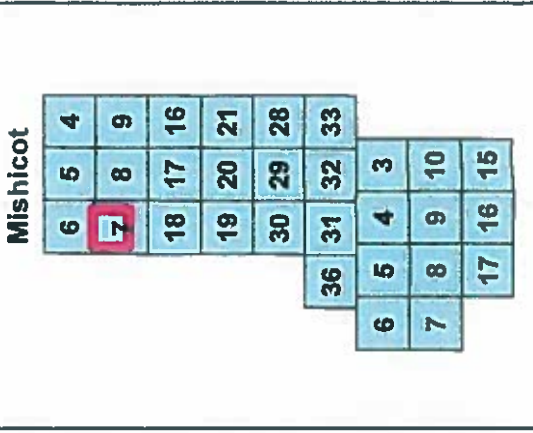

Lee Stefaniak
Chairman - Town of Mishicot

cc: Justin Morris
jmohunter22@yahoo.com



Justin Morris
 SE 1/4, NW 1/4
 Section 7, T21N-R24E
 Town of Mishicot
 From: GA To: RR
 Approximately 1.00 acre(s)
-87.634 44.307

Map Overview



Legend

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



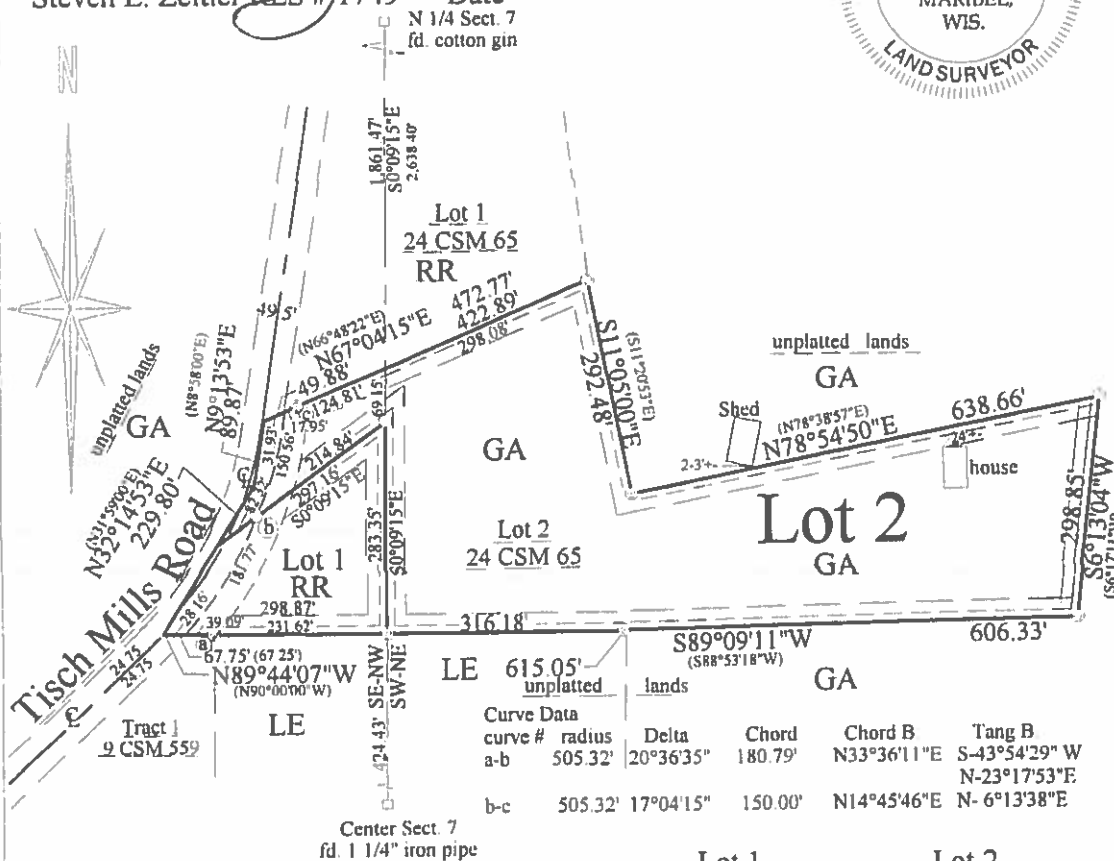
Certified Survey Map

ALL OF LOT 2 OF CERTIFIED SURVEY MAP VOLUME 24 PAGE 65 BEING PART OF THE SE 1/4 - NW 1/4 AND SW 1/4 - NE 1/4, SECTION 7, T. 21 N.- R.24 E, TOWN OF MISHICOT, MANITOWOC COUNTY, WISCONSIN.

Surveyors Certificate:

I, Steven E. Zeitler, Registered Land Surveyor, do hereby certify that I have surveyed, Divided and mapped the land described hereon; that I have made such survey and map by the direction of the owners listed hereon; and that I have complied with the provisions of Chapter 236 Section 236.34 of the Wisconsin Statutes and Section 12.07 of the Subdivision Regulations for Manitowoc County, Wisconsin. That the map hereon is a true and correct representation of the survey.

Steven E. Zeitler
 Steven E. Zeitler RLS #1749 Date: 4/1/23



Legend

- ⊙ 1" iron pipe fd.
 - 1" X 18" iron pipe (set) min. wt. 1.13 lb./lin.ft.
- Bearings referenced to the easterly line of the NW 1/4 recorded as N00°09'15" W

Lot 1
 Area
 Lot 43,578 sq. ft
 R/W 4,777 sq. ft
 Total 48,355 sq. ft.
 1.11 Ac.

Lot 2
 Area
 Lot 290,001 sq. ft
 R/W 4,590 sq. ft
 Total 294,591 sq. ft.
 6.76 Ac.

Graphic Scale



Certified Survey Map

ALL OF LOT 2 OF CERTIFIED SURVEY MAP VOLUME 24 PAGE 65 BEING
PART OF THE SE 1/4 - NW 1/4 AND SW 1/4 - NE 1/4, SECTION 7,
T. 21 N. - R.24 E., TOWN OF MISHICOT, MANITOWOC COUNTY, WISCONSIN.

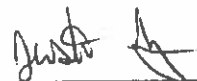
DESCRIPTION:

All of Lot 2 of Certified Survey Map Volume 24 page 65 being part of
the Southeast 1/4 of the Northwest 1/4 and Southwest 1/4 of
the Northeast 1/4 of Section 7, T.21 N. - R.24 E., Town of Mishicot,
Manitowoc County, Wisconsin described as;

Beginning at the southeast corner of said Lot 2; thence South 89°09'11"
West 606.33 feet; thence North 89°44'07" West 615.05 feet;
thence along a tangent line North 32°14'53" East 229.80 feet;
thence continuing North 9°13'53" East 89.87 feet;
North 67°04'15" East 472.77 feet; thence South 11°05'00" East 292.48
feet; thence North 78°54'50" East 638.66 feet; thence South 6°33'04" West
298.85 feet to the point of beginning and including those lands previously
conveyed for highway purposes and containing 7.87 acres

OWNERS CERTIFICATE:

As owners' we, herby certify that we caused the land described on this map to be
surveyed, divided, and mapped as represented hereon; We also certify that this
Certified Survey Map is required to be submitted to the Manitowoc County Planning
and Park Commission for approval or objection in accordance with current Land
Subdivision Ordinances.



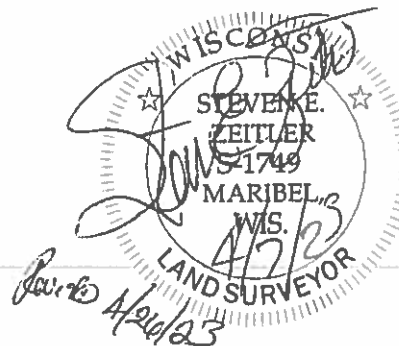
Michael G. Morris Justin M. Morris Barbara I. Morris

STATE OF WISCONSIN)
MANITOWOC COUNTY)

Personally came before me this 30TH day of April, 2023 the above named
owners, to me known to be the persons who executed the foregoing instrument and
acknowledge the same.



Steven E. Zeitler
My commission expires 01/14/26



ORDINANCE AMENDING ZONING MAP
(Eugene J Andres Revocable Living Trust)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on June 26, 2023 and July 24,
3 2023; and
4

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

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

12 A parcel of land located in part of the Northwest 1/4 of the Northeast 1/4 of Section 33,
13 T.20 N. - R.23 E., Town of Kossuth, Manitowoc County, Wisconsin described as follows:
14

15 Commencing at the North 1/4 Corner of Section 33; thence along the westerly line
16 of the NE 1/4 South 0°13'44" West 33.00 to the southerly line of Rockwood Road
17 being the point of beginning; thence along said line North 89°45'09" East 713.34
18 feet; thence South 0°13'44" West 610.67 feet; thence South 89°45'09" West 713.34
19 feet; thence North 0°13'44" East 610.67 feet to the point of beginning, said parcel
20 containing approximately 10.0 acres of land and is hereby rezoned from Exclusive
21 Agriculture (EA) District to General Agriculture (GA) District.
22

23 and

24 BE IT FURTHER ORDAINED that the rezoning is subject to the following condition:
25

26 A Certified Survey Map (CSM) of the property is required and the CSM will have
27 the language "Non-Habitable" identified directly on the CSM to prevent future
28 residential development.
29

Dated this 15th day of August 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____ Date
Tyler Martell, County Board Chair

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS AUGUST 15, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: EUGENE J ANDRES REVOCABLE LIVING TRUST 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.

The Eugene J Andres Revocable Living Trust, on March 27, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 10.0 acres of land located in the NW1/4, NE1/4, Section 33, T20N-R23E, Town of Kossuth, from EA, Exclusive Agriculture to GA, General Agriculture.

The Town of Kossuth adopted the Manitowoc County Zoning Ordinance on January 2, 2012. The uses permitted in the GA, General Agriculture zoning provides for a rural area with a mixture of agriculture, low-density residential and rural commercial activity with a minimum lot size of 10.0 acres.

1. Action taken to date on this request includes:

- a. The Eugene J Andres Revocable Living Trust petitioned for a zoning map amendment on March 27, 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 June 15, 2023 and on June 19, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on June 26, 2023.
- e. The Commission at their June 26, 2023 meeting recommended postponement of a requested rezoning of approximately 10.0 acres of land located in the NW1/4, NE1/4, Section 33, T20N-R23E, Town of Kossuth, from EA, Exclusive Agriculture to GA, General Agriculture.
- f. The Commission at their July 24, 2023 meeting recommended approval of a requested rezoning of approximately 10.0 acres of land located in the NW1/4, NE1/4, Section 33, T20N-R23E, Town of Kossuth, from EA, Exclusive Agriculture to GA, General Agriculture with the following condition. The verbiage "non-habitable" must be present on the certified survey map.

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

3. Testimony at the June hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

4. Testimony at the July hearing is summarized as follows:

- a. Mr. Steve Zeitler, agent, 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 Kossuth Town Board and the Town Planning Commission supports the proposed zone change to GA, General Agriculture.
3. The intended use of the property will continue to be farming.
4. A Certified Survey Map (CSM) of the property is required and the CSM will have the language "Non-Habitable" identified directly on the CSM to prevent future residential development.

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 the Eugene J Andres Revocable Living Trust to rezone approximately 10.0 acres of land from EA, Exclusive Agriculture to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its July 24, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 10.0 acres of land located in the NW1/4, NE1/4, Section 33, T20N-R23E, Town of Kossuth, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from EA, Exclusive Agriculture to GA, General Agriculture.

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

June 12, 2023

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

and

Manitowoc County Supervisor Susie L. Maresh
Supervisory District 17

ATTN: Tim Ryan and Supervisor Maresh

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:

Eugene J. Andres Revocable Living Trust
7026 Rockwood Road
Whitelaw, WI 54247

Township:

Kossuth

Applicant/Agent

Steve Zeitler
7410 Hidden Valley Road
Maribel, WI 54227

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 [checked] Receipt # 40497

asm # 200 \$705.00

ZONING MAP AMENDMENT APPLICATION

Date of Application: OWNER / APPLICANT/ AGENT
Owner: Eugene J. Andres Revoc Liv Applicant/Agent: Steve Zettler
Address (1): 7026 Rockwood Rd TRUST Address (1): 7410 Hidden Valley Road
Address (2): Address (2):
City/State/Zip: Whitewater, Wis 54247 City/State/Zip: MARIBEL, Wis
Phone: 920-682-9705 Phone: 920-857-4670

MANITOWOC COUNTY RECEIVED MAR 27 2023 PLANNING & PARK COMMISSION

PART OF PROPERTY LEGAL DESCRIPTION
NW 1/4, NE 1/4, S 33 T 20 N R 23 E Town of Kossuth
House / Fire # Tax Number 007-033-002-000.00

PROPERTY INFORMATION
Existing Zoning District EA Proposed Zoning district GA
Please include an air photo identifying the proposed area with dimensions or a description of the area proposed for rezoning including acreage:
SEE ATTACHED ASM

Proposed use: (Reason for change)
IT WILL REMAIN FARM USE.
I Am Deeding this 10AC And 50 Acres of the Homestead TO my Daughter Corri

Return to:
Manitowoc County Planning and Park Commission
4319 Expo Drive, PO Box 935
Manitowoc, WI 54220-0935
(920) 683-4185
Signature (applicant, owner, agent) Eugene Andres Date 3/27/23

MANITOWOC COUNTY ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Kossuth from EA to GA)

PETITIONER

Name: Eugene J Andres
Revocable Living Trust
Address: 7026 Rockwood Rd.
Whitelaw, WI 54247
Town: Kossuth

PARCEL

Location: NW¼, NE¼, Section 33, T20N-R23E
Tax#: 007-033-002-000.00
Area: 10 Acres

ACTION TO DATE

Petition Submitted: 3/27/2023
Town Action: Approved June 12, 2023
Hearing Notice Published: 06/15/2023, 06/19/2023
Advisory: 06/26/2023
Hearing: 06/26/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Agricultural
South	EA	Agricultural
East	EA	Agricultural
West	EA	Agricultural

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Agricultural
Proposed Zoning District: GA, General Agriculture
Proposed Use: Remain farm use,
deeding land to daughter

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: KnB, MbA
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well – poorly drained
Soil Limitations: Moderate – Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Rockwood Rd
Town Land Use Designation: Agriculture

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

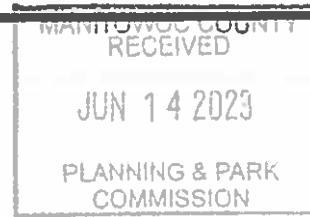
Decisions to allow residential development in areas identified for agricultural uses should be based on sound land use planning criteria. If residential development is permitted, single family residences are recommended at densities that preserve natural areas, viewsheds, open spaces, and areas deemed important for the town to keep preserved. Adequate buffers are encouraged for future non-farming uses in these areas in order to lessen conflict with the agricultural operations.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

Michelle Haupt

From: Ralph Schuh <powerguy@lsol.net>
Sent: Wednesday, June 14, 2023 7:58 AM
To: Tim Ryan
Cc: Michelle Haupt
Subject: Andres rezone



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!

At the Kossuth Town Board meeting on June 12, 2023, the Andres rezone of 10 acres from EA to GA, at 7021 Rockwood Road, was approved for parcel 007-033-002-000.00
The rezone had previously been recommended for approval by the Town Planning Commission on May 22, 2023.



Eugene Andres
 Revoc Living Trust
 NW 1/4, NE 1/4
 Section 33, T20-R23E
 Town of Kossuth
 From: EA To: GA
 Approximately 10.00 acre(s)
-87.750, 44.167

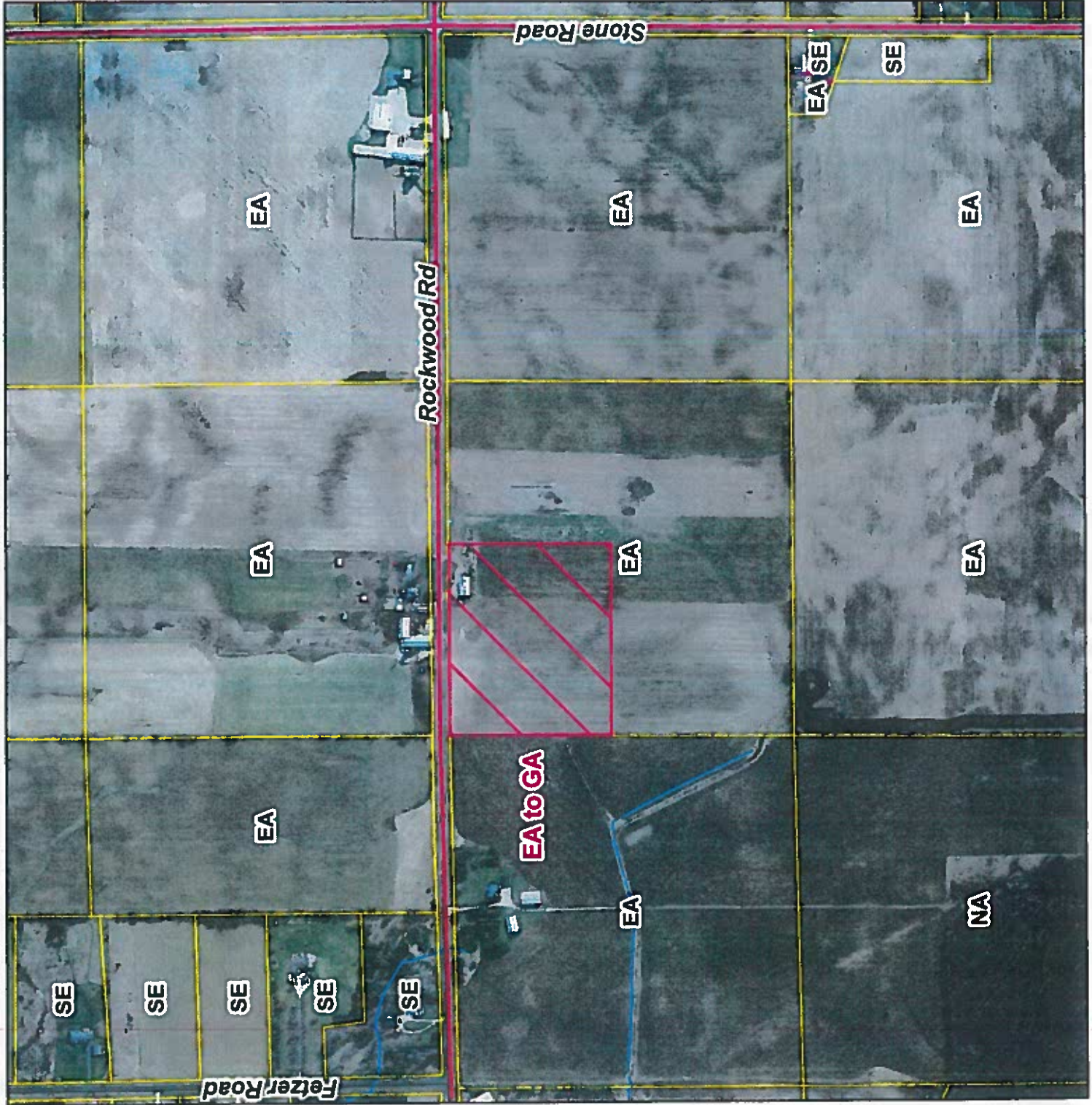
Map Overview

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



Legend

- Section Line (pink line)
- Parcel Line (yellow line)
- Streams (blue line)

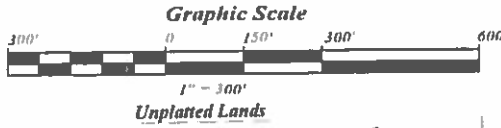


CERTIFIED SURVEY MAP

ALL OF NW 1/4 OF THE NE 1/4 AND OF SECTION 33, T.20 N.- R.23 E.,
TOWN OF KOSSUTH, MANITOWOC COUNTY, WISCONSIN

Legend

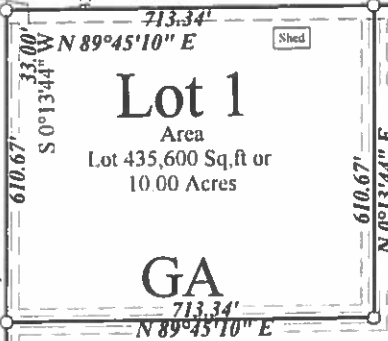
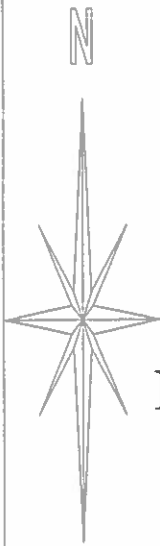
- 1" iron pipe set Min wt. 1.13 lb/lin/ft
- Bearings referenced to the westerly line of the NE 1/4 recorded as N0°13'44" W



N 1/4 Cor Sect 33
fd. 1" iron pipe

Rockwood Road

N 89°45'10" E 1,322.58'



Lot 1

Area
Lot 435,600 Sq.ft or
10.00 Acres

EA

GA

Lot 2

Area
Lot 1,277,409 Sq.ft
29.32 Acres

EA

EA

NE-NW SE-NW
NW-NE SW-NE

S 89°41'10" W 1321.98'

NW-NE NE-NE
SW-NE SE-NE

Unplatted Lands

EA

DESCRIPTION:
All of the Northwest 1/4 of the Northeast
1/4 of Section 33, T.20 N. - R.23 E.,
Town of Kossuth, Manitowoc County,
Wisconsin described as;

EA

Commencing at the North 1/4 Corner of Section 33;
thence along the westerly line of the NE 1/4 South
0°13'44" East 33.00 to the southerly line of Rockwood
Road being the point of beginning;
thence along said line North 89°45'10" East 1,322.57 feet;
thence South 0°15'19" West 1,294.78 feet; thence South
89°41'07" West 1,321.98 feet; thence North 0°13'44" East
1,296.33 feet to the point of beginning and containing
39.8 Acres.



Center Sect. 33
fd. 2" iron pipe

**INITIAL RESOLUTION AUTHORIZING NOT TO EXCEED \$2,500,000
GENERAL OBLIGATION PROMISSORY NOTES FOR HIGHWAY
PROJECTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, Wisconsin (“County”) is in need of an amount not to
2 exceed \$2,500,000 for the public purpose of financing the construction and improvement of
3 highways; and
4

5 WHEREAS, it is desirable to authorize the issuance of general obligation promissory notes
6 for such purpose pursuant to Wis. Stat. ch. 67;
7

8 NOW, THEREFORE, BE IT RESOLVED by the county board of supervisors of the county
9 of Manitowoc that:
10

11 Section 1. Authorization. The County shall borrow an amount not to exceed \$2,500,000
12 by issuing its general obligation promissory notes for the public purpose of financing the
13 construction and improvement of highways. There be and there hereby is levied on all the taxable
14 property in the County a direct, annual tax in such years and in such amounts as are sufficient to
15 pay when due the principal and interest on such notes.
16

17 Section 2. Sale of the Notes. The county board of supervisors of the county of
18 Manitowoc hereby authorizes and directs that the Notes be offered for public sale. At a
19 subsequent meeting, the county board of supervisors of the county of Manitowoc shall consider
20 such bids for the Notes as may have been received and take action thereon.
21

22 Section 3. Notice of Sale. The County Clerk (in consultation with PMA Securities, LLC
23 (“PMA”)) be and hereby is directed to cause notice of the sale of the Notes to be disseminated in
24 such manner and at such times as the County Clerk may determine and to cause copies of a
25 complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as
26 the County Clerk may determine.
27

28 Section 4. Official Statement. The County Clerk (in consultation with PMA) shall cause
29 an Official Statement to be prepared and distributed. The appropriate County officials shall
30 determine when the Official Statement is final for purposes of Securities and Exchange
31 Commission Rule 15c2 12 and shall certify said Official Statement, such certification to constitute
32 full authorization of such Official Statement under this resolution.

Dated this 15th day of August 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: No fiscal impact. This resolution authorizes the issuance of promissory notes, but has no fiscal impact until the county board adopts a resolution for the sale of the promissory notes. That resolution will contain a fiscal note.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Pursuant to Wis. Stat. § 67.045(1)(f), this resolution requires a vote of three-fourths of the members-elect. Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AMENDING EMPLOYEE MANUAL § 4.10(5)
(Classification of Employees)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Section 4.10 (Classification of Employees) defines the various classification
5 of county employees; and

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

9
10 WHEREAS, the proposed revision to Section 4.10(5) ensures that each type of county
11 employee has a clear and appropriate definition; and

12
13 WHEREAS, after careful consideration and review the Personnel Committee recommends
14 approval of the following amendment to the Manitowoc County Employee Policy Manual;

15
16 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
17 county of Manitowoc amends Section 4.10(5) of the Manitowoc County Employee Policy Manual
18 as follows:

19
20 Employee Policy Manual § 4.10(5) (Classification of Employees) is amended to read as follows:

21
22 4.10 Classification of Employees

23
24 ...

25
26 (5) Temporary, and Casual, ~~Limited Term (LTE), Seasonal and On-Call~~ Employees:
27 Collective bargaining agreements shall be reviewed prior to hiring an employee of
28 ~~this in these~~ classifications, because some restrictions may exist.

29
30 (a) Temporary – is an employee that is hired for a limited period of time. The
31 length of employment for a temporary employee must be defined before
32 hire and in no case shall employment be more than six months. Seasonal
33 employees are considered temporary employees.

34
35 (b) Casual employee – is an employee who is hired with no set hours or days
36 of work who will be asked to work as and when it is required. While there
37 is no set end date to the assignment for a casual employee – the need for
38 employees hired in this category should be evaluated frequently. Casual
39 employees who have not worked for a period of 1 year will be removed

40 from the payroll – unless an exception is granted by the County Executive.
41 While there may be an occasional need for a casual employee to work up to
42 full time hours, casual employees may not work over 20 hours per week on
43 a consistent basis.

44
45 ~~Every effort shall be made to not have employees in this~~ Employees in these classifications
46 cannot work more than 1200 hours per year so contributions to the Wisconsin Retirement
47 System can be avoided.

48
49 Employees in ~~this~~ these classifications are not eligible for fringe benefits other than those
50 provided for by law ~~or administrative code.~~

51
52 Employees in these classifications working more than six months cannot work an average
53 of more than 20 hours per week.

Dated this 15th day of August 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 18.05
(Shift Premium)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Section 18.05 (Shift Premium) establishes premium pay for County
5 employees; and

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

9
10 WHEREAS, the proposed revision to Section 18.05 adds premium pay for Human Services
11 Department employees providing back up after-hours crisis coverage and on-site after-hours
12 respite coverage; and

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

16
17 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
18 county of Manitowoc amends Section 18.05 (Shift Premium) of the Manitowoc County Employee
19 Policy Manual as follows:

20
21 Employee Policy Manual § 18.05 (Shift Premium) is amended to read as follows:

22
23 18.05 Shift-Premium Pay

24
25 (1) A shift premium of 25¢ per hour shall be paid for all shifts beginning at or
26 after 2:00 p.m., with no shift premiums paid for shifts beginning at or after
27 4:00 a.m. up until 1:59 p.m. Part-time employees required to work all
28 shifts, including shifts beginning on or after 2:00 p.m. are also eligible for
29 the 25¢ per hour shift premium.

30
31 (2) A premium pay per 8 hour shift will be provided to qualified Human
32 Services Department employees providing back up coverage for after-hours
33 crisis workers. Premium amount to be established by the Personnel
34 Committee.

35
36 (3) A premium pay of per 8 hour shift will be provided to qualified Human
37 Services Department employees providing on-site after-hours respite
38 coverage at a respite home. Premium amount to be established by the
39 Personnel Committee.

Dated this 15th day of August 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION AMENDING EMPLOYEE POLICY MANUAL § 23.07(6)
(Electronic Mail (E-Mail))

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Section 23.07 (Electronic Mail (E-Mail)) establishes standards for county
5 employees while using county email systems; and

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

9
10 WHEREAS, the proposed revision to Section 23.07(6) clarifies the requirement that
11 information received from or transmitted to CJIS can be accessed only through a Computer
12 Resource (as that term is defined in the Employee Policy Manual) owned by Manitowoc County;
13 and

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

17
18 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
19 county of Manitowoc amends Section 23.07(6) (Electronic Mail (E-Mail)) of the Manitowoc
20 County Employee Policy Manual as follows:

21
22 Employee Policy Manual § 23.07(6) (Electronic Mail (E-Mail)) is amended to read as follows:

23
24 23.07 Electronic Mail (E-Mail)

25 ...

26 (6) Computer Users receiving or transmitting HIPAA protected information and
27 information accessed through CJIS must utilize a Computer Resource owned by
28 Manitowoc County.

Dated this 15th day of August 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION AMENDING EMPLOYEE MANUAL SEC. 8.10(3)
(Designation of Outdoor Smoking Areas)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

3
4 WHEREAS, Section 8.10 (Designation of Outdoor Smoking Areas) defines the areas on
5 certain county properties where smoking is permitted; and

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

9
10 WHEREAS, since the Employee Policy Manual was adopted, Manitowoc County has
11 acquired and staffed two additional locations, the Heritage Center and the Human Services
12 Department Hamilton Street Building; and

13
14 WHEREAS, the proposed revision to Section 8.10(3) adds specific smoking sites for the
15 Heritage Center and Human Services Department Hamilton Street Building; and

16
17 WHEREAS, after careful consideration and review the Personnel Committee recommend
18 approval of the following amendment to the Manitowoc County Employee Policy Manual;

19
20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc amends Section 8.10(3) (Designation of Outdoor Smoking Areas) of the
22 Manitowoc County Employee Policy Manual as follows:

23
24 Employee Policy Manual § 8.10(3) (Designation of Outdoor Smoking Areas) is amended to read
25 as follows:

26
27 8.10 Designation of Outdoor Smoking Areas

28
29 ...

- 30
31 (3) Smoking is allowed in designated outdoor areas only. The designated areas are:
32 (a) Administration Building – West side of building
33 (b) Communications Center – West side of building
34 (c) Courthouse – East Steps, top of stairs and north of the window that is north
35 of the Entrance (toward Washington Street)
36 (d) Expo/Ice Center – Smoking is allowed anywhere outside.
37 (e) Highway Department – Outside employee lunch room on east side of
38 building
39 (f) Human Services Department – Picnic table on east side of building

- 40 (g) Office Complex – South side of building
- 41 (h) Sheriff's Department – Fenced in parking lot south of the Jail
- 42 (i) Heritage Center – West side of building
- 43 (j) Human Services Department Hamilton Street Building – Northwest side of
- 44 building

Dated this 15th day of August 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, August 15, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 15th day of August 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 21 members were present at the time of voting for resolutions: Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Maresh, Martell, Muench, Naidl, Neils, Shimulunas, Sitkiewitz, Vogt, Wagner, Weis and Zimmer. Supervisors Baumann, Linsmeier, Metzger, and Phipps were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Brey, the July 18, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Honoring the Kiel Girls' Varsity Soccer Team Division 4 State Champions to Coach Mike Pritchard who thanked the board for the recognition.

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

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life and Service of Lyle L. Heide.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commending Emma Dvorak Manitowoc County "Fairest of the Fair" to Emma Dvorak who expressed her gratitude to the board for their support of the fair activities.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:17 p.m.

Justin Morris, Town of Mishicot, spoke in favor of the ordinance for the amendment of the zoning map pertaining to his property.

Nicholas Griffey, Greenleaf, spoke in favor of the ordinance for the amendment of the zoning map pertaining to the Lawrence A. Krepline Revocable Living Trust property.

Maura Yost, Town of Centerville, expressed disappointment in the courthouse dome resolution passed last month and advocated for the half-cent county sales tax instead of borrowing for the dome project.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:24 p.m.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Cindy Neelis to the Aging & Disability Board. Supervisor Wagner moved, seconded by Supervisor Neils to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Todd Bergmann, Joseph Jeanty, Amy John, Alternate) Debbie Holschbach to the Local Emergency Planning Committee. Supervisor Falkowski moved, seconded by Supervisor Muench to approve the appointments. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Zimmer to adopt Resolution 2023/2024-22 Approving and Adopting the Manitowoc County Park and Open Space Plan. Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Muench to enact Ordinance 2023/2024-23 Amending Zoning Map (Kyle and Bailey Reeve). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer to enact Ordinance 2023/2024-24 Amending Zoning Map (Lawrence A Krepline Revocable Living Trust). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Engelbrecht to enact Ordinance 2023/2024-25 Amending Zoning Map (Justin Morris). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Maresh to enact Ordinance 2023/2024-26 Amending Zoning Map (Eugene J Andres Revocable Living Trust). Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Muench gave a brief report.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-27 Denying Claim (Kathleen Hagen). Upon vote, the motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-28 Denying Claim (Robert Shimon). Upon vote, the motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-29 Initial Resolution Authorizing Not to Exceed \$2,500,000 General Obligation Promissory Notes for Highway Projects. Upon vote, motion carried unanimously.

Highway Committee: Supervisor Behnke gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Supervisor Maresh moved, seconded by Supervisor Heller, to adopt Resolution 2023/2024-30 Amending Employee Manual § 4.10(5) (Classification of Employees). Upon vote, the motion carried unanimously.

Supervisor Maresh moved, seconded by Supervisor Neils, to adopt Resolution 2023/2024-31 Amending Employee Policy Manual § 18.05 (Shift Premium). Upon vote, the motion carried unanimously.

Supervisor Maresh moved, seconded by Supervisor Behnke, to adopt Resolution 2023/2024-32 Amending Employee Policy Manual § 23.07(6) (Electronic Mail (E-Mail)). Upon vote, the motion carried unanimously.

Supervisor Maresh moved, seconded by Supervisor Heller, to adopt Resolution 2023/2024-33 Amending Employee Manual § 8.10(3) (Designation of Outdoor Smoking Areas). Upon vote, the motion carried unanimously.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Gerroll gave a brief report.

Transportation Coordinating Committee: Supervisor Hacker gave a brief report.

ANNOUNCEMENTS

Supervisor Behnke encouraged attendance at the Manitowoc County Fair between August 23 and 27, and Supervisor Maresh invited attendance to the Women's Day Fair Event on Saturday, August 26.

ADJOURNMENT

Supervisor Gerroll moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 7:02 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: Tuesday, September 19, 2023

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 Behnke.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the August 15, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Honoring 4-H Week
 2. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Declaring October 2023 Crime Prevention Month
 3. Supervisor Paul Hacker – Progress Report on Wisconsin Shipwreck Coast National Marine Sanctuary
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- IX. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Ordinance 2023/2024-34 Amending Zoning Map (Derek and Regina Burkholder)
 2. Ordinance 2023/2024-35 Amending Zoning Map (Curt Rabe)
 3. Ordinance 2023/2024-36 Amending Zoning Map (Michael Miller)
 4. Ordinance 2023/2024-37 Amending Zoning Map (Lloyd and Darlean Rumpff)
 5. Resolution 2023/2024-38 Authorizing County Conservation Aids Grant
 - B. Aging & Disability Board
 - C. Board of Health
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board
 - G. Finance Committee
 6. Resolution 2023/2024-39 Awarding the Sale of \$2,500,000 General Obligation Promissory Notes, Series 2023

H. Highway Committee

7. Resolution 2023/2024-40 Adopting Speed Zone on County Trunk Highway R in the Town of Manitowoc Rapids

I. Human Services Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

O. Miscellaneous

Personnel Committee and Human Services Board

8. Resolution 2023/2024-41 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (Clinical Services Manager to Crisis Supervisor)

X. ANNOUNCEMENTS

XI. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

ORDINANCE AMENDING ZONING MAP
(Derek and Regina Burkholder)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 28, 2023; and
3

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

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

11 A parcel of land in part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4)
12 of Section Eighteen (18), Township Nineteen (19) North, Range Twenty-Two (22) East, Town of
13 Cato, Manitowoc County, Wisconsin more particularly described as follows:
14

15 Beginning at the center corner of said Section 18; thence N88°-26'-52"W (recorded
16 as West) along the south line of the NW1/4 of said Section 18, a distance of 608.00
17 feet; thence N01°-17'-58"W (recorded as N02°-53'W) 408.00 feet; thence
18 S88°-26'-52"E (recorded as East) 608.00 feet to the east line of said NW1/4; thence
19 S01°-17'-58"E (recorded as S02°-53'E) along said east line, a distance of 408.00
20 feet to the point of beginning, said parcel containing approximately 247,757 square
21 feet (5.688 acres) of land and is hereby rezoned from Large Estate Residential (LE)
22 District to General Agriculture (GA) District.

Dated this 19th day of September 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS SEPTEMBER 19, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: DEREK AND REGINA BURKHOLDER 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.

Derek and Regina Burkholder, on July 26, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 5.69 acres of land located in the SE1/4, NW1/4, Section 18, T19N-R22E, Town of Cato, from LE, Large Estate to GA, General Agriculture.

The Town of Cato adopted the Manitowoc County Zoning Ordinance on December 5, 2011. The uses permitted in GA, General Agriculture zoning provides for a rural area with a mixture of agriculture, low-density residential and rural commercial activity with a minimum lot size of 10.0 acres.

1. Action taken to date on this request includes:

- a. Derek and Regina Burkholder petitioned for a zoning map amendment on July 26, 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 August 16, 2023 and on August 21, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on August 28, 2023.
- e. The Commission at their August 28, 2023 meeting recommended approval of a requested rezoning of approximately 5.69 acres of land located in the SE1/4, NW1/4, Section 18, T19N-R22E, Town of Cato, from LE, Large Estate to GA, General Agriculture.

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.

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 LE, Large Estate District.
2. The Cato Town Board and the Cato Town Land Use Planning Committee support the proposed zone change to GA, General Agriculture.
3. Rezoning will allow for an increase in the number of farm animals at the property.
4. Adjacent parcels are all zoned agriculture.

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 Derek and Regina Burkholder to rezone approximately 5.69 acres of land from LE, Large Estate to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its August 28, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 5.69 acres of land located in the SE1/4, NW1/4, Section 18, T19N-R22E, Town of Cato, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from LE, Large Estate to GA, General Agriculture.

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

August 7, 2023

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:

Derek and Regina Burkholder
16834 Klann Road
Reedsville, WI 54230

Township:

Cato

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

\$505.00

Fee (\$490) Received

Receipt # 40763

ZONING MAP AMENDMENT APPLICATION

JUL 26 2023
MANITOWOC COUNTY RECEIVED

OWNER / APPLICANT / AGENT

Owner	<u>PLANNING & PARK COMMISSION</u>	<u>Derek Burkholder</u>	<u>Co-Owner</u> <u>Applicant/Agent</u>	<u>Regina Burkholder</u>
Address (1)	<u>16834 Klam Ad</u>		Address (1)	<u>16834 Klammel</u>
Address (2)			Address (2)	
City/State/Zip	<u>Reedsville, WI 54230</u>		City/State/Zip	<u>Reedsville WI 54230</u>
Phone	<u>920-905-3075</u>		Phone	<u>920 629 4418</u>

PROPERTY LEGAL DESCRIPTION

SE 1/4, NW 1/4, S 18 T 19 N R 22 E Town of Cato

House / Fire # 16834 Tax Number 001-018-008-001,00

PROPERTY INFORMATION

Existing Zoning District LE Proposed Zoning district GA

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

included

Proposed use: (Reason for change)

To be legal with my current number of hogs,
Possibly have some more in the future

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

Josh Burkholder 7-24-23
Signature (applicant, owner, agent) Date

Regina Burkholder 7-24-23
Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Cato from LE to GA)

PETITIONER

Name: Derek & Regina Burkholder
Address: 16834 Klann Rd
Reedsville WI 54230
Town: Cato

PARCEL

Location: SE¼, NW¼, Section 18, T19N-R22E
Tax#: 001-018-008-001.00
Area: 5.69 Acres

ACTION TO DATE

Petition Submitted: 7/26/2023
Town Action: Approved July 10, 2023
Hearing Notice Published: 8/16/2023, 8/21/2023
Advisory: 8/28/2023
Hearing: 8/28/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	EA	Farmland
South	EA	Farmland
East	EA	Farmland
West	EA	Farmland

PARCEL USES & ZONING

Existing Zoning District: LE, Large Estate
Existing Land Use: Hobby Farm
Proposed Zoning District: GA, General Agriculture
Proposed Use: To be legal with existing farm animals and possibly have more.

MAP INFORMATION

Farmland Preservation Designation:
Non-Farmland Preservation
Soil Type: KnB, KnC2
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Klann Rd

Soil Test: 7/27/2007
Terrain: 0 to 12 Percent Slopes
Vegetative Cover: Grassland

Town Land Use Designation: Agriculture Preservation Area (APA) & 1,000-Foot Buffer of Livestock Areas
These designated areas are to be preserved for intense agricultural uses. For the buffer area, this designation identifies livestock areas and shall be used as a guide to buffer between residential development and farm land uses. Future residential development is encouraged to be built outside of the 1,000-foot buffer to limit land use conflicts.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

JULY 10, 2023
MINUTES

Regular meeting was called to order by Chairman Gerald Linsmeier at 7:30 p.m. Minutes of the previous meeting were read. Motion was made by Chuck Schuh and seconded by Gerald Linsmeier to accept the minutes as read. Motion carried. Treasurer's Report (current) given by Mary Muench showed a balance in the Money Market and checkbook of \$373,265.52. Also, the American Rescue Plan balance is \$76,978.78. A motion was made by Russ Braun and seconded by Gerald Linsmeier to accept Treasurer's Report as given. Motion carried. PRESENT: Gerald Linsmeier, Chuck Schuh, Russ Braun, Mary Muench, Brian Haas, Derek Burkholder, Mike Tuschel, Roger Pingel, Debbie Schuh, Jack Kiel and Chuck Muench.

Vouchers were presented. A motion was made by Chuck Schuh and seconded by Gerald Linsmeier to pay all vouchers. Motion carried.

Derek Burkholder was present to request a rezone for 5.69 acres of land on Klann Road, Parcel ID 001-018-008-001.00 from Large Estate to General Ag. This rezone request is contingent upon the owner receiving a variance from the county to allow the use of GA with less than 10 acre minimum, lot size. The Lane Use Planning Committee voted to approve this request. A motion was made by Chuck Schuh and seconded by Russ Braun to approve this zoning request. Motion carried.

In other business, the town board discussed the discontinuing Gill Lane, Fisher Lane, Staudinger Lane, Novak Lane and Satori Lane. A motion was made by Chuck Schuh and seconded by Russ Braun to have Mary Muench proceed with the resolutions. Motion carried. The public hearing will be October 2, 2023 at 7:15 P.M.

The board also discussed the funds for the American Rescue Plan. The board this year already spent American Rescue Plan funds on road surveys, Culverts, express-vote and a box for the peterbilt. A motion was made by Gerald Linsmeier and seconded by Chuck Schuh to spend the remaining amount on equipment, roads, ambulance and sanitary district. Motion carried.

Brain Haas stated they are in the process of cutting ditches. They are also working on Boot Hill Lane. The town hall is progressing nicely. There was a question concerning semis parking on Pieschel Lane. For Safety matters, Constable Chuck Muench will contact the owner on this matter.

Recycling Center attendant stated everything is going well at the Recycling Center.

Chuck Muench, Constable, reported several animal issues regarding cows and garbage tossed in the ditch. He also, checked on two debris ridden houses, slowly improving, a conditional use permit complaint and met with two parties concerning an easement.

A motion was made by Chuck Schuh and seconded by Russ Braun to adjourn meeting at 8:25 p.m. Motion carried.

MARY MUENCH/Clerk/Treasurer - JULY 2023



Derek & Regina Burkholder
 SE 1/4, NW 1/4
 Section 18, T19N-R22E
 Town of Cato

From: LE To: GA
 Approximately: 5.69 acre(s)
-87.913, 44.117

Map Overview

Cato

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

Prepared by:
 Marion County
 Planning and Zoning Dept



Legend

- Proposed Zone Change
- Zoning Line
- Section Line
- Parcel Line
- Streams



**ORDINANCE AMENDING ZONING MAP
(Curt Rabe)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 28, 2023; and
3

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

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

11 A parcel of land in part of the North Half (N1/2) of the Northwest Quarter (NW1/4) of
12 Section Five (5), Township Seventeen (17) North, Range Twenty-One (21) East, Town of
13 Schleswig, Manitowoc County, Wisconsin, more particularly described as follows:
14

15 Commencing at the northwest corner of said Section 5; thence S89°-55'-47"E along
16 the north line of the NW1/4 of said Section 5, a distance of 1884.71 feet to the point
17 of beginning; thence continue S89°-55'-47"E along the north line of the NW1/4 of
18 said Section 5, a distance of 150.00 feet; thence S00°-01'-18"W 275.00 feet; thence
19 S89°-55'-47"E 325.00 feet; thence S00°-01'-18"W 456.97 feet to the south line of
20 the N1/2 of the NE1/4 of said NW1/4; thence N89°-51'-19"W along said south line,
21 a distance of 350.00 feet; thence N00°-01'-18"E 671.51 feet; thence N89°-55'-
22 47"W 125.00 feet; thence N00°-01'-18"E 60.00 feet to the point of beginning, said
23 parcel containing approximately 174,235 square feet (4.00 acres) of land and is
24 hereby rezoned from General Agriculture (GA) District to Small Estate Residential
25 (SE) District.

Dated this 19th day of September 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS SEPTEMBER 19, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: CURT RABE 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.

Curt Rabe, on July 31, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 4.0 acres of land located in the NE1/4, NW1/4, Section 5, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

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

1. Action taken to date on this request includes:

- a. Curt Rabe petitioned for a zoning map amendment on July 31, 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 August 16, 2023 and on August 21, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on August 28, 2023.
- e. The Commission at their August 28, 2023 meeting recommended approval of a requested rezoning of approximately 4.0 acres of land located in the NE1/4, NW1/4, Section 5, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

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

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the GA, General Agriculture District.
2. The Schleswig Town Board supports the proposed zone change to SE, Small Estate.
3. The area is wooded and no farmland is affected by the proposed request.

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 Curt Rabe to rezone approximately 4.0 acres of land from GA, General Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its August 28, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 4.0 acres of land located in the NE1/4, NW1/4, Section 5, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General Agriculture to SE, Small Estate.

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

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

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

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



COUNTY OF MANITOWOC COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

August 7, 2023

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

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

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

Name of Owner:

Curt Rabe
10121 STH 67
Kiel, WI 53042

Township:

Schleswig

Name of 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 # **40762**

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
JUL 31 2023
PLANNING & PARK
COMMISSION

Date of Application: 7/21/23 OWNER / APPLICANT/ AGENT

Owner	<u>Curt Rabe</u>	Applicant/Agent	<u>Brad Buechel</u>
Address (1)	<u>10121 STH 67</u>	Address (1)	<u>2020 Madison St</u>
Address (2)	<u></u>	Address (2)	<u></u>
City/State/Zip	<u>Kiel, WI 53042</u>	City/State/Zip	<u>New Holstein, WI 53061</u>
Phone	<u>920-905-7544</u>	Phone	<u>920-993-0881</u>

✓

PROPERTY LEGAL DESCRIPTION

NE 1/4, NW 1/4, S 5 T 17 N R 21 E Town of Schleswig

House /Fire # N/A Tax Number 016-005-005-001.00

✓

PROPERTY INFORMATION

Existing Zoning District GA Proposed Zoning district SE

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

Lot 4 of proposed CSM.

Proposed use: (Reason for change)

Selling adjacent farm land. Curt is keeping the wooded parcel (4 acres)

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

Brad Buechel 7/21/23
Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Curt Rabe
Address: 10121 STH 67
Kiel, WI 53042
Town: Schleswig

PARCEL

Location: NE ¼, NW ¼, Section 5, T17N-R21E
Tax#: 016-005-005-001.00
Area: 4.0 acre(s)

ACTION TO DATE

Petition Submitted: 07/31/2023
Town Action: Approved August 10, 2023
Hearing Notice Published: 8/16/23 & 8/21/23
Advisory: 08/28/23
Hearing: 08/28/23

ADJACENT USES & ZONING

Direction:	District:	Use:
North	LE & RR	Grassland & Farmland
South	GA	Residential
East	LE	Woodland
West	GA	Farmland

PARCEL USES & ZONING

Existing Zoning District: GA, General Agriculture
Existing Land Use: Woodland
Proposed Zoning District: SE, Small Estate Residential
Proposed Use: Owner would like to sell farmland and keep woods.

MAP INFORMATION

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

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Town Line Rd
Town Land Use Designation: Woodland/Natural Areas

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

To manage a clean and orderly natural environment for the residents and visitors of the Town of Schleswig by preserving and protecting key natural resources.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.

TOWN OF SCHLESWIG
Regular Monthly Town Board Meeting
August 10th, 2023
MINUTES
UNAPPROVED DRAFT



Meeting called to order by Chairman Glomski at 7:02 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on August 7th, 2023, and the media was notified. Town officials present for the meeting were Chairman Glomski, Supervisor Hoerth, Clerk Pieper, Deputy Clerk Meyer, Treasurer Krebsbach, Deputy Treasurer Vondrachek and Road Superintendent Hartmann. Supervisor Schwantes participated by telephone.

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

Motion – Hoerth/Schwantes to approve Regular Board meeting minutes of 7/13/2023; motion carried.

Treasurer’s report: Checkbook balance \$70,434.58; mobile home account \$756.60; tax savings account \$459,299.78; ARPA account \$37,924.95; capital outlay account \$76,786.53; equipment account \$201,386.81. Receipts since previous meeting were \$6,865.26.

Clerk’s report: Motion Hoerth/Schwantes to approve payments of the EFT for US Treasury and checks #16777 to #16812 totaling \$ 246,374.84; motion carried.

Board Member’s Report: Chairman Glomski reported on the following topics:

Glomski attended the Manitowoc County Planning and Zoning advisory meeting where the new Parks and Open Space plan was adopted. One change for the Town of Schleswig is that they are considering allowing camping at Walla Hi County Park in the future. Glomski attended a meeting at the former Cedars location to look at water issues. Chairman Glomski, Supervisor Hoerth, Supervisor Schwantes, and Road Superintendent Hartmann plan to meet at the location on August 18th at a time to be determined to look at the issues. It was brought to the Chairman’s attention that there are some properties in the township that have fencing in the road right of way. Letters will be sent to address the issues. Glomski attended both the Sanitary District #1 Cedar Lake and Sanitary District #2 Wilke Lake meetings. Supervisor Schwantes requested that both of the Sanitary Districts present a early update at the October meeting.

Assessor’s report: No Report.

Constable’s report: Constable Schuler reported on a few routine calls. Constable Schuler also reported that Manitowoc County has taken over the nuisance junk issue with a property on Rockville Road.

Visitors’ input: No comment.

Building permits:

Tom Kiehnau	Shed 50x100
Lynn Kind	New windows
Robert Lettre	Shed 45x100
Bruce Bruckner	re-pave driveway
Lindsay Meyer	Siding

Regular Town Board Meeting 8/10/2023

*All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.

Dave Schneider	Remodel into house
Charles Hoefner	New House
Michael Kaczkowski	Siding

Old & New Business:

A. Pfister driveway and road repair

Chairman Glomski and Roads Superintendent Hartmann reported on a small stretch of blacktop that needs to be pour between the homeowner's concrete driveway and Point Creek Road. A few spots of this stretch of road were in poor shape and has blacktop that needs to be repaired. Motion Hoerth/Schwantes for the town to pay up to \$1,000 towards the town's share of the road repair, motion carried.

B. Fire Dept. Funding

Bob Hennings of the Kiel Fire Department reported on raising costs and a requested increase in funding. After discussion, a \$10,000 increase in funding is planned for 2024 and will be included in the October budgeting meeting. Ambulance costs will remain the same for 2024.

C. Cedar Terrace Water Issues

Chairman Glomski covered the water issue in his Board Members' report.

D. Lloyd Rumpf Rezoning Request Application

Supervisor Hoerth discussed the Lloyd Rumpf rezoning request application. Motion Hoerth/ Schwantes to approve the rezone request and move to the Manitowoc County Board, motion carried.

E. Curt Rabe Rezone

Supervisor Hoerth discussed the Curt Rabe rezone. Motion Hoerth/ Schwantes to approve the rezone request to change the property from general agriculture to a small estate and move to the Manitowoc County Board, motion carried.

Miscellaneous Reports

A. Road Project Updates

- Fish and Game Road, Louis Corners Road from CTH XX to Rockville Road, and Schrieber Road have all been chip sealed.
- Louis Corners Road from CTH X to CTH XX should be paved towards the end of August.
- Shimming was done on Lax Chapel Road and Charlesburg Road.

B. Glacierland Phragmites

Chairman Glomski discussed past work and funding for phragmites control in the township. Glacierland will start work in Manitowoc County next week.

C. Driveway Ordinance Changes

Chairman Glomski discussed that the driveway ordinance needs to be redone to clarify the ordinance. The Board will work on amending it in the future.

Motion Hoerth/Schwantes to adjourn; motion carried. Meeting adjourned at 8:04 pm.

**Lindsay Meyer, Deputy Clerk
August 14th, 2023**

Regular Town Board Meeting 8/10/2023

***All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.**



Curt Rabe
NE 1/4, NW 1/4
Section 5, T17N-R21E
Town of Schleswig
From: GA To: SE
Approximatel 4.00 acre(s)
-88.014, 43.978

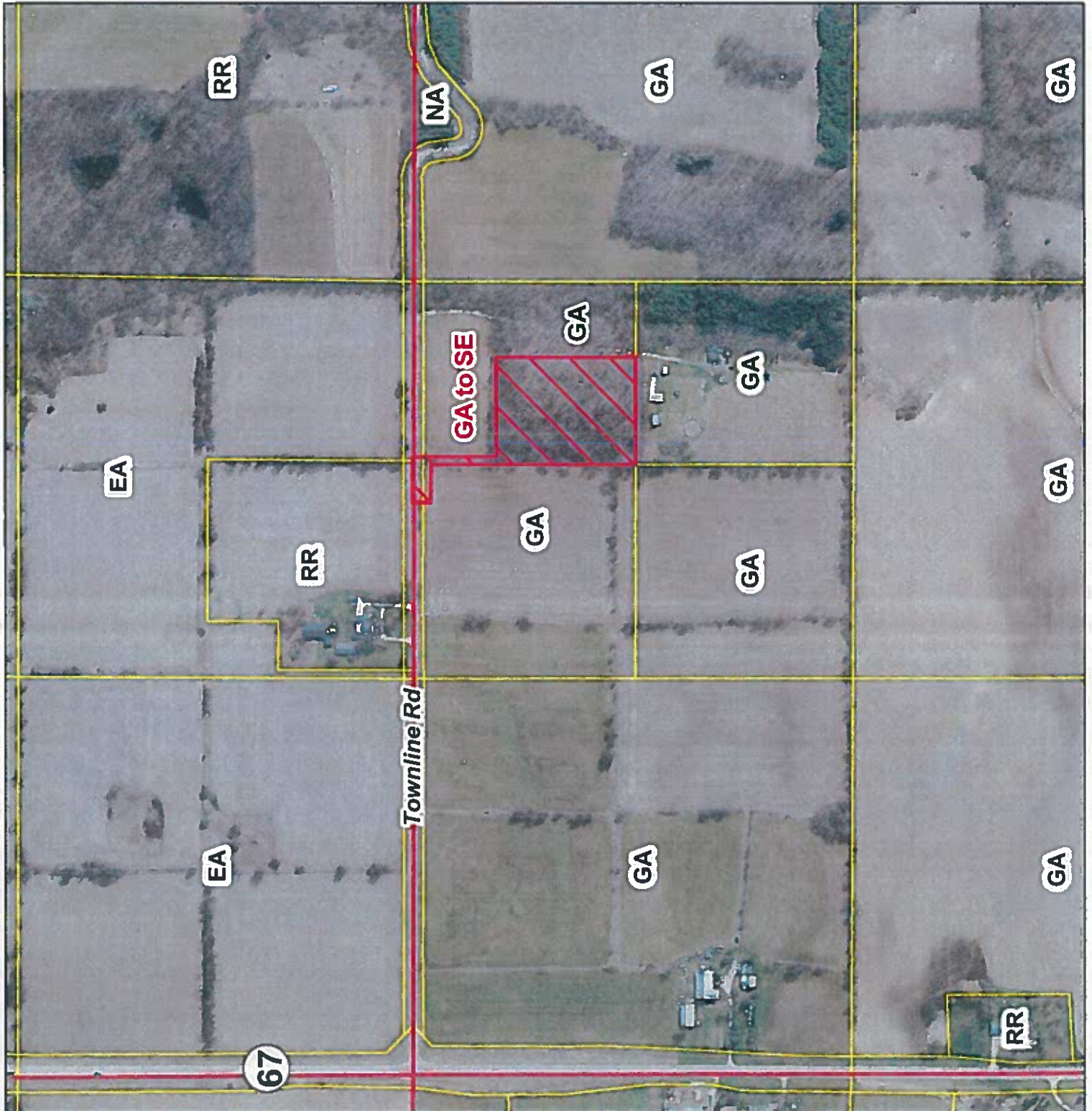
Map Overview

Schleswig

6	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

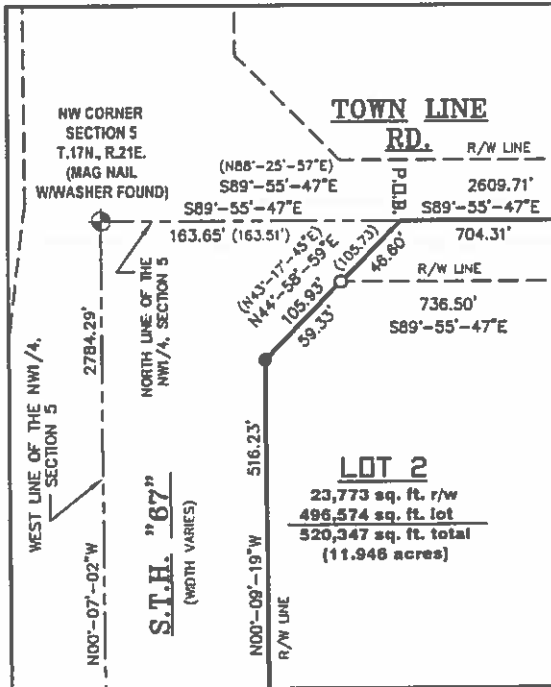
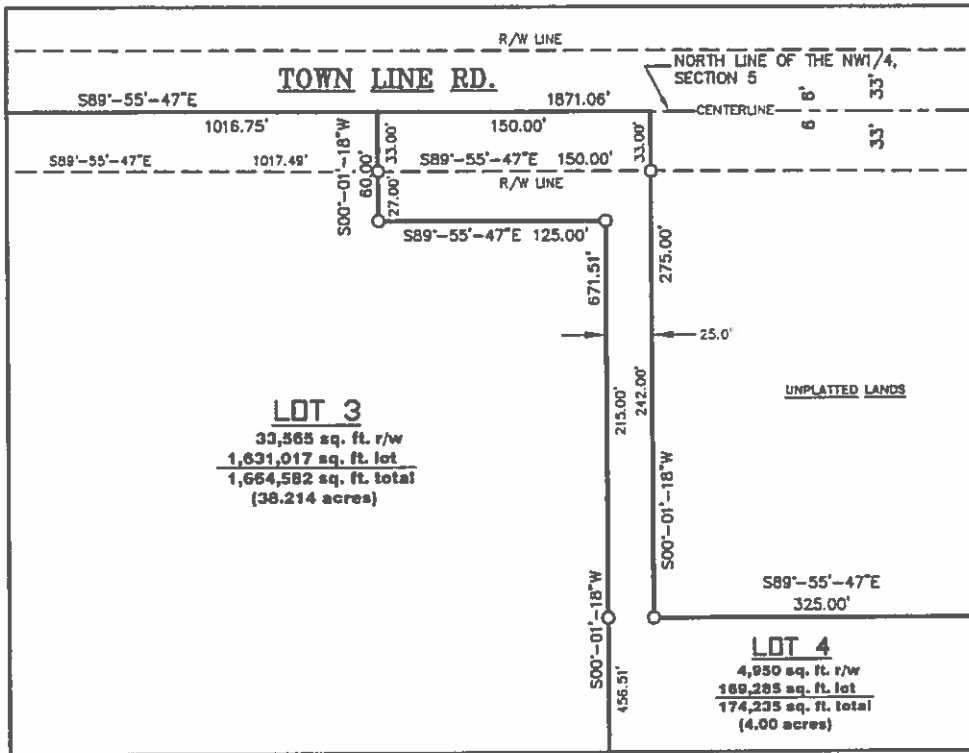


- Legend**
- Proposed Zone Change
 - Parcel Line
 - Water Way
 - Zoning Line



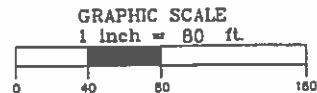
CERTIFIED SURVEY MAP

PART OF THE N1/2 OF THE NW1/4 OF SECTION 5, 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.
 - = 1" IRON PIPE FOUND
 - ◊ = MANITOWOC CO. PLSS COR.

BEARINGS REFERENCED TO THE NORTH LINE OF THE NW1/4 SECTION 5 ASSUMED S89°-55'-47"E PER THE MANITOWOC COUNTY COORDINATE SYSTEM



MERIDIAN
SURVEYING, LLC

2020 Madison Street Office: 920-993-0881
New Holstein, WI 53061 Fax: 920-273-5037

DRAWN BY: JD	FIELD WORK DATE: 6-22-23
CHECKED BY: BB	FIELD BOOK: N/A
JOB NO.: 14699	SHEET 2 OF 4

CERTIFIED SURVEY MAP
BEING PART OF THE N1/2 OF THE NW1/4 OF SECTION 5, T.17N., R.21E.,
TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN
Sheet 3 of 4

SURVEYOR'S CERTIFICATE

I, Bradley A. Buechel, Wisconsin Professional Land Surveyor of Meridian Surveying LLC, certify that I have surveyed, divided, and mapped under the direction of Curt Rabe, being a part of the North Half (N1/2) of the Northwest Quarter (NW1/4) of Section Five (5), Township Seventeen (17) North, Range Twenty-One (21) East, Town of Schleswig, Manitowoc County, Wisconsin containing 2,976,165 square feet (68.323 acres) of land and being described by:

Commencing at the northwest corner of said Section 5; thence S89°-55'-47"E along the north line of the NW1/4 of said Section 5, a distance of 163.65 feet to the point of beginning; thence continue S89°-55'-47"E along the north line of the NW1/4 of said Section 5, a distance of 1871.06 feet; thence S00°-01'-18"W 275.00 feet; thence S89°-55'-47"E 325.00 feet; thence S00°-01'-18"W 456.97 feet to the south line of the N1/2 of the NE1/4 of said NW1/4; thence N89°-51'-19"W along said south line, a distance of 350.00 feet; thence S00°-01'-18"W 731.51 feet to the south line of the N1/2 of said NW1/4; thence N89°-46'-50"W along said south line, a distance of 1935.13 feet to a point on the east right of way line of S.T.H. "67"; thence the following courses along the said east right of way line: N00°-53'-11"E 466.20 feet; thence N00°-09'-19"W 200.55 feet; thence N02°-42'-26"E 200.25 feet; thence N00°-09'-19"W 516.23 feet; thence N44°-58'-59"E 105.93 feet to the termination of said courses and to the point of beginning; being subject to any and all easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Section 12.07 of the Manitowoc County Subdivision Regulations in surveying, dividing, and mapping the same.

Dated this _____ day of _____, 2023.

Wisconsin Professional Land Surveyor S-2613
Bradley A. Buechel

CERTIFIED SURVEY MAP
BEING PART OF THE N1/2 OF THE NW1/4 OF SECTION 5, T.17N., R.21E.,
TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN
Sheet 4 of 4

OWNER'S CERTIFICATE

As owner(s), I (we) hereby certify that I (we) caused the land described on this map to be surveyed, divided, and mapped as represented on this map. I (we) also certify that this map is required by S. 236.34 to be submitted to the following for approval or objection: Manitowoc County Planning and Parks Commission.

Dated this _____ day of _____, 2023.

Curt Rabe

STATE OF WISCONSIN)
MANITOWOC COUNTY) SS

Personally came before me this _____ day of _____, 2023, the above named owner(s) to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Manitowoc County, Wisconsin

My Commission Expires _____

ORDINANCE AMENDING ZONING MAP
(Michael Miller)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 28, 2023; and

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

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

10
11 A parcel of land in part of the NE ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 31,
12 T.20.N, R.23.E, Town of Kossuth, Manitowoc County, Wisconsin more particularly described as
13 follows:

14
15 Commencing at the E ¼ corner of said Section 31; thence N89°43'25"W along north
16 line of said SE ¼, 180.00 feet to the point of the beginning of the following
17 described parcel; thence continue N89°43'25"W, 192.40 feet; thence S0°40'49"W,
18 1427.25 feet; thence S89°45'54"E, 372.40 feet to the east line of said section; thence
19 N0°40'49"E, 1076.97 feet along said section line; thence N89°43'25"W, 180.00
20 feet; thence N0°40'49"E, 350.00 feet to the place of beginning, said parcel
21 containing approximately 468,456 square feet (10.754 acres) of land more or less
22 and is hereby rezoned from Large Estate Residential (LE) District to General
23 Agriculture (GA) District.

Dated this 19th day of September 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____
Tyler Martell, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

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

Michael Miller, on July 31, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 10.75 acres of land located in the SE1/4, SE1/4, and NE1/4, SE1/4, Section 31, T20N-R23E, Town of Kossuth, from LE, Large Estate to GA, General Agriculture.

The Town of Kossuth adopted the Manitowoc County Zoning Ordinance on January 2, 2012. The uses permitted in GA, General Agriculture zoning provides for a rural area with a mixture of agriculture, low-density residential and rural commercial activity with a minimum lot size of 10.0 acres.

1. Action taken to date on this request includes:

- a. Michael Miller petitioned for a zoning map amendment on July 31, 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 August 16, 2023 and on August 21, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on August 28, 2023.
- e. The Commission at their August 28, 2023 meeting recommended approval of a requested rezoning of approximately 10.75 acres of land located in the SE1/4, SE1/4, and NE1/4, SE1/4, Section 31, T20N-R23E, Town of Kossuth, from LE, Large Estate to GA, General Agriculture.

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.

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 LE, Large Estate District.
2. The Kossuth Town Board supports the proposed zone change to GA, General Agriculture.
3. Rezoning will allow for the operation of a small event venue with a conditional use permit.

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 Michael Miller to rezone approximately 10.75 acres of land from LE, Large Estate to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its August 28, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 10.75 acres of land located in the SE1/4, SE1/4, and NE1/4, SE1/4, Section 31, T20N-R23E, Town of Kossuth, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from LE, Large Estate to GA, General Agriculture.

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 FA. 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

August 7, 2023

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

and

Manitowoc County Supervisor Susie L. Maresh
Supervisory District 17

ATTN: Tim Ryan and Supervisor Maresh

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:

Michael Miller
4906 Danmar Road
Whitelaw, WI 54247

Township:

Kossuth

Applicant/Agent

A J Miller
4906 Danmar Road
Whitelaw, WI 54247

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 # 40764

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
RECEIVED
JUL 31 2023
PLANNING & PARK
COMMISSION

Date of Application:

OWNER / APPLICANT/ AGENT

Owner Michael Miller

Applicant/Agent AJ Miller

Address (1) 4906 DANMAR RD.

Address (1) 4906 DANMAR RD.

Address (2)

Address (2)

City/State/Zip Whitelaw, WI, 54247

City/State/Zip Whitelaw, WI 54247

Phone 920-732-3540

Phone 920-585-9706

SE 1/4 SE 1/4
NE 1/4 SE 1/4

PROPERTY LEGAL DESCRIPTION

S 31 T 20 N R 23 E Town of Kossuth

House /Fire # 4906 Tax Number 007-031-013-003.00

PROPERTY INFORMATION

Existing Zoning District Large Estate Proposed Zoning district General Agriculture

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

Proposed use: (Reason for change)

We would like to run a small venue to host music, community art work + weddings.

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

Michael Miller 7/28/23
Signature (applicant, owner, agent) Date

A. Miller 7/28/23
Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Kossuth from LE to GA)

PETITIONER

Name: Michael Miller

Address: 4906 Danmar Rd
Whitelaw, WI 54247

Town: Kossuth

PARCEL

Location: NE¼, SE¼ & SE ¼, SE ¼ Section 31,
T20N-R23E

Tax#: 007-031-013-003.00

Area: 10.75 Acres

ACTION TO DATE

Petition Submitted: 7/31/2023

Town Action: Approved 4/13/23 & 8/14/23

Hearing Notice Published: 08/16/2023, 08/21/2023

Advisory: 08/28/2023

Hearing: 08/28/2023

ADJACENT USES & ZONING

Direction:	District:	Use:
North	NA & RR	Wooded & Residential
South	EA	Agricultural
East	NA & RR	Agricultural & Residential
West	NA	Agricultural & Wooded

PARCEL USES & ZONING

Existing Zoning District: LE, Large Estate

Existing Land Use: Ag land, Grassland & Residential

Proposed Zoning District: GA, General Agriculture

Proposed Use: Like to apply for CUP for barn venue

MAP INFORMATION

Farmland Preservation Designation:

Non-Farmland Preservation

Soil Type: HrB, SyA

Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well – poorly drained

Soil Limitations: Moderate – Severe

Sewage Disposal: Private Onsite Wastewater Treatment

Road Access: Danmar Rd

Town Land Use Designation: Agriculture

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, viewsheds, open spaces, and areas deemed important for the town to keep preserved. Adequate buffers are encouraged for future non-farming uses in these areas in order to lessen conflict with the agricultural operations.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

Soil Test: 08/20/2007

Terrain: 0 to <12 Percent Slopes

Vegetative Cover: Agricultural & Grassland

Michelle Haupt

From: Ralph Schuh <powerguy@lsol.net>
Sent: Thursday, August 17, 2023 12:58 PM
To: Tim Ryan
Cc: Reed Gaedtke; Michelle Haupt
Subject: Mike Miller rezone

MANITOWOC COUNTY
RECEIVED

AUG 17 2023

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!

Hi Tim,

At the Kossuth Town Board meeting on Monday August 14, 2023 the rezone application made by Mike Miller was reviewed and amended. It was unanimously approved by the Board to rezone the 10.75 acres from LE to GA at 4906 Danmar Road.

Let me know if there are any questions or concerns in this regard.

Michelle Haupt

From: Ralph Schuh <powerguy@lsol.net>
Sent: Friday, April 14, 2023 9:29 AM
To: Tim Ryan
Cc: Michelle Haupt
Subject: Miller rezone

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!

Hi Tim,

At a Kossuth Town Board meeting yesterday a rezone application made by Michael Miller to rezone 10.75 acres at 4906 Danmar Road from LE to RR was unanimously approved.

The Town Planning Commission had previously recommended approval on March 27, 2023.

Assuming approval of the rezone there will be a CUP application forthcoming from the Millers for a building to host small scale events.



Michael Miller
NE 1/4, SE 1/4 &
SE 1/4, SE 1/4
Section 31, T20-R23E
Town of Kossuth
From: LE To: GA
Approximately 10.75 acre(s)
-87.782, 44.157

Map Overview

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



Legend

- Proposed Zone Change
- Zoning Line
- Section Line
- Parcel Line
- Streams



MANITOWOC COUNTY CERTIFIED SURVEY MAP

Part of the NE 1/4 of the SE 1/4
and the SE 1/4 of the SE 1/4 of
Section 31, T.20.N., R.23.E, Town of
Kossuth, Manitowoc County,
Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Andrew Czerwonka, Registered Land
Surveyor, do hereby certify:
That in full compliance with the provisions of
Chapter 236.34 of the Wisconsin Statutes,
and the subdivision regulations of Manitowoc
County, I have surveyed, divided and mapped
the following described tract of land:

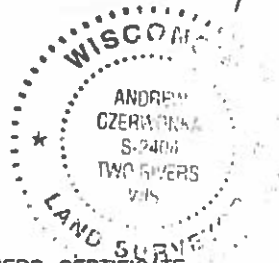
Part of the NE 1/4 of the SE 1/4 and the SE 1/4
of the SE 1/4 of Section 31, T.20.N., R.23.E, Town of
Kossuth, Manitowoc County, Wisconsin and being more
particularly described as follows:

Commencing at the E 1/4 corner of said section 31;
thence N89°43'25"W along north line of said SE 1/4,
180.00 feet to the point of beginning of the following
described parcel:
thence continue N89°43'25"W, 192.40 feet;
thence S0°40'49"W, 1427.25 feet; thence S88°45'54"E,
372.40 feet to the east line of said section; thence
N0°40'49"E, 1076.97 feet along said section line;
thence N89°43'25"W, 180.00 feet; thence N0°40'49"E,
350.00 feet to the place of beginning.
Said tract contains 468,456 square feet (10.754
acres) of land, more or less.
Subject to a Driveway Easement recorded in V.677, P.
51 and easements and restrictions of record if any.

I further certify that this map is a correct
representation of all exterior boundaries of land
surveyed.

Dated this 10th day of April, 2008

Andrew Czerwonka
Andrew Czerwonka, S-2404



OWNERS CERTIFICATE:

As owners, we hereby certify that we
caused the land described herein to
be surveyed, divided, mapped and
dedicated as represented on this
Certified Survey Map.

Date: 5-6-08

Michael Miller
Michael Miller

Date: 5-6-08

Gail Miller
Gail Miller

Date: 5-6-08

Andrew A. Eisner
Andrew A. Eisner

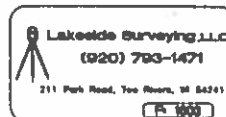
Date: 5-6-08

Cynthia A. Eisner
Cynthia A. Eisner

CERTIFICATE OF PLANNING AGENCY

This certified survey map has been submitted to and approved by the
Manitowoc County Planning and Park Commission as complying with the
Subdivision Regulations for Manitowoc County and Chapter 236 of the
Wisconsin Statutes.

Date: 4/16/08 *[Signature]*



1046590

Vol 27 Pg 278

ORDINANCE AMENDING ZONING MAP
(Lloyd and Darlean Rumpff)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on August 28, 2023; and
3

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

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

11 A parcel of land in all of Lot One (1) of Certified Survey Map as recorded in Volume 30
12 of Certified Survey Maps on Page 399 as Document Number 1134660 of Manitowoc County
13 Records; being part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of
14 Section Eleven (11), Township Seventeen (17) North, Range Twenty-One (21) East, Town of
15 Schleswig, Manitowoc County, Wisconsin, more particularly described as follows:
16

17 Commencing at the northwest corner of said Section 11; thence N89°-54'-10"E
18 along the north line of the NW1/4 of said Section 11, a distance of 716.68 feet to
19 the point of beginning; thence continue N89°-54'-10"E along said north line, a
20 distance of 563.89 feet; thence S00°-18'-25"W 307.00 feet; thence S89°-54'-10"W
21 560.82 feet; thence N00°-15'-57"W 307.00 feet to the point of beginning, said
22 parcel containing approximately 172,641 square feet (3.963 acres) of land and is
23 hereby rezoned from General Agriculture (GA) District to Small Estate Residential
24 (SE) District.

Dated this 19th day of September 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

COUNTERSIGNED: _____ Date
Tyler Martell, County Board Chair

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

REPORT TO: THE MANITOWOC COUNTY BOARD OF SUPERVISORS SEPTEMBER 19, 2023.
FROM: THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE: LLOYD AND DARLEAN RUMPF 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.

Lloyd and Darlean Rumpff, on July 31, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 3.96 acres of land located in the NW1/4, NW1/4, Section 11, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

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

1. Action taken to date on this request includes:

- a. Lloyd and Darlean Rumpff petitioned for a zoning map amendment on July 31, 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 August 16, 2023 and on August 21, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on August 28, 2023.
- e. The Commission at their August 28, 2023 meeting recommended approval of a requested rezoning of approximately 3.96 acres of land located in the NW1/4, NW1/4, Section 11, T17N-R21E, Town of Schleswig, from GA, General Agriculture to SE, Small Estate.

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

3. Testimony at the hearing is summarized as follows:

- a. Mr. Tim Ryan, Director, reviewed the Commission Agenda Commentary.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the GA, General Agriculture District.
2. The Schleswig Town Board supports the proposed zone change to SE, Small Estate.
3. Rezoning will allow for the establishment of two lots, each with an existing single family home.
4. No farmland will be affected by the rezone.

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 Lloyd and Darlean Rumpff to rezone approximately 3.96 acres of land from GA, General Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its August 28, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 3.96 acres of land located in the NW1/4, NW1/4, Section 11, T17N-R21E, Town of Schleswig, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from GA, General Agriculture to SE, Small Estate.

MANITOWOC COUNTY ZONING MAP AMENDMENT CHECKLIST

GENERAL ZONING PRINCIPLES

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

SHORELAND FLOODPLAIN ZONING ORDINANCE PRINCIPLES

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



COUNTY OF MANITOWOC COUNTY CLERK

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

Jessica Backus
Manitowoc County Clerk

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

August 7, 2023

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

and

Manitowoc County Supervisor Jonathan M. Neils
Supervisory District 13

ATTN: Tim Ryan and Supervisor Neils

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

Name of Owner:

Lloyd and Darlean Rumpff
19623 Point Creek Road
Kiel, WI 53042

Township:

Schleswig

Name of 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 [X]
Receipt # 40761

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY RECEIVED
JUL 31 2023
PLANNING & PARK COMMISSION

Date of Application: 7/28/23

OWNER / APPLICANT/ AGENT

Owner Lloyd and Darlean Rumpff
Address (1) 19623 Point Creek Rd
Address (2)
City/State/Zip Kiel, WI 53042
Phone 920-894-7175- Tim (son)

Applicant/Agent Brad Buechel
Address (1) 2020 Madison St
Address (2)
City/State/Zip New Holstein, WI 53061
Phone 920-993-0881

PROPERTY LEGAL DESCRIPTION

NW 1/4, NW 1/4, S 11 T 17 N R 21 E Town of Schleswig

House /Fire # 19623/19595 Tax Number 016-011-006-001.00

PROPERTY INFORMATION

Existing Zoning District GA Proposed Zoning district SE

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

Proposed use: (Reason for change)

Residential - Creating the two separate lots for the existing homes (#19623 & #19595)

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

[Signature] 7/28/23
Signature (applicant, owner, agent) Date

Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Lloyd & Darlean Rumpff
Address: 19623 Point Creek Rd
Kiel, WI 53042
Town: Schleswig

PARCEL

Location: NW ¼, NW ¼, Section 11, T17N-R21E
Tax#: 016-011-006-001.00
Area: 3.96 acre(s)

ACTION TO DATE

Petition Submitted: 07/31/2023
Town Action: Approved August 10, 2023
Hearing Notice Published: 8/16/23 & 8/21/23
Advisory: 08/28/23
Hearing: 08/28/23

ADJACENT USES & ZONING

Direction:	District:	Use:
North	SE, LE & LR	Grassland
South	GA	Farmland
East	GA & LE	Residential & Agricultural
West	LE	Residential

PARCEL USES & ZONING

Existing Zoning District: GA, General Agriculture
Existing Land Use: Residential
Proposed Zoning District: SE, Small Estate Residential
Proposed Use: Two existing houses, would like to split them into their own lots.

MAP INFORMATION

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

OTHER CONSIDERATIONS

Drainage: Well – poorly drained
Soil Limitations: Slight - Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Point Creek Rd
Town Land Use Designation: Woodland/Natural Areas

Soil Test: 1997 and 2004
Terrain: 0 - 12 Percent Slopes
Vegetative Cover: Grassland

To manage a clean and orderly natural environment for the residents and visitors of the Town of Schleswig by preserving and protecting key natural resources.

County Future Land Use Designation: Woodlands/Natural Areas

Woodlands are a valuable natural resource, providing a host of benefits. Trees filter air and water, serve as buffers between land uses, provide wildlife habitat and areas for passive recreation.



TOWN OF SCHLESWIG
Regular Monthly Town Board Meeting
August 10th, 2023
MINUTES
UNAPPROVED DRAFT

Meeting called to order by Chairman Glomski at 7:02 P.M. at the Schleswig Town Hall. Meeting notices were posted at designated sites on August 7th, 2023, and the media was notified. Town officials present for the meeting were Chairman Glomski, Supervisor Hoerth, Clerk Pieper, Deputy Clerk Meyer, Treasurer Krebsbach, Deputy Treasurer Vondrachek and Road Superintendent Hartmann. Supervisor Schwantes participated by telephone.

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

Motion – Hoerth/Schwantes to approve Regular Board meeting minutes of 7/13/2023; motion carried.

Treasurer’s report: Checkbook balance \$70,434.58; mobile home account \$756.60; tax savings account \$459,299.78; ARPA account \$37,924.95; capital outlay account \$76,786.53; equipment account \$201,386.81. Receipts since previous meeting were \$6,865.26.

Clerk’s report: Motion Hoerth/Schwantes to approve payments of the EFT for US Treasury and checks #16777 to #16812 totaling \$ 246,374.84; motion carried.

Board Member’s Report: Chairman Glomski reported on the following topics: Glomski attended the Manitowoc County Planning and Zoning advisory meeting where the new Parks and Open Space plan was adopted. One change for the Town of Schleswig is that they are considering allowing camping at Walla Hi County Park in the future. Glomski attended a meeting at the former Cedars location to look at water issues. Chairman Glomski, Supervisor Hoerth, Supervisor Schwantes, and Road Superintendent Hartmann plan to meet at the location on August 18th at a time to be determined to look at the issues. It was brought to the Chairman’s attention that there are some properties in the township that have fencing in the road right of way. Letters will be sent to address the issues. Glomski attended both the Sanitary District #1 Cedar Lake and Sanitary District #2 Wilke Lake meetings. Supervisor Schwantes requested that both of the Sanitary Districts present a early update at the October meeting.

Assessor’s report: No Report.

Constable’s report: Constable Schuler reported on a few routine calls. Constable Schuler also reported that Manitowoc County has taken over the nuisance junk issue with a property on Rockville Road.

Visitors’ input: No comment.

Building permits:

Tom Kiehnau	Shed 50x100
Lynn Kind	New windows
Robert Lettre	Shed 45x100
Bruce Bruckner	re-pave driveway
Lindsay Meyer	Siding

Regular Town Board Meeting 8/10/2023

*All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.

Dave Schneider	Remodel into house
Charles Hoefner	New House
Michael Kaczowski	Siding

Old & New Business:

A. Pfister driveway and road repair

Chairman Glomski and Roads Superintendent Hartmann reported on a small stretch of blacktop that needs to be pour between the homeowner's concrete driveway and Point Creek Road. A few spots of this stretch of road were in poor shape and has blacktop that needs to be repaired. Motion Hoerth/Schwantes for the town to pay up to \$1,000 towards the town's share of the road repair, motion carried.

B. Fire Dept. Funding

Bob Hennings of the Kiel Fire Department reported on raising costs and a requested increase in funding. After discussion, a \$10,000 increase in funding is planned for 2024 and will be included in the October budgeting meeting. Ambulance costs will remain the same for 2024.

C. Cedar Terrace Water Issues

Chairman Glomski covered the water issue in his Board Members' report.

D. Lloyd Rumpf Rezoning Request Application

Supervisor Hoerth discussed the Lloyd Rumpf rezoning request application. Motion Hoerth/ Schwantes to approve the rezone request and move to the Manitowoc County Board, motion carried.

E. Curt Rabe Rezone

Supervisor Hoerth discussed the Curt Rabe rezone. Motion Hoerth/ Schwantes to approve the rezone request to change the property from general agriculture to a small estate and move to the Manitowoc County Board, motion carried.

Miscellaneous Reports

A. Road Project Updates

-Fish and Game Road, Louis Corners Road from CTH XX to Rockville Road, and Schrieber Road have all been chip sealed.

-Louis Corners Road from CTH X to CTH XX should be paved towards the end of August.

-Shimming was done on Lax Chapel Road and Charlesburg Road.

B. Glacierland Phragmites

Chairman Glomski discussed past work and funding for phragmites control in the township. Glacierland will start work in Manitowoc County next week.

C. Driveway Ordinance Changes

Chairman Glomski discussed that the driveway ordinance needs to be redone to clarify the ordinance. The Board will work on amending it in the future.

Regular Town Board Meeting 8/10/2023

*All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.

Motion Hoerth/Schwantes to adjourn; motion carried. Meeting adjourned at 8:04 pm.

**Lindsay Meyer, Deputy Clerk
August 14th, 2023**

Regular Town Board Meeting 8/10/2023

***All motions recorded in these minutes as carried are carried unanimously unless otherwise noted.**



Lloyd & Darlean Rumpff
 NW 1/4, NW 1/4
 Section 11, T17N-R21E
 Town of Schleswig

From: GA To: SE
 Approximatel 3.96 acre(s)
 -87.958, 43.964

Map Overview

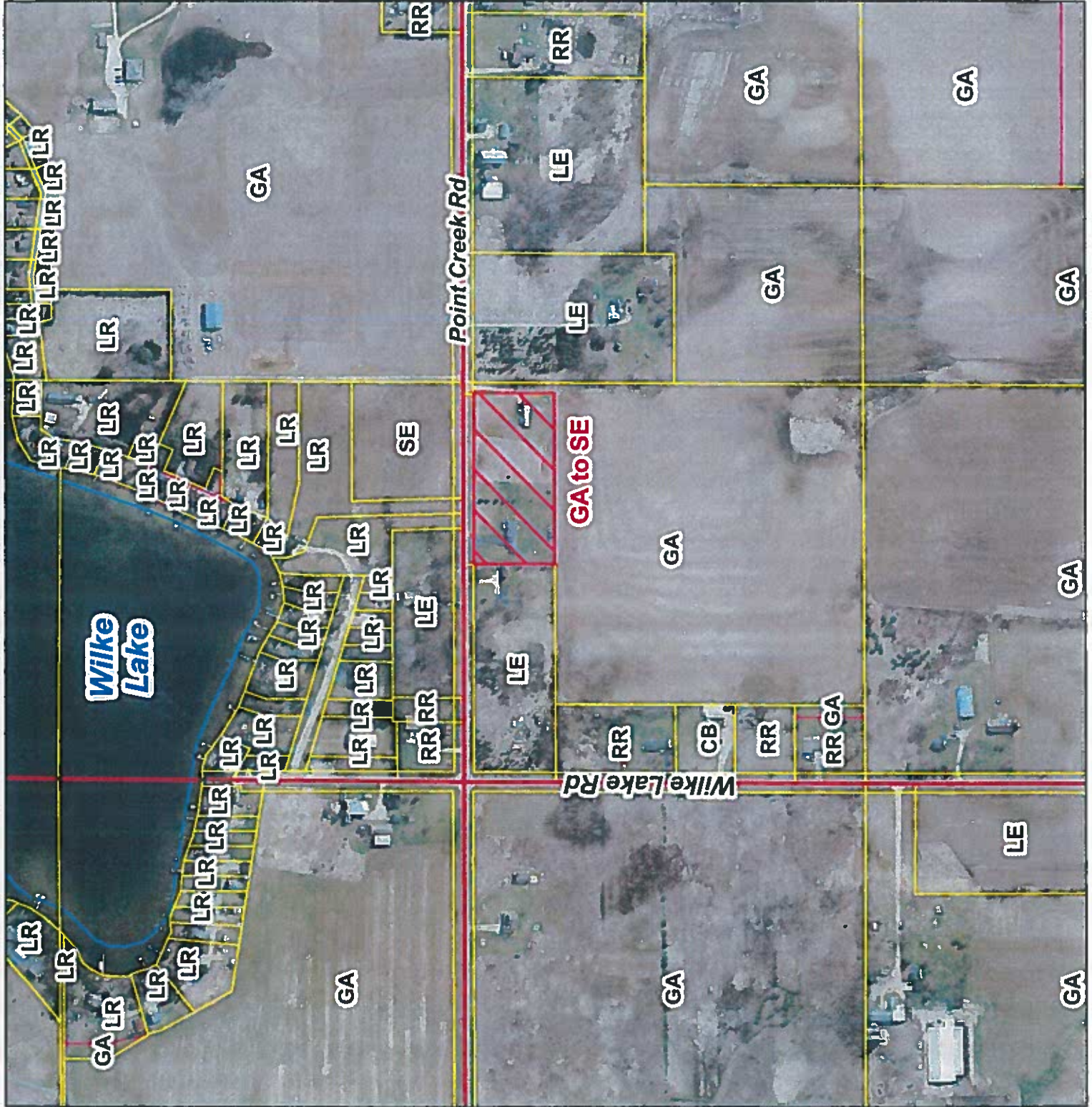
Schleswig

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

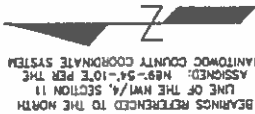
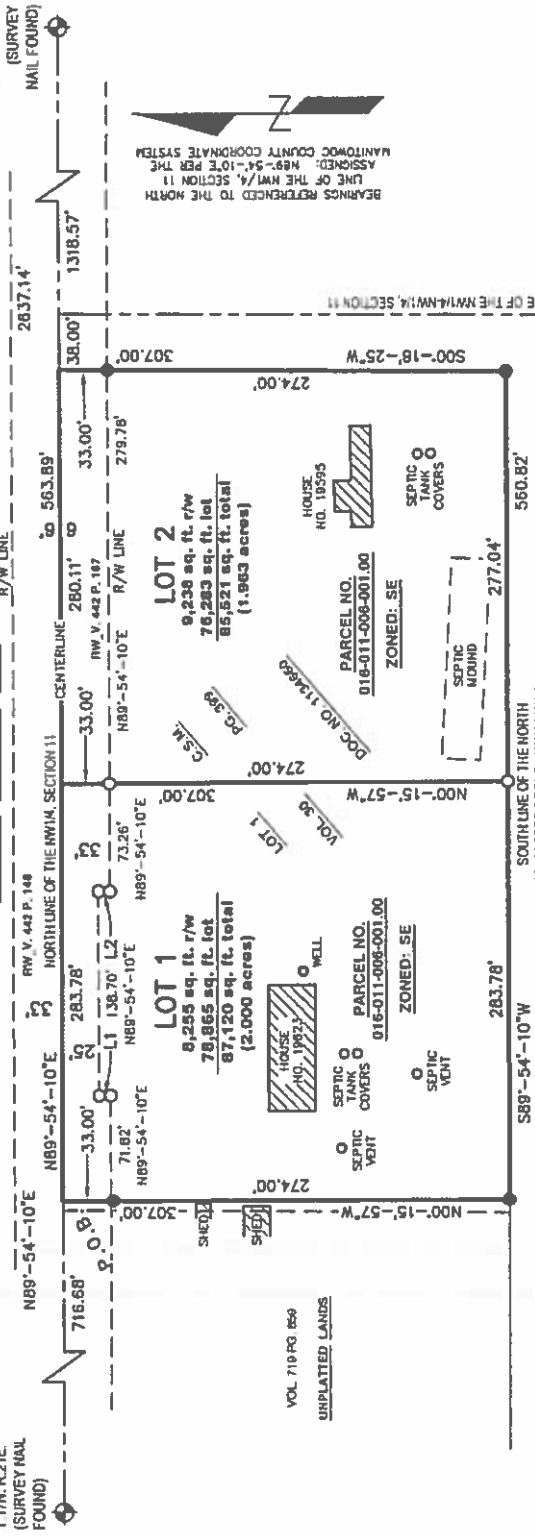
ALL OF LOT 1 OF C.S.M., VOL. 30, PG. 399 AS DOC. NO. 1134660;
BEING PART OF THE NW1/4 OF THE NW1/4, SECTION 11, T.17N. R.21E.,
TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN

PREPARED FOR:
LLOYD AND DARLEAN RUMPF
19823 POINT CREEK RD
KIEL, WI 53042
PARCEL NUMBER:
016-011-006-001.00

N1/4 CORNER
SECTION 11
T.17N. R.21E.
(SURVEY
NAIL FOUND)

NW CORNER
SECTION 11
T.17N. R.21E.
(SURVEY NAIL
FOUND)

POINT CREEK RD.



BEARINGS REFERENCED TO THE NORTH
LINE OF THE NW1/4, SECTION 11
ASSIGNED: N89°-54'-10"E PER THE
MANITOWOC COUNTY COORDINATE SYSTEM

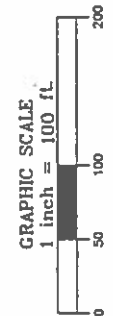
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°-05'-50"W	8.00'
L2	S00°-05'-50"E	8.00'

- LEGEND —
- = 1" OUTSIDE DIA. X 18" IRON PIPE SET, WT. 1.54 LBS. PER LINEAL FT.
 - = 1" IRON PIPE FOUND
 - ⊕ = MANITOWOC CO. PLSS COR.

FRONT YARD SETBACKS
- 25' FROM R/W LINE OR
- 50' FROM C/L OF TOWN ROADS AND
- 100' FROM C/L OF C.T.H. OR S.T.H.
(WHICHEVER IS GREATER)

SIDE AND REAR YARD SETBACKS
- 25' FOR PRINCIPAL AND CONVENTIONAL USE
- 10' FOR ACCESSORY STRUCTURES

MERIDIAN
SURVEYING, LLC
2020 Madison Street
New Holstein, WI 53061
Office: 920-893-0881
Fax: 920-273-6037



DRAWN BY:	JD	FIELD WORK DATE:	7-31-23
CHECKED BY:	BB	FIELD BOOK:	N/A
JOB NO.:	14774	SHEET	1 OF 3

CERTIFIED SURVEY MAP
ALL OF LOT OF C.S.M., VOL. 30, PG. 399 AS DOC. NO. 1134660;
BEING PART OF THE NW1/4 OF THE NW1/4 OF SECTION 11, T.17N., R.21E.,
TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN
Sheet 2 of 3

SURVEYOR'S CERTIFICATE

I, Bradley A. Buechel, Wisconsin Professional Land Surveyor of Meridian Surveying LLC, certify that I have surveyed, divided, and mapped under the direction of Tim Rumpff, all of Lot One (1) of Certified Survey Map as recorded in Volume 30 of Certified Survey Maps on Page 399 as Document Number 1134660 of Manitowoc County Records; being part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Eleven (11), Township Seventeen (17) North, Range Twenty-One (21) East, Town of Schleswig, Manitowoc County, Wisconsin containing 172,641 square feet (3.963 acres) of land.

That such is a correct representation of all exterior boundaries of the land surveyed.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Section 12.07 of the Manitowoc County Subdivision Regulations in surveying, dividing, and mapping the same.

Dated this _____ day of _____, 2023.

Wisconsin Professional Land Surveyor S-2613
Bradley A. Buechel

CERTIFIED SURVEY MAP
ALL OF LOT OF C.S.M., VOL. 30, PG. 399 AS DOC. NO. 1134660;
BEING PART OF THE NW1/4 OF THE NW1/4 OF SECTION 11, T.17N., R.21E.,
TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN
Sheet 3 of 3

OWNER'S CERTIFICATE

As owner(s), I (we) hereby certify that I (we) caused the land described on this map to be surveyed, divided, and mapped as represented on this map. I (we) also certify that this map is required by S. 236.34 to be submitted to the following for approval or objection: Manitowoc County Planning and Parks Commission.

Dated this _____ day of _____, 2023.

Lloyd R. Rumpff

Darlean E. Rumpff

**STATE OF WISCONSIN)
MANITOWOC COUNTY) SS**

Personally came before me this _____ day of _____, 2023, the above named owner(s) to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Manitowoc County, Wisconsin

My Commission Expires _____

Dated this _____ day of _____, 2023.

Wisconsin Professional Land Surveyor S-2613
Bradley A. Buechel

RESOLUTION AUTHORIZING COUNTY CONSERVATION AIDS GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Planning and Zoning Department wishes expand the
2 Harpt’s Lake access with new parking, picnic and shoreline access areas (“Project”); and

3
4 WHEREAS, the Manitowoc County Planning and Zoning Department has identified a total
5 cost of \$20,000.00 for this Project; and

6
7 WHEREAS, the Wisconsin Department of Natural Resources (WDNR) has grant funding
8 available through the County Conservation Aids (CCA) program for the installation of fish and
9 game projects under Wis. Stat. § 23.09(12); and

10
11 WHEREAS, the CCA grant program may reimburse fifty percent of the total project cost
12 for eligible projects; and

13
14 WHEREAS, the Planning and Park Commission held a public hearing on August 28, 2023
15 to consider the grant application and after careful consideration and review recommends the
16 Planning and Zoning Department pursue the available grants under the CCA program for the
17 Project;

18
19 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
20 county of Manitowoc authorizes the Planning and Zoning Director, or his designee, to apply for
21 and accept a CCA grant from the WDNR in the total amount of up to \$10,000.00 for the Project;
22 and

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

28
29 BE IT FURTHER RESOLVED that the Finance Director is directed to record such
30 information in the official books of the County for the year ending December 31, 2023 as may be
31 required with carryover to 2024 as needed.


Dated this 19th day of September 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. If the grant is approved, increases State Conservation Aid by \$10,000.00 and an associated expense account by an equal amount.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____ Date _____
Bob Ziegelbauer, County Executive

Final Award Resolution will be available mid-day September 19 for the County Board Meeting that evening.

RESOLUTION NO. _____

RESOLUTION AWARDING THE SALE OF \$2,500,000
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023

WHEREAS, on August 15, 2023, by a vote of at least ¾ of members-elect, the County Board of Supervisors of Manitowoc County, Wisconsin (the "County") adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$2,500,000 for the public purpose of financing the construction and improvement of highways (the "Project");

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

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

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

WHEREAS, pursuant to the Initial Resolution, the County has directed PMA Securities, LLC ("PMA") to take the steps necessary to sell general obligation promissory notes (the "Notes") to pay the cost of the Project;

WHEREAS, PMA, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on September 19, 2023;

WHEREAS, the County Clerk (in consultation with PMA) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on September 19, 2023;

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

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous 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 1. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. 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 1A. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes 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 Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2023"; shall be issued in the aggregate principal amount of \$2,500,000; shall be dated October 10, 2023; 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 October 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, 2024. 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 Notes 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 Notes maturing on October 1, 2032 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on October 1, 2031 or on any date thereafter. Said Notes 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.

[The Proposal specifies that [some of] the Notes shall be subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed

shall be credited against the mandatory redemption payments established in Exhibit MRP for such Notes in such manner as the County shall direct.]

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2023 through 2032 for the payments due in the years 2024 through 2033 in the amounts set forth on the Schedule.

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

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2023, dated October 10, 2023" (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.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such

Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

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

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

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

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

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

Adopted, approved and recorded September 19, 2023.

Tyler Martell
Chairperson

ATTEST:

Jessica Backus
County Clerk

(SEAL)

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 October 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 October 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on October 1, ____

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

For the Term Bonds Maturing on October 1, ____

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

For the Term Bonds Maturing on October 1, ____

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

For the Term Bonds Maturing on October 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 2023

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
October 1, _____ October 10, 2023 _____% _____

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, 2024 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 \$2,500,000, 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 August 15, 2023 and September 19, 2023 (collectively, the "Resolutions"). Said Resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Notes maturing on October 1, 2032 and thereafter are subject to redemption prior to maturity, at the option of the County, on October 1, 2031 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

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 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 ADOPTING SPEED ZONE ON COUNTY TRUNK
HIGHWAY R IN THE TOWN OF MANITOWOC RAPIDS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 349.11 authorizes Manitowoc County to determine and declare a
2 reasonable and safe speed limit on all or part of a highway that is under its jurisdiction on the basis
3 of an engineering and traffic investigation and subject to certain limitations; and
4

5 WHEREAS, Manitowoc County Code § 15.03(1) authorizes the Highway Committee to
6 recommend speed limits to the County Board; and
7

8 WHEREAS, Manitowoc County Code § 15.03(2) authorizes the County Board to adopt
9 speed limits and speed zones by resolution, which become effective when appropriate signs giving
10 notice of the speed limit have been erected and are in place; and
11

12 WHEREAS, the Manitowoc County Traffic and Safety Commission conducted a traffic
13 investigation with respect to that portion of County Trunk Highway R in the Town of Manitowoc
14 Rapids between the Manitowoc city limits and Goodwin Road; and
15

16 WHEREAS, based on that investigation and after careful consideration and review, the
17 Highway Committee recommends that the current speed limit be reduced on County Trunk
18 Highway R to 35 miles per hour from the Manitowoc city limits to Redwood Drive with a
19 transitioned speed limit of 45 miles per hour from Redwood Drive to Goodwin Road; and
20

21 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
22 County of Manitowoc adopts a speed zone of 35 miles per hour on County Trunk Highway R
23 beginning at the Manitowoc city limits to Redwood Drive with a transitioned speed limit of 45
24 miles per hour from Redwood Drive to Goodwin Road; and
25

26 BE IT FURTHER RESOLVED that the Highway Department is directed to erect signs as
27 may be required and necessary to implement this resolution; and
28

29 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this
30 resolution to the Sheriff's Department.

Dated this 19th day of September 2023.

Respectfully submitted by the
Highway Committee

Kevin Behnke, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____



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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION AUTHORIZING REALLOCATION OF HUMAN SERVICES DEPARTMENT 1.0 FULL-TIME EQUIVALENT POSITION (Clinical Services Manager to Crisis Supervisor)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, in April of 2023 the county board of supervisors of the county of Manitowoc
2 adopted resolution no. 2023/2024-7, which reallocated a 1.0 full-time equivalent position from
3 CCS rehabilitation specialist to clinical services deputy director; and

4
5 WHEREAS, after creating the clinical service deputy director position, the previous
6 clinical services manager was promoted to the newly created deputy director position; and

7
8 WHEREAS, the vacated clinical services manager position was not refilled; and

9
10 WHEREAS, the job duties of the previous clinical services manager included the
11 supervision of the crisis team; and

12
13 WHEREAS, currently there is no position that directly supervises the crisis team; and

14
15 WHEREAS, the crisis team requires a direct supervisor to ensure the efficient and effective
16 operation of the team; and

17
18 WHEREAS, reallocating the clinical services manager position to a crisis supervisor will
19 result in a pay grade change from a salaried D62 to a salaried C52; and

20
21 WHEREAS, reallocating the clinical services manager position to a crisis supervisor will
22 not change the funding source of the position or the Human Services Department’s total FTE
23 count; and

24
25 WHEREAS, after careful consideration and review, the Human Services Board and the
26 Personnel Committee recommend amending the “Full Time Equivalent Report (FTE) by
27 Department” included in the Manitowoc County, WI 2023 Adopted Annual Budget to reallocate
28 the FTEs in the human services department by removing the 1.0 FTE clinical services manager
29 position and including a 1.0 FTE crisis supervisor position;

30
31 NOW, THEREFORE, BE IT RESOLVED that county board of supervisors of the county
32 of Manitowoc authorizes the reallocation of the 1.0 FTE clinical services manager position to a
33 1.0 FTE crisis supervisor position; and

34
35 BE IT FURTHER RESOLVED that the “Full Time Equivalent Report (FTE) by
36 Department” included in the Manitowoc County, WI 2023 Adopted Annual Budget is amended
37 accordingly and that the Finance Director is directed to record such information in the official
38 books of the County for the year ending December 31, 2023 as may be required.

Dated this 19th day of September 2023.

Respectfully submitted by the
Personnel Committee


Susie Maresh, Chair

Human Services Board

Jim Brey, Chair

FISCAL IMPACT: None. The pay grade for the position will change from a salaried D62 to an salaried C52, *i.e.* a decrease in wage rate. Sufficient funds have been budgeted for this position as it is a reallocation from an existing position.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____
Bob Ziegelbauer, County Executive Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, September 19, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 19th day of September 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 23 members were present at the time of voting for resolutions: Behnke, Brey, Engelbrecht, Falkowski, Hacker, Hansen, Heller, Jadowski, Klein, Linsmeier, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss and Zimmer. Supervisors Baumann and Gerroll were excused.

On a motion by Supervisor Engelbrecht, seconded by Supervisor Sitkiewitz the August 15, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Honoring 4-H Week.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Declaring October 2023 Crime Prevention Month.

Supervisor Hacker provided a progress report on the Wisconsin Shipwreck Coast National Marine Sanctuary.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:26 p.m.

No one present wished to speak, subsequently Chairperson Martell closed public input at 6:26 p.m.

Supervisor Brey moved to recess at 6:26 p.m., seconded by Supervisor Muench. Upon voice vote, the motion carried unanimously.

Chairperson Martell reconvened the meeting at 6:38 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Muench to enact Ordinance 2023/2024-34 Amending Zoning Map (Derek and Regina Burkholder). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Neils to enact Ordinance 2023/2024-35 Amending Zoning Map (Curt Rabe). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Maresh to enact Ordinance 2023/2024-36 Amending Zoning Map (Michael Miller). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Neils to enact Ordinance 2023/2024-37 Amending Zoning Map (Lloyd and Darlean Rumpff). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer to adopt Resolution 2023/2024-38 Authorizing County Conservation Aids Grant. Upon vote, the motion carried unanimously.

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

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-39 Awarding the Sale of \$2,500,000 General Obligation Promissory Notes, Series 2023. Upon vote, motion carried unanimously.

Highway Committee: Supervisor Behnke gave a brief report.

Supervisor Behnke moved, seconded by Supervisor Falkowski to adopt Resolution 2023/2024-40 Adopting Speed Zone on County Trunk Highway R in the Town of Manitowoc Rapids. Upon vote, the motion carried unanimously.

Personnel Committee: Supervisor Maresh gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Sitkiewitz gave a brief report.

Miscellaneous: Supervisor Maresh moved, seconded by Supervisor Brey, to adopt Resolution 2023/2024-41 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (Clinical Services Manager to Crisis Supervisor). Upon vote, the motion carried unanimously.

ANNOUNCEMENTS

Chairperson Martell announced the County Board Budget Presentation will be October 10, 2023 and the Annual County Board Meeting, along with the Public Hearing for the Budget will be October 30, 2023.

ADJOURNMENT

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

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: October 10, 2023

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>

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 Chairperson Martell.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the September 19, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS
 1. Finance Director JJ Gutman and External Auditors – Report of 2022 Comprehensive Annual Financial Report and the 2022 Audit
 2. County Executive Bob Ziegelbauer – Presentation of Proposed 2024 Budget.
- VIII. APPOINTMENT BY COUNTY EXECUTIVE
Emergency Services Department
Appoint Emergency Services Director – Rhonda Green
- IX. ANNOUNCEMENTS
- X. ADJOURNMENTS

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, October 10, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Center, in the City of Manitowoc, being the 10th day of October 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 22 members were present: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Heller, Klein, Maresh, Martell, Metzger, Muench, Naidl, Neils, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisors Hansen, Jadowski, and Linsmeier were excused.

On a motion by Supervisor Baumann, seconded by Supervisor Behnke the September 19, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS

CLA Financial Officer Bryan Grunewald presented the 2022 Audit Report.

County Executive Bob Ziegelbauer presented the proposed 2024 budget. Executive Ziegelbauer reported inflation continues to be the number one challenge, but with the net new construction in 2023 there will not be an increase in property taxes. The 2024 priorities fall into three main categories of combating inflation with an investment in human capital by raising the pay scale up 3% and proceeding with a 5% increase in the health insurance premiums; making a major expansion in the Human Services department designated to get a handle on mental health, child welfare, and the opioid crisis; and the final category of continuing with an aggressive highway maintenance program for 19.1 miles of road resurfacing.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Rhonda Green as Emergency Services Director. Supervisor Falkowski moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously.

ANNOUNCEMENTS

Chairperson Martell announced the Annual County Board meeting and Public Hearing on the 2024 Budget will be Monday, October 30, 2023 at the Heritage Center.

ADJOURNMENT

Supervisor Brey moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted by acclamation. The meeting adjourned at 6:30 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk

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

<https://www.youtube.com/watch?v=uzqcY0muGPM&t=932s>



**MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
ANNUAL MEETING AND PUBLIC HEARING
ON THE 2024 ANNUAL BUDGET**

DATE: October 30, 2023

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 Falkowski.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the October 10, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.
- VII. REPORTS OF COUNTY SUPERVISORS, OFFICERS, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life of James M. Hendricks
 2. County Executive Bob Ziegelbauer and Chairperson Tyler Martell – Proclamation Commemorating the Life of Ricky K. Sloan
 3. County Executive Bob Ziegelbauer – Introduction of Emergency Management Director Rhonda Green
- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
 1. Public Hearing on the County Executive's Proposed 2024 Annual Budget
 2. Public Comment on Non-Budget Issues
- IX. APPOINTMENT BY COUNTY EXECUTIVE
- X. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 1. Resolution 2023/2024-42 Adopting Manitowoc County Planning and Park Commission Fee Schedule

Petition: 1) Manitowoc County – Ordinance Text Amendment, County Code Chapter 4
 - B. Aging & Disability Board
 - C. Board of Health
 2. Resolution 2023/2024-43 Adopting Health Department Fee Schedule
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board

G. Finance Committee

3. Resolution 2023/2024- 44 Canceling County Checks Not Presented Within Two Years of Issuance

H. Highway Committee

I. Human Service Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

XI. ANNOUNCEMENTS

XII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

11 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
12 county of Manitowoc approves and adopts the proposed Planning and Zoning Department Fee
13 Schedule to be effective January 1, 2024, and directs that a copy of the fee schedule be included
14 as an appendix to the Manitowoc County Code Chapter 4, Finances

Dated this 30th day of October 2023.

Respectfully submitted by the
Planning and Park Commission

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 _____



APPROVED:

Bob Ziegelbauer, County Executive

Date

**PLANNING AND ZONING DEPARTMENT
FEE SCHEDULE**

January 1, 2024

PRIVATE ONSITE WASTEWATER TREATMENT (POWTS) APPROVALS	
Holding Tank - 5,000 gpd or less	\$ 137
Holding Tank - 5,001 – 10,000 gpd	\$ 168
Holding Tank - 10,001+ gpd	\$ 210
In-Ground Non-Pressurized System - Residential	\$ 200
In-Ground Non-Pressurized System - Nonresidential - 1,000 gpd or less	\$ 263
In-Ground Non-Pressurized System - Nonresidential - 1,001 – 2,000 gpd	\$ 321
In-Ground Non-Pressurized System - Nonresidential - 2,001 - 5,000 gpd	\$ 384
Maintenance Program - Per Year	\$ 10
Pressurized System - 1,000 gpd or less	\$ 263
Pressurized System - 1,001 – 2,000 gpd	\$ 321
Pressurized System - 2,001 - 5,000 gpd	\$ 384
Revision - Previously Approved Plan	\$ 142

NONMETALLIC MINING	
Active Acreage - Per Acre/Per Year	\$ 75
Mining Plan Review	\$ 300
Mining Plan Modification Review	\$ 300

SANITARY PERMITS	
Alternate, Experimental, or Other System	\$ 620
Holding Tank	\$ 620
In-Ground Non-Pressurized System	\$ 510
Large Scale System	\$ 751
On-site Soil Evaluation	\$ 84
On-site System Evaluation	\$ 84
Pressurized System	\$ 620
Reconnection	\$ 200
Renewal	\$ 126
Soil Test Review	\$ 40
Wisconsin Fund Application	\$ 100

**PLANNING AND ZONING DEPARTMENT
FEE SCHEDULE**

January 1, 2024

ZONING PERMITS	
Accessory Structure (New Construction or Modification)	\$ 116
Board of Adjustment - Appeal	\$ 531
Board of Adjustment - Interpretation Request	\$ 531
Board of Adjustment - Variance Request	\$ 531
Certified Survey Map - Appeal	\$ 179
Certified Survey Map – Review (First Lot)	\$ 153
Certified Survey Map – Review (For Each Additional Lot)	\$ 58
Certified Survey Map - Variance Request	\$ 179
Conditional Use Permit	\$ 531
Development Plan Review (First Lot)	\$ 410
Development Plan Review (For Each Additional Lot)	\$ 53
Filling and Grading Permit	\$ 185
Impervious Surface Calculation Review	\$ 185
Industrial Site Plan Review	\$ 142
Principal Structure (New Construction or Modification)	\$ 226
Shoreland Mitigation Plan Review	\$ 350
Subdivision Plat Review (First Lot)	\$ 436
Subdivision Plat Review (For Each Additional Lot)	\$ 48
Telecommunication - Tower	\$ 3,000
Telecommunication - Antenna Co-location	\$ 116
Wind Energy System - Large	\$ 2,500
Wind Energy System – Large (For Each Tower On Application)	\$ 1,000
Wind Energy System - Small	\$ 350
Zoning Amendment - Petition	\$ 531

RESOLUTION ADOPTING HEALTH DEPARTMENT FEE SCHEDULE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Health Department issues certain licenses and permits
2 as an agent of the Wisconsin Department of Agriculture, Trade and Consumer Protection, and the
3 Department of Safety and Professional Services; and
4

5 WHEREAS, the Manitowoc County Board of Supervisors has authorized the Health
6 Department to charge fees to defray the costs of providing these various licenses and permits; and
7

8 WHEREAS, the State of Wisconsin has revised Wis. Admin. Code chs. ATCP 76 (Safety,
9 Maintenance, and Operation of Public Pools and Water Attractions) and ATCP 78 (Recreational
10 and Educational Camps) have been revised to include new categories of licenses while removing
11 others; and
12

13 WHEREAS, as an agent of the state, the Health Department fee structure is required to
14 align with the state administrative code; and
15

16 WHEREAS, the Manitowoc County Board of Supervisors has authorized the Health
17 Department to charge fees to defray the costs of providing these various licenses and permits; and
18

19 WHEREAS, Manitowoc County Code § 7.10 provides that the fees for licenses (other than
20 an animal license) and permits that the Health Department is authorized to charge must be set by
21 County Board resolution at the annual meeting; and
22

23 WHEREAS the Board of Health has reviewed the Health Department fee schedule and
24 recommends that it be adjusted beginning January 1, 2024; and
25

26 WHEREAS a copy of the proposed Health Department Fee Schedule has been provided to
27 the County Board;
28

29 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
30 county of Manitowoc approves and adopts the proposed Health Department Fee Schedule to be
31 effective January 1, 2024, and directs that a copy of the fee schedule be included as an appendix
32 to Manitowoc County Code Chapter 7, Public Health.


Dated this 30th day of October 2023.

Respectfully submitted by the
Board of Health

Rita Metzger, Chair

FISCAL IMPACT: Indeterminable.

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

Health Department Fee Structure 2023-2024 NEW AND RESTRUCTURED	OLD FEE	NEW FEE 5%
BED AND BREAKFAST (8 ROOMS OR LESS)	\$151	\$159
CAMPGROUND (1 - 25 SITES)	\$247	\$247
CAMPGROUND (26 - 50 SITES)	\$276	\$276
CAMPGROUND (51 - 100 SITES)	\$333	\$333
CAMPGROUND (101 - 200 SITES)	\$364	\$364
CAMPGROUND (MORE THAN 200 SITES)	\$402	\$402
CAMPGROUND - SPECIAL EVENT (1 - 25 SITES)	\$126	\$132
CAMPGROUND - SPECIAL EVENT (26 - 50 SITES)	\$168	\$176
CAMPGROUND - SPECIAL EVENT (51 - 100 SITES)	\$200	\$210
CAMPGROUND - SPECIAL EVENT (101 - 200 SITES)	\$231	\$243
CAMPGROUND - SPECIAL EVENT (MORE THAN 200 SITES)	\$263	\$276
DPI SCHOOL INSPECTION - LIMITED	\$165	\$165
DPI SCHOOL INSPECTION	\$430	\$430
HOTEL/MOTEL (5 - 30 ROOMS)	\$249	\$261
HOTEL/MOTEL (31 - 99 ROOMS)	\$346	\$363
HOTEL/MOTEL (100 - 199 ROOMS)	\$476	\$500
HOTEL/MOTEL (200 OR MORE ROOMS)	\$509	\$534
LATE RENEWAL FEE	\$100	\$100
MICRO MARKET (SINGLE LOCATION)	\$36	\$36
MICRO MARKET (MULTIPLE LOCATIONS ON THE SAME PREMISES)	\$54	\$54
MOBILE HOME PARK (1-20 SITES)	\$216	
MOBILE HOME PARK (21-50 SITES)	\$286	
MOBILE HOME PARK (51-100 SITES)	\$314	
MOBILE HOME PARK (101-175 SITES)	\$357	
MOBILE HOME PARK (MORE THAN 175 SITES)	\$389	
MOBILE RETAIL FOOD ESTABLISHMENT BASE – NO FOOD PREPARATION OR PROCESSING ACTIVITIES	\$65	\$68
MOBILE RETAIL FOOD ESTABLISHMENT INSPECTION FEE	\$75	\$50
OPERATING WITHOUT A WISCONSIN CERTIFIED FOOD MANAGER	\$150	\$150
OPERATING WITHOUT A LICENSE	\$275	\$275
PLAN REVIEW	\$180	\$180
PRE-INSPECTION - BED & BREAKFAST	\$135	\$135
PRE-INSPECTION - CAMPGROUND	\$200	\$200
PRE-INSPECTION - HOTEL/MOTEL	\$250	\$250
PRE-INSPECTION - RECREATIONAL/EDUCATIONAL CAMP	\$265	\$265
PRE-INSPECTION – RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS -PREPACKAGED TCS	\$35	\$35
PRE-INSPECTION – RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS -SIMPLE NON TCS	\$35	\$35
PRE-INSPECTION – RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS -SIMPLE TCS	\$100	\$100
PRE – INSPECTION – RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – MODERATE	\$150	\$150
PRE-INSPECTION – RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS - COMPLEX	\$350	\$350
PRE-INSPECTION – RETAIL FOOD SERVING MEALS – PREPACKAGED TCS	\$100	\$100
PRE-INSPECTION – RETAIL FOOD SERVING MEALS – SIMPLE	\$250	\$250
PRE-INSPECTION – RETAIL FOOD SERVING MEALS – MODERATE	\$290	\$290
PRE-INSPECTION – RETAIL FOOD SERVING MEALS – COMPLEX	\$320	\$320
PRE-INSPECTION - SWIMMING POOLS AND WATER ATTRACTIONS	\$175	\$175

PRE-INSPECTION - TATTOO/BODY PIERCING ESTABLISHMENT	\$130	\$130
PRE-INSPECTION - TATTOO AND BODY PIERCING ESTABLISHMENT – COMBINED	\$130	\$130
PRE-INSPECTION - TOURIST ROOMING HOUSE	\$135	\$135
PRE-SALE INSPECTION	\$125	\$125
RECREATIONAL/EDUCATIONAL CAMP	\$403	
RECREATIONAL/EDUCATIONAL CAMP SIMPLE		\$403
RECREATIONAL/EDUCATION CAMP SIMPLE WITH HOSPITALITY		\$453
RECREATIONAL/EDUCATIONAL CAMP MODERATE		\$443
RECREATIONAL/EDUCATION CAMP MODERATE WITH HOSPITALITY		\$493
RECREATIONAL/EDUCATIONAL CAMP COMPLEX		\$483
RECREATIONAL/EDUCATION CAMP COMPLEX WITH HOSPITALITY		\$533
REINSPECTION - FIRST	\$200	\$200
REINSPECTION - SECOND	\$400	\$400
REINSPECTION - THIRD	\$600	\$600
RESTAURANT – ADDITIONAL IN SAME BUILDING	\$97	
RETAIL FOOD ESTABLISHMENT – SERVING MEALS - PREPACKAGED	\$135	\$142
RETAIL FOOD ESTABLISHMENT - SERVING MEALS - SIMPLE	\$262	\$275
RETAIL FOOD ESTABLISHMENT - SERVING MEALS – MODERATE	\$449	\$471
RETAIL FOOD ESTABLISHMENT - SERVING MEALS - COMPLEX	\$546	\$573
RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – PREPACKAGED TCS	\$65	\$68
RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – SIMPLE NON -TCS	\$81	\$85
RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – SIMPLE TCS	\$243	\$255
RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – MODERATE	\$336	\$353
RETAIL FOOD ESTABLISHMENT – NOT SERVING MEALS – COMPLEX	\$865	\$908
SWIMMING POOL	\$308	
SIMPLE POOL		\$323
SIMPLE POOL WITH FEATURES		\$348
MODERATE POOL		\$373
MODERATE POOL WITH FEATURES		\$398
COMPLEX POOL		\$423
COMPLEX POOL WITH FEATURES		\$448
SPECIAL CONDITIONS INSPECTION	\$285	\$285
TATTOO OR BODY PIERCING ESTABLISHMENT	\$198	\$208
TATTOO OR BODY PIERCING ESTABLISHMENT - TEMPORARY	\$81	\$85
TATTOO AND BODY PIERCING ESTABLISHMENT (COMBINED)	\$284	\$298
TATTOO AND BODY PIERCING ESTABLISHMENT (COMBINED) – TEMPORARY	\$87	\$91
TOURIST ROOMING HOUSE (1 - 4 ROOMS)	\$146	\$153
TRANSIENT RETAIL FOOD ESTABLISHMENT INSPECTION FEE	\$75	\$50
TRANSIENT RETAIL FOOD ESTABLISHMENT – NON-TCS	\$75	\$79
TRANSIENT RETAIL FOOD ESTABLISHMENT – PREPACKAGED TCS FOOD ONLY	\$65	\$68
TRANSIENT RETAIL FOOD ESTABLISHMENT – TCS	\$172	\$172
WATER ATTRACTION	\$308	
WATER ATTRACTION WITH UP TO 2 SLIDES PER BASIN	\$389	
WATER OR POOL SLIDES IN EXCESS OF 2 PER BASIN (EACH)	\$196	
WELL WATER RESAMPLE (TRANSIENT NONCOMMUNITY WATER SYSTEM)	\$35	\$35
WELL WATER INITIAL SAMPLE (TRANSIENT NONCOMMUNITY WATER SYSTEM) - COLIFORM AND NITRATE	\$35	\$35
WELL WATER SAMPLE (TRANSIENT NONCOMMUNITY WATER SYSTEM) - NITRATE +NITRITE	\$50	\$50

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

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

11 WHEREAS, those checks shown on the attached list were issued by Manitowoc County
12 prior to October 31, 2021, and were not presented for payment within two years of their issuance;
13 and
14

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

19 NOW, THEREFORE, BE IT RESOLVED that those checks which are shown on the
20 attached list, which were issued by Manitowoc County prior to October 31, 2021, and which have
21 not been presented for payment within two years of their issuance, are hereby canceled and without
22 value; and
23

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

Dated this 30th day of October 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT:	Increased available cash balance in Account 100-001	\$7,951.48
	Increased available cash balance in Account 160-485	85.97
	<u>Increased available cash balance in Account 126-770</u>	<u>2,084.88</u>
	Total increase in available cash balance	\$10,122.33

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

OUTSTANDING CHECKS

October 31,

GENERAL ACCOUNT

<u>CHECK #</u>	<u>DATE</u>	<u>NAME OF PAYEE</u>
638800	12/23/19	REINKE, ANTHONY AND JENNIFER
638986	01/07/20	BLACHARD, ADAM
639025	01/07/20	REIS, JASON STEVEN
639032	01/07/20	SIEGERT, LORI ANN
639036	01/07/20	TIMMERMAN, ANDREW SCOTT
639825	01/28/20	NECHODOMU, NICOLE M
639978	02/04/20	YANDA, LUKE DENNIS
641293	03/10/20	ABBET, CHRISTINE
641470	03/12/20	BRUNETTW, PAUL MARK
641474	03/12/20	BUTLER, AARON LLYOD
641485	03/12/20	HANG, TENG
642108	04/07/20	GRASSE, ERIC MICHEAL
642348	04/14/20	ADAMS, BRIAN
642417	04/14/20	LEMEROND, CHERYL
645040	07/14/20	GARBO, FREDRICK T.
645627	07/30/20	HOFFMAN, THEODORE J.
647433	09/24/20	DVORAK, TONYA A
647572	10/06/20	BRAUN, ALLEN LONNIE
647575	10/06/20	FELDNER, ALEXANDER JOHN
647997	10/13/20	BOYD, PHILIPPI JR
648478	11/02/20	BASHI, REMEDIOS
648562	11/02/20	HORSCH, JULIE A
648830	11/10/20	HILL, ANGELA
649342	11/24/20	KC TOOL SALES LLC
649431	12/01/20	SCHULTZ, JOSHUA
649689	12/08/20	MCMAHON, KRISTA N
650253	12/29/22	HOFFMAN, THEODORE J.
651819	02/16/21	PIEL LAW OFFICE LLC
653488	04/13/21	KOESLIN, THOMAS P
653916	04/22/21	HOFFMAN, THEODORE J.
654559	05/11/21	GARAGE DOOR SPECIALTY INC
654638	05/18/21	HOFFMAN, THEODORE J.
654771	05/18/21	WI SUPPORT COLLECTION TRUST FU
654772	05/18/21	WI SUPPORT COLLECTION TRUST FU
655019	06/02/21	YANG, KOU
655255	06/08/21	BESCHTA, DIANA JO
655421	06/08/21	ACE BUILDING SERVICE INC.
655439	06/08/21	INDUSTRIAL MARKETING
655797	06/22/21	WI SUPPORT COLLECTION TRUST FU

656322	07/13/21	BESCHTA, DIANA JO
656909	07/29/21	HOFFMAN, THEODORE J.
657022	08/03/21	THOMAS, CRYSTAL
657215	08/10/21	KREPSKY, DANA NOEL
657416	08/10/21	WETZEL, GERRIE LYNN
657683	08/17/21	WI SUPPORT COLLECTION TRUST FU
657831	08/24/21	FREDENBERG, MARTIN
658053	08/31/21	HAUSCHULTZ, LINDA JEAN
658300	09/14/21	ROCKLAND SUNSHINE 4-H
659024	10/05/21	ALFSON, ALEXIS
659055	10/05/21	DEMEUSE, TEAGAN
659060	10/05/21	ENGELBRECHT, AREN
659088	10/05/21	HAMMEL, TOBY
659089	10/05/21	HABG, ROMAN
659101	10/05/21	HOCHKAMMER, CARTER
659104	10/05/21	HOCHMUTH, ANYA
659105	10/05/21	HOCHMUTH, COLT
659110	10/05/21	JASKOLSKI, SOPHIE
659113	10/05/21	JUNK, CALLIE
659123	10/05/21	KRAUSE, ANNE
659124	10/05/21	KRAUSE, JAMES
659125	10/05/21	KRAUSE, PAUL
659126	10/05/21	KRAUSE, SAMUEL
659159	10/05/21	MEYERS, DALEN
659162	10/05/21	MOORE, QUINN
659204	10/05/21	SCHEMA, AMALEE
659214	10/05/21	SHIMEK, LILLY
659225	10/05/21	STAUDINGER, BEN
659233	10/05/21	STAUDINGER, SAM
659247	10/05/21	WAGNER, KAYLEE
659258	10/05/21	AUBRY, VANILA
659261	10/05/21	BEAVER, SOPHIE
659278	10/05/21	BUCK, BLAKE
659296	10/05/21	EISNER, ELIZA
659333	10/05/21	HERRING, MARY
659341	10/05/21	HUTTERER, EMILY
659346	10/05/21	KENNEKE, ERIN
659360	10/05/21	KRUEGER, LANDON
659361	10/05/21	KRUEGER, LAYLA
659363	10/05/21	KRUEGER, WILLIAM III
659374	10/05/21	LEONARD, KRISTINA
659382	10/05/21	LUECK, MARY
659394	10/05/21	NEFF, CHERYL
659395	10/05/21	NEFF, GWEN

659396	10/05/21	NEFF, ROSE
659412	10/05/21	RABITZ, EMILY
659414	10/05/21	REESON, KAILEE
659424	10/05/21	SCHUH, ALEXIS
659430	10/05/21	SORENSEN, AUDREY
659431	10/05/21	SORENSEN, GRACE
659433	10/05/21	SOUKUP, BROCK
659443	10/05/21	VAN SLUYTMAN, JOSHUA
659451	10/05/21	WAVRUNEK, SARAH
659458	10/05/21	ZIVKO, HAILEE
659555	10/05/21	HLINAK, KATIE ANN
659751	10/05/21	DEERING, BROCK
660191	10/22/21	HOFFMAN, THEODORE J.

TOTAL CHECKS TO BE REMOVED

DATED PRIOR TO
, 2021
JT # 100-001

<u>GL Account #</u>	<u>AMOUNT</u>	<u>ADDRESS1</u>
100-001	\$ 14.15	3604 ADAM STREET
100-001	\$ 20.56	2509 N RAPIDS RD
100-001	\$ 38.00	532 MENASHA ST
100-001	\$ 32.80	1055 ELM ST
100-001	\$ 25.15	2103 GARFIELD ST
100-001	\$ 38.06	2709 S 15TH STREET
100-001	\$ 18.01	204 N 8TH ST # 201
100-001	\$ 254.00	1215 N WATER STREET
100-001	\$ 54.89	817 STEINERS CORNERS RD
100-001	\$ 30.76	14511 COUNTY HIGHWAY B
100-001	\$ 40.10	1440 JOHNSTON DR
100-001	\$ 40.10	4217 COLUMBUS ST
100-001	\$ 10.00	210 PEPPERMINT DR
100-001	\$ 10.00	3114 UNION AVE
100-001	\$ 22.43	N7947 COUNTY ROAD D
100-001	\$ 2.30	8426 BORGWARDT LN
100-001	\$ 25.00	833 INDIAN CREEK DR
100-001	\$ 20.05	414 E MAGNOLIA AVE
100-001	\$ 25.35	1028 24TH ST
100-001	\$ 508.00	3116 WHITETAIL RUN
100-001	\$ 60.00	1423 WISCONSIN AVE
100-001	\$ 280.00	1942 N 5TH STREET
100-001	\$ 688.24	1321 S 18TH STREET
100-001	\$ 67.75	4810 SUNSET ROAD
100-001	\$ 250.00	2500 BEAGLE LN
100-001	\$ 380.00	N7072 N FOREST HAVEN RD
100-001	\$ 5.75	8426 BORGWARDT LN
100-001	\$ 10.00	500 W SILVER SPRING DR STE
100-001	\$ 182.56	626 OAK STREET
100-001	\$ 5.60	8426 BORGWARDT LN
100-001	\$ 48.00	8000 STATE HWY 147
100-001	\$ 50.00	8426 BORGWARDT LN
100-001	\$ 161.50	PO BOX 74200
100-001	\$ 266.60	PO BOX 74200
100-001	\$ 24.64	1714 19TH ST
100-001	\$ 460.00	5218 S 10TH STREET
100-001	\$ 10.17	3510 S 26TH STREET
100-001	\$ 65.46	516 D AVE
100-001	\$ 609.03	PO BOX 74200

100-001	\$	460.00	5218 S 10TH STREET
100-001	\$	5.60	8426 BORGWARDT LN
100-001	\$	16.40	951 MACARTHUR DR #A
100-001	\$	153.50	9028 LAKESHORE RD
100-001	\$	1,279.00	W220N8258 TOWN LINE RD
100-001	\$	451.44	PO BOX 74200
100-001	\$	87.00	18906 TISCH MILLS RD
100-001	\$	153.54	1315 DIVISION ST
100-001	\$	12.00	21132 Co Rd JJ
100-001	\$	1.50	105 Douglas Ct
100-001	\$	5.25	13305 Rameker Rd
100-001	\$	38.50	5412 Stone Rd
100-001	\$	9.00	13726 Pieschel Rd
100-001	\$	28.50	1818 School St C
100-001	\$	2.00	5817 Center Rd
100-001	\$	17.25	3017 Monroe Street
100-001	\$	3.75	3017 Monroe Street
100-001	\$	1.75	410 South Rockway Street
100-001	\$	9.50	4815 County Road CR
100-001	\$	11.00	14002 County Road C
100-001	\$	9.75	14002 County Road C
100-001	\$	9.25	14002 County Road C
100-001	\$	6.75	14002 County Road C
100-001	\$	8.00	14803 Old Irish Rd
100-001	\$	4.00	739 South 31 Street
100-001	\$	8.50	3613 Mill Road
100-001	\$	2.00	4815 County Road CR
100-001	\$	27.50	1593 Lake Cato Dr
100-001	\$	8.00	1593 Lake Cato Dr
100-001	\$	3.00	7532 English Lake Rd
100-001	\$	9.00	933 N. 6th St
100-001	\$	13.00	2317 S 22nd St
100-001	\$	12.00	13119 McGuire Rd
100-001	\$	17.25	122 East Menasha Ave
100-001	\$	25.50	16126 Rainbow Road
100-001	\$	2.00	7829 West Hillcrest Road
100-001	\$	34.00	7420 County Road Q
100-001	\$	3.75	7025 Center Rd.
100-001	\$	3.00	11524 Newton Rd.
100-001	\$	3.50	7025 Center Rd..
100-001	\$	17.00	2214 Paul Road
100-001	\$	10.50	13416 San Rd
100-001	\$	16.50	1240 S 14TH ST
100-001	\$	6.25	1240 S 14th St

100-001	\$	3.00	2515 Western Ave.
100-001	\$	6.00	1825 Michigan Avenue
100-001	\$	6.00	1311 Shoto Rd
100-001	\$	1.25	2228 LA FOLLETTE AVE
100-001	\$	1.75	2112 Old Wooden Bridge Rd
100-001	\$	2.00	2112 Old Wooden Bridge Rd
100-001	\$	9.00	12103 Hilltop Rd
100-001	\$	10.00	14220 Maribel Rd
100-001	\$	15.00	3616 Easy Street
100-001	\$	3.00	9730 Mill Lane
100-001	\$	20.00	2208 12TH ST
100-001	\$	10.08	12120 RUSCH RD
100-001	\$	2.91	8426 BORGWARDT LN
Total	\$	7,951.48	

\$ 15,902.96

<u>ADDRESS2</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
	TWO RIVERS	WI	54241
	MANITOWOC	WI	54220
	REEDSVILLE	WI	54230
	CLEVELAND	WI	53015
	TWO RIVERS	WI	54241
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	TWO RIVERS	WI	54241
	MISHICOT	WI	54228
	MANITOWOC	WI	54220
	TWO RIVERS	WI	54241
	VALDERS	WI	54245
	SHEBOYGAN	WI	53081
	ALGOMA	WI	54201
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	TWO RIVERS	WI	54241
	BRILLION	WI	54110
	RACINE	WI	53403
	SHEBOYGAN	WI	53081
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	TWO RIVERS	WI	54241
	SHAWANO	WI	54166
	MANITOWOC	WI	54220
K200	MILWAUKEE	WI	53217
	MISHICOT	WI	54228
	MANITOWOC	WI	54220
	TWO RIVERS	WI	54241-9804
	MANITOWOC	WI	54220
	MILWAUKEE	WI	53274-0200
	MILWAUKEE	WI	53274-0200
	TWO RIVERS	WI	54241
	MANITOWOC	WI	54220
	MANITOWOC	WI	54220
	GWINN	MI	49841
	MILWAUKEE	WI	53274-0200

MANITOWOC	WI	54220
MANITOWOC	WI	54220
MANITOWOC	WI	54220
NEWTON	WI	53063
MENOMONEE F	WI	53051-3434
MILWAUKEE	WI	53274-0200
DENMARK	WI	54208
MANITOWOC	WI	54220
COLLINS	WI	54207
St Nazianz	WI	54232
Cato	WI	54230
Whitelaw	WI	54247
Reedsville	WI	54230
Two Rivers	WI	54241
Manitowoc	WI	54220
Two Rivers	WI	54241
Two Rivers	WI	54241
Mishicot	WI	54228
Manitowoc	WI	54220
Valders	WI	54245
Valders	WI	54245
Valders	WI	54245
Valders	WI	54245
Reedsville	WI	54230
Manitowoc	WI	54220
Greenleaf	WI	54126
Manitowoc	WI	54220
Reedsville	WI	54230
Reedsville	WI	54230
Manitowoc	WI	54220
Manitowoc	WI	54220
Manitowoc	WI	54220
Reedsville	WI	54230
Whitelaw	WI	54247
Mishicot	WI	54228
Manitowoc	WI	54220
Manitowoc	WI	54220
Manitowoc	WI	54220
Valders	WI	54245
Manitowoc	WI	54220
Manitowoc	WI	54220
Reedsville	WI	54230
Manitowoc	WI	54220
Manitowoc	WI	54220

Manitowoc	WI	54220
Manitowoc	WI	54220
Two Rivers	WI	54241
MANITOWOC	WI	54220--2531
Manitowoc	WI	54220
Manitowoc	WI	54220
Reedsville	WI	54230
Maribel	WI	54227--9592
Manitowoc	WI	54220--2223
Manitowoc	WI	54220
TWO RIVERS	WI	54241
VALDERS	WI	54245
MANITOWOC	WI	54220

**OUTSTANDING CHECKS DATED PRIOR TO
October 31, 2021
PAYROLL ACCOUNT # 160-485**

<u>CHECK #</u>	<u>DATE</u>	<u>NAME OF PAYEE</u>	<u>AMOUNT</u>
167128	11/04/20	HAMMEL, DUSTIN P	\$ 43.36
167190	01/27/21	POWALISZ, JOSEPH M	\$ 10.28
167344	09/10/21	LYON, MELISSA A	\$ 32.33

TOTAL CHECKS TO BE REMOVED \$ 85.97

<u>ADDRESS1</u>	<u>ADDRESS2</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
14824 CARSTENS LAKE RD		VALDERS	WI	54245
1020 EAST STATE HWY 310		MANITOWOC	WI	54220
2034 MARHAM ST		MANITOWOC	WI	54220

**OUTSTANDING CHECKS DATED PRIOR TO
October 31, 2021
SPECIAL ACCOUNT # 126-770**

<u>CHECK #</u>	<u>DATE</u>	<u>NAME OF PAYEE</u>	<u>AMOUNT</u>
7689	11/4/2019	KUMMER LAMBERT FOX & GLANDT	\$ 30.00
7707	11/25/2019	PAUL DIEFENTHALER	\$ 13.47
7760	1/31/2020	MELANIE M. PETERSON	\$ 3.92
7806	5/27/2020	STEVEN SCHUELER	\$ 80.18
7847	8/5/2020	DEXTER LEE CURTISS	\$ 1,447.80
7867	9/15/2020	VIKING BOW & GUN CLUB	\$ 18.00
7895	10/26/2020	GARY DITMER	\$ 304.16
7920	12/15/2020	KATIE LOISELLE	\$ 21.91
8004	4/6/2021	CHRISTOPHER LOGAN	\$ 4.00
8085	8/9/2021	SONIA PRITCHARD	\$ 98.00
8099	8/12/2021	TRACY MANGIN	\$ 37.81
8105	8/16/2021	JAMIE CHEVALIER	\$ 9.53
8111	8/24/2021	MP REAL ESTATE LLC	\$ 5.37
8114	8/26/2021	PATRICK GLEICHNER	\$ 5.44
8116	8/27/2021	ALETA KIENAPPEL	\$ 5.29

TOTAL CHECKS TO BE REMOVED \$ 2,084.88

<u>ADDRESS1</u>	<u>ADDRESS2</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
927 S 8TH ST STE. 2		MANITOWOC	WI	54220
927 BARTHEL'S ROAD		TWO RIVERS	WI	54241
2422 13TH ST		TWO RIVERS	WI	54241
14405 S CLEVELAND RD		CLEVELAND	WI	53015
507 CALUMET AVE		KIEL	WI	53042
PO BOX 346		VALDERS	WI	54245
3425 ADAMS STREET		TWO RIVERS	WI	54241
1337 S 20TH ST		MANITOWOC	WI	54220
1330 W WASHINGTON AVE		CLEVELAND	WI	53015
16103 SCHWARTZWALD RD		CLEVELAND	WI	53015
317 N CHERRY ST		WHITELAW	WI	54247
PO BOX 112		KELLNERSVILLE	WI	54215-0112
2072 RUSTAD LANE		MOUNDS VIEW	MN	55112
3106 ADAMS ST		TWO RIVERS	WI	54241
4302 BROADWAY ST		MANITOWOC	WI	54220

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Monday, October 30, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 30th day of October 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 21 members were present at the time of voting for resolutions: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Maresh, Martell, Metzger, Muench, Naidl, Sitkiewitz, Vogt, Wagner, Weiss, and Zimmer. Supervisors Linsmeier, Neils, Phipps, and Shimulunas were excused.

On a motion by Supervisor Brey, seconded by Supervisor Heller the October 10, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life of James M. Hendricks.

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Commemorating the Life of Ricky K. Sloan.

County Executive Bob Ziegelbauer introduced the Emergency Management Director Rhonda Green.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment on the County Executive's Proposed 2024 Annual Budget open at 6:12 p.m.

No one present wished to speak regarding the proposed budget, subsequently Chairperson Martell closed public input at 6:12 p.m. on this matter.

Chairperson Martell declared public comment on non-budget issues open at 6:12 p.m.

Maura Yost, Town of Centerville, advocated for a .05% sales tax.

No one else present wished to speak on non-budget issues, subsequently Chairperson Martell closed public input at 6:17 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Vogt to adopt Resolution 2023/2024-42 Adopting Manitowoc County Planning and Park Commission Fee Schedule. Upon vote, the motion carried unanimously.

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

Board of Health: Supervisor Metzger gave a brief report.

Supervisor Metzger moved, seconded by Supervisor Muench to adopt Resolution 2023/2024-43 Adopting Health Department Fee Schedule. Upon vote, the motion carried unanimously.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-44 Canceling County Checks Not Presented Within Two Years of Issuance. Upon vote, motion carried unanimously.

Highway Committee: Supervisor Behnke gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Public Works Committee: Supervisor Sitkiewitz gave a brief report.

Transportation Coordinating Committee: Supervisor Hacker gave a brief report.

ANNOUNCEMENTS

Chairperson Martell announced the next County Board meeting will be November 7, 2023 at 6:00 p.m.

ADJOURNMENT

Supervisor Engelbrecht moved to adjourn, seconded by Supervisor Muench, and the motion was adopted by acclamation. The meeting adjourned at 6:37 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY

COUNTY BOARD OF SUPERVISORS

MEETING NOTICE

DATE: November 7, 2023
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 Maresh.
- III. Pledge of Allegiance.
- IV. Recognition of Supervisors and attendees who served in the Armed Forces.
- V. Roll Call.
- VI. Consideration and correction, if any, of the minutes of the October 30, 2023 meeting.
- VII. 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.
- VIII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Martell – Proclamation Declaring Manitowoc County America Recycles Day 2023
- IX. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS
- X. APPOINTMENT BY COUNTY EXECUTIVE
 - A. Expo-Ice Center Board

Appoint six members to succeed Richard Kohlbeck, Matthew Pawlowski, Savanna Schuette, Paige Soukup, Kristin Winkel and Justin Zipperer for three-year terms expiring December 31, 2026.

 1. Richard Kohlbeck
 2. Matthew Pawlowski
 3. Savanna Schuette
 4. Paige Soukup
 5. Kristin Winkel
 6. Justin Zipperer
 - B. Human Services Board

Appoint one member to succeed Eleanor Agnew for a three-year term expiring December 2026.

 1. Eleanor Agnew
 - C. Veterans Service Commission

Appoint one member to succeed Mike Demske for a three-year term expiring December 2026.

 1. Mike Demske
- XI. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES
 - A. Planning & Park Commission
 - B. Aging & Disability Board
 - C. Board of Health
 - D. Criminal Justice Coordinating Council
 - E. Executive Committee
 - F. Expo-Ice Center Board

G. Finance Committee

1. Resolution 2023/2024-45 Adopting 2024 Budget and Property Levy
2. Resolution 2023/2024-46 Denying Claim (Debra Weyenberg)
3. Resolution 2023/2024-47 Denying Claim (LuAnn VanderZanden)

H. Highway Committee

I. Human Services Board

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

K. Personnel Committee

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

XII. ANNOUNCEMENTS

XIII. ADJOURNMENTS

Tyler Martell, Chairperson

Prepared by Linda Herman, Deputy County Clerk

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

RESOLUTION ADOPTING 2024 BUDGET AND PROPERTY LEVY

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, a detailed copy of the County Executive’s proposed 2024 annual budget has
2 been made available to each county supervisor and to the general public; and
3

4 WHEREAS, the proposed 2024 annual budget was presented to the Manitowoc County
5 Board of Supervisors at its meeting on October 10, 2023; and
6

7 WHEREAS, formal publication of a budget summary and announcement of a public
8 hearing was made in accordance with Wis. Stat. § 65.90 and Wis. Stat. ch. 985 in the Manitowoc
9 Herald Times Reporter on October 7, 2023; and
10

11 WHEREAS, a public hearing on the proposed 2024 annual budget was held for the purpose
12 of obtaining public input and the proposed 2024 annual budget was reviewed by the Manitowoc
13 County Board of Supervisors at its annual meeting on October 30, 2023; and
14

15 WHEREAS, the proposed 2024 annual budget includes performance based increases for
16 the Manitowoc County pay plan pursuant to Manitowoc County Code §§ 5.02(3)(c), (d) and (e);
17 and
18

19 WHEREAS, Manitowoc County Code § 5.02(4) allows the wage schedule to be adjusted
20 each year by action of the county board so that it remains competitive with the market; and
21

22 WHEREAS, the Wisconsin Department of Revenue has calculated the applicable increase
23 in the consumer price index as of August 31, 2023 to be 5.4%; and
24

25 WHEREAS, a 3.0% increase in the wage schedule will assist in maintaining a competitive
26 wage schedule; and
27

28 WHEREAS, employees below midpoint who meet or exceed job requirements (*i.e.* receive
29 a cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step increase;
30 and
31

32 WHEREAS, employees at or above midpoint who exceed job requirements (*i.e.* receive a
33 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%
34 increase; and
35

36 WHEREAS, employees at or above midpoint whose performance exceeds the proficient
37 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee evaluation)
38 will receive a 2.0% increase; and
39

40 WHEREAS, the changes to the group health plan include an increase to both the deductible
41 and the premium;

42
43 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
44 Supervisors hereby adopts a Governmental Funds Budget and a service delivery Proprietary Fund
45 Budget for the calendar year beginning January 1, 2024 as indicated in the attached 2024 annual
46 budget for Manitowoc County and any attachments or addenda thereto; and

47
48 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby
49 authorizes that the following sums of money be raised for the ensuing year:

50			
51	State Special Charges - Charitable & Penal	\$	164.40
52	County Aid Bridges (Wis. Stat. § 82.08)	\$	453,247.00
53	Illegal Real Estate Taxes Charged Back (Prior Year)	\$	0.00
54	All Other County Taxes	\$	32,349,639.44
55	Gross County Tax Levy	\$	32,803,050.84

56
57 and

58
59 BE IT FURTHER RESOLVED that Manitowoc County shall apportion the tax for bridges
60 under Wis. Stat. § 82.08 on the taxable property of the participating districts; and

61
62 BE IT FURTHER RESOLVED that the 2024 annual budget in detail hereto attached shall
63 be made a part of the Tax Levy; and

64
65 BE IT FURTHER RESOLVED that the wage schedule is increased by 3.0% as of
66 December 25, 2023 and all employees at or below maximum shall receive a 3.0% increase as of
67 December 25, 2023; and

68
69 BE IT FURTHER RESOLVED that the midpoint for each wage band will be adjusted to
70 align with the new minimum and maximums in the wage schedule; and

71
72 BE IT FURTHER RESOLVED that the performance-based increases included in the 2024
73 annual budget will be granted pursuant to Manitowoc County Code §§ 5.02(3)(c), (d) and (e) as
74 follows:

- 75
- 76 (1) Employees below midpoint who meet or exceed job requirements (*i.e.* receive a
77 cumulative score of 1.75 or greater on their employee evaluation) are eligible for a
78 step increase; and
 - 79 (2) Employees at or above midpoint who exceed job requirements (*i.e.* receive a
80 cumulative score of between 2.01 and 2.74 on their employee evaluation) will
81 receive a 1.0% increase; and
- 82
83

- 84 (3) Employees at or above midpoint whose performance exceeds the proficient
85 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their
86 employee evaluation) will receive a 2.0% increase; and
87
- 88 (4) Employees at or above maximum who exceed job requirements (*i.e.* receive a
89 cumulative score of between 2.01 and 2.74 on their employee evaluation) will
90 receive a 1.0% increase, paid to them per pay period for the following year; and
91
- 92 (5) Employees at or above maximum whose performance exceeds the proficient
93 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their
94 employee evaluation) will receive a 2.0% increase, paid to them per pay period for
95 the following year; and
96

97 BE IT FURTHER RESOLVED that effective January 1, 2024, the plan design of Manitowoc
98 County's group health plan will be changed as follows:
99

- 100 1. For employees and elected officials covered under Manitowoc County's General
101 Health Plan:
102
- 103 A. Plan premiums shall be increased by 5% as follows:
104
- 105 i. Full premium for a Single plan will be \$689.22;
106
- 107 ii. Full premium for an EE+Child(ren) plan will be \$1171.68;
108
- 109 iii. Full premium for a Family Plan will be \$2067.58.
110
- 111 B. Deductibles shall be increased as follows:
112
- 113 i. The deductible shall be increased to \$3,000 for a single plan and
114 \$6,000 for either an employee plus children or family plan;
115
- 116 ii. Out of Network services will be paid at 50% after deductible is met
117 (*i.e.* a 50% co-pay after the deductible is met).
118
- 119 2. For employees covered under Manitowoc County's Protective Health Plan:
120
- 121 A. Plan premiums shall be increased by 5% as follows:
122
- 123 i. Full premium for a Single plan will be \$531.96;
124
- 125 ii. Full premium for an EE+Child(ren) plan will be \$904.32;
126
- 127 iii. Full premium for a Family Plan will be \$1595.85.
128
- 129 B. Deductibles shall be increased as follows:

- 130
131 i. The deductible shall be increased to \$5,000 for a single plan, and
132 \$10,000 for either an employee plus children or family plan;
133
134 ii. Out of Network services will be paid at 50% after deductible is met
135 (*i.e.* a 50% co-pay after the deductible is met).
136

137 BE IT FURTHER RESOLVED that the Finance Director is authorized to make any
138 technical corrections to the budget that are necessary.

Dated this 7th day of November 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

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

Tax Levy of \$32,803,050.84
Composite Tax Rate of \$3.996660 per \$1,000 of equalized value.

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 DENYING CLAIM
(LuAnn VanderZanden)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, LuAnn VanderZanden filed a claim with Manitowoc County on September
2 29, 2023 seeking \$2,900.04 for damage to her car purportedly caused by gravel being discharged
3 from a county mower on County Trunk Highway VV; and
4

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

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

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

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

Dated this 7th day of November 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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



APPROVED:

Bob Ziegelbauer, County Executive

Date

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, November 7, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 7th day of November 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 20 members were present at the time of voting for resolutions: Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hansen, Heller, Jadowski, Klein, Maresh, Martell, Metzger, Muench, Neils, Phipps, Shimulunas, Vogt, Wagner, Weiss and Zimmer. Supervisors Baumann, Hacker, Linsmeier, Naidl and Sitkiewitz were excused.

On a motion by Supervisor Behnke, seconded by Supervisor Engelbrecht the October 30, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation Declaring Manitowoc County America Recycles Day 2023.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:09 p.m.

Maura Yost, Town of Centerville, spoke about Act 12 and advocated for a .05% sales tax considering the tourism that may be coming to Manitowoc because of the NFL Draft.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:12 p.m.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-45 Adopting 2024 Budget and Property Levy. Upon vote, motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-46 Denying Claim (Debra Weyenberg). Upon vote, the motion carried unanimously.

Supervisor Hansen moved, seconded by Supervisor Shimulunas to adopt Resolution 2023/2024-47 Denying Claim (LuAnn VanderZanden). Upon vote, the motion carried unanimously.

Personnel Committee: Supervisor Maresh gave a brief report.

ANNOUNCEMENTS

Chairperson Martell announced the next County Board meeting will be December 19, 2023.

ADJOURNMENT

Supervisor Maresh moved to adjourn, seconded by Supervisor Gerroll, and the motion was adopted by acclamation. The meeting adjourned at 6:23 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk



MANITOWOC COUNTY
COUNTY BOARD OF SUPERVISORS
MEETING NOTICE

DATE: December 19, 2023

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 Phipps.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Consideration and correction, if any, of the minutes of the November 7, 2023 meeting.
- VI. Additions or deletions to the agenda. Additions must be submitted to the County Clerk's Office no less than two hours before the close of the courthouse business day on the day of the official meeting. Items may be added only if, for a good cause, it was impossible or impractical to give earlier public notice.

- VII. REPORTS OF COUNTY SUPERVISORS, OFFICES, AND DEPARTMENT DIRECTORS
 1. County Executive Bob Ziegelbauer and Chairperson Tyler Martell - Proclamation of January 2024 as Mentoring Month for Big Brothers Big Sisters.
 2. County Executive Bob Ziegelbauer – Update on Courthouse Repair Project

- VIII. PUBLIC COMMENT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

- IX. APPOINTMENT BY CHAIRPERSON
Appoint County Board Supervisor District 1 – Mickey Lillibridge

- X. APPOINTMENT BY COUNTY EXECUTIVE
 - A. Aging & Disability Board
Appoint one member to succeed Cindy Neelis for a three-year term expiring December 31, 2026.
 1. Cindy Neelis

 - B. Joint Dispatch Board
Appoint one member to succeed Paul Granger for a two-year term expiring in January 2026.
 1. Paul Granger

 - C. Land Information Council
Appoint one member to succeed Kayla Beckerdite for a term which ends when employment with Manitowoc County terminates.
 1. Rhonda Green

 - D. Local Emergency Planning Committee
Appoint three members to succeed Jessica Backus; Korina Aghmar, Alternate) Jessica Wanserski, Jerry Wendt and one member to fill a vacancy for two-year terms expiring December 2025.
 1. Jessica Backus
 2. Korina Aghmar, Alternate) Jessica Wanserski
 3. Patrick Dvorachek
 4. Robert Hennings, Jr.

E. Manitowoc-Calumet Library System Board of Trustees

Appoint three members to succeed Supv. Jim Baumann, Julie Grinde, Jeremy Sehloff and one member to fill a vacancy for three-year terms expiring in December 2026.

1. Supv. Donald Zimmer
2. Amy Eisenschink
3. Jeremy Sehloff
4. Sara Meier

Appoint one member to succeed Markus Ladd for the remainder of the term expiring December 2024.

1. Kali Hentges

XI. COMMITTEE REPORTS, INCLUDING PETITIONS, RESOLUTIONS, AND ORDINANCES

A. Planning & Park Commission

1. Resolution 2023/2024-48 Approving Increase to the Annual Maintenance Program Fee
2. Resolution 2023/2024-49 Authorizing Grant Application (Bullhead Lake Public Access)
3. Ordinance 2023/2024-50 Amending Zoning Map (Paul Liermann)

B. Aging & Disability Board

C. Board of Health

D. Criminal Justice Coordinating Council

E. Executive Committee

F. Expo-Ice Center Board

G. Finance Committee

4. Resolution 2023/2024-51 Initial Resolution Authorizing General Obligation Courthouse Improvement Bonds in an Amount Not to Exceed \$7,500,000
5. Resolution 2023/2024-52 Denying Claim (Thomas Skattebo)

H. Highway Committee

- Bridge Petitions:
- 1) Town of Cooperstown – Pleasant Road Bridge (B-36-0216)
 - 2) Town of Eaton – Quarry Road Bridge (B-36-0163)
 - 3) Town of Eaton – Halbach Bridge
 - 4) Town of Franklin – Hill Bridge
 - 5) Town of Gibson – Twin Bridge Road Bridge
 - 6) Town of Gibson – Rockledge Road Bridge (P-36-0087)
 - 7) Town of Gibson – Zander Road Bridge (B-36-0161)
 - 8) Town of Gibson – Misc. Bridge Joint Sealing (3)
 - 9) Town of Gibson – Old Y Road Bridge (B-36-0225)
 - 10) Town of Gibson – Melnik Road Bridge (B-36-0162)
 - 11) Town of Kossuth – Lepich Bridge
 - 12) Town of Liberty – Schwoerer Bridge
 - 13) Town of Liberty – Ording Bridge
 - 14) Town of Manitowoc Rapids – N. Union Road Bridge (B-36-0240)
 - 15) Town of Meeme – West Washington Road Bridge (B-36-0219)
 - 16) Town of Meeme – Misc. Bridge Approach HMA Wedging (5)
 - 17) Town of Mishicot – Zander Road Bridge (B-36-0127)
 - 18) Town of Mishicot – Misc. Bridge Approach HMA Wedging (3)
 - 19) Town of Newton – Dehne Bridge
 - 20) Town of Rockland – Brandl Bridge
 - 21) Town of Rockland – Hanson Bridge
 - 22) Town of Rockland – Krepline Bridge
 - 23) Town of Rockland – Misc. Bridge Signage Replacement (2)
 - 24) Town of Rockland – Rosner Bridge
 - 25) Town of Two Rivers – Maplewood Road Bridge (P-36-0135)
 - 26) Town of Two Rivers – E. Hillcrest Road Bridge (B-36-0250)

- I. Human Services Board
- J. Land Conservation Committee/UW-Extension Education and Agriculture Committee
- K. Personnel Committee
- L. Public Safety Committee
 - 6. Ordinance 2023/2024-53 Amending Manitowoc County Code § 4.13(9)(a) (Coroner's Office Fees)
- M. Public Works Committee
 - 7. Resolution 2023/2024-54 Approving Wisconsin Assessment Monies Program Application
- N. Transportation Coordinating Committee
- O. Miscellaneous
 - Personnel Committee and Human Services Board
 - 8. Resolution 2023/2024-55 Authorizing Creation and Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (Psychiatrist to Advanced Psychiatric Nurse Practitioner)
 - 9. Resolution 2023/2024-56 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CST Care Coordinator to CPS Intake Social Worker)

XII. ANNOUNCEMENTS

XIII. ADJOURNMENTS

Tyler Martell, Chairperson
Prepared by Linda Herman, Deputy County Clerk

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

RESOLUTION APPROVING INCREASE TO THE ANNUAL MAINTENANCE PROGRAM FEE

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the preservation of groundwater is of vital concern to the health and safety of
2 the residents of Manitowoc County; and

3
4 WHEREAS, defective and failing septic systems present a threat to the quality of
5 groundwater; and

6
7 WHEREAS, Manitowoc County has adopted a septic maintenance inspection program to
8 assure that septic systems in the county are kept in good operating condition and comply with the
9 requirements of state law, the state administrative code, and its local ordinances; and

10
11 WHEREAS, the state of Wisconsin has mandated that each county must include all existing
12 septic systems into its maintenance program; and

13
14 WHEREAS, the annual maintenance fee in Manitowoc County has not been adjusted since
15 October 10, 2006; and

16
17 WHEREAS, the Planning and Park Commission has reviewed the maintenance program
18 fee history and recommends an increase of the annual maintenance program fee to \$15.00, which
19 is required to be paid for each private onsite wastewater treatment system ("POWTS") included in
20 the maintenance program established by M.C.C. § 13.32;

21
22 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
23 county of Manitowoc approves the proposed increase of the POWTS annual maintenance program
24 fee to \$15.00 to be effective January 1, 2024 and directs that a copy of the updated fee schedule
25 be included as an appendix to the Manitowoc County Code Chapter 4, Finances.

Dated this 19th day of December 2023.

Respectfully submitted by the
Planning and Park Commission

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. 

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AUTHORIZING GRANT APPLICATION
(Bullhead Lake Public Access)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Natural Resources has grant funding available
2 through its Recreational Boating Facility Program to assist governmental units in developing
3 boating facilities; and

4
5 WHEREAS, the launch pier at Bullhead Lake is in poor condition and does not meet
6 current ADA guidelines; and

7
8 WHEREAS, the Manitowoc County Parks Department proposes to install a new ADA
9 compliant launch pier; and

10
11 WHEREAS, the project is estimated to cost \$37,763.00, of which half, or \$18,881.50,
12 could be funded by the Wisconsin Department of Natural Resources through its Recreation
13 Boating Facilities grant program if approved; and

14
15 WHEREAS, after careful consideration and review, the Planning and Park Commission
16 recommends Manitowoc County apply for and accept a Recreational Boating Facility Grant from
17 the Wisconsin Department of Natural Resources for the construction and installation of an ADA
18 approved launch pier;

19
20 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
21 county of Manitowoc authorizes the Planning Director to apply for and accept a Recreational
22 Boating Facility Grant from the Wisconsin Department of Natural Resources for the construction
23 and installation of an ADA approved launch pier; and

24
25 BE IT FURTHER RESOLVED that the Planning Director is authorized to sign documents
26 and take the actions necessary to undertake, direct, and complete the project authorized in the
27 grant; and

28
29 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal
30 rules for the program; will be responsible for updating plans and monitoring ongoing operations;
31 will obtain written approval from the Wisconsin Department of Natural Resources before making
32 changes in the project; and will maintain a record of expenditures; and

33
34 BE IT FURTHER RESOLVED that revenues and expenses in the Planning and Zoning
35 Department budget are amended by the amount of any grant award approved by the State of
36 Wisconsin, and the Finance Director is directed to record such information in the official books of
37 the County for the year ending December 31, 2023 with carryover to 2024 as may be required.

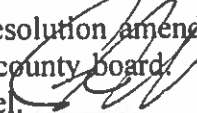
Dated this 19th day of December 2023.

Respectfully submitted by the
Planning and Park Commission

James Falkowski, Chair

FISCAL IMPACT: No additional tax levy impact. Appropriate revenue and expense accounts in the Park Department budget will be increased by the amount of any state grant amount authorized.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS DECEMBER 19, 2023.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	PAUL LIERMANN 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.

Paul Liermann, on November 13, 2023, petitioned the Manitowoc County Board of Supervisors to rezone approximately 8.0 acres of land located in the SW1/4, SE1/4, Section 20, T19N-R23E, Town of Manitowoc Rapids, from EA, Exclusive Agriculture to SE, Small Estate.

The Town of Manitowoc Rapids adopted the Manitowoc County Zoning Ordinance on December 14, 2011. The uses permitted in SE, Small Estate zoning provides for mixed residential and agriculture activity with a minimum lot size of two acres.

1. Action taken to date on this request includes:

- a. Paul Liermann petitioned for a zoning map amendment on November 13, 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 November 20, 2023 and on November 27, 2023.
- d. The County Planning and Park Commission held a public hearing on this amendment request on December 4, 2023.
- e. The Commission at their December 4, 2023 meeting recommended approval of a requested rezoning of approximately 8.0 acres of land located in the SW1/4, SE1/4, Section 20, T19N-R23E, Town of Manitowoc Rapids, 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. Paul Liermann, property owner, spoke in favor of the request.

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

1. The area to be considered for rezoning meets past criteria set by the Commission for rezoning land from the EA, Exclusive Agriculture District.
2. The Manitowoc Rapids Town Board & Town Land Use Committee support the proposed zone change to SE, Small Estate.
3. Rezoning will allow for the parcel to be divided permitting for construction of a single family home adjacent to an existing residence.
4. A small amount of pasture land will be affected by this request.
5. Area is difficult to crop with large equipment.

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 Paul Liermann to rezone approximately 8.0 acres of land from EA, Exclusive Agriculture to SE, Small Estate were approved.

The Manitowoc County Planning and Park Commission, at its December 4, 2023 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 8.0 acres of land located in the SW1/4, SE1/4, Section 20, T19N-R23E, Town of Manitowoc Rapids, 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

November 17, 2023

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

and

Manitowoc County Supervisor Rick L. Gerroll
Supervisory District 21

ATTN: Tim Ryan and Supervisor Gerroll

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:

Paul Liermann
8218 Middle Road
Manitowoc, WI 54220

Township:

Manitowoc Rapids

Applicant/Agent

Jack J. Ploederl
7816 Middle Road
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 (\$505) Received
Receipt # 40970

ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY
NOV 13 2023
PLANNING & PARK
COMMISSION

Date of Application: _____ OWNER / APPLICANT/ AGENT _____

Owner	<u>Paul Liermann</u>	Applicant/Agent	<u>Jack J. Ploeder</u>
Address (1)	<u>8218 Middle Rd</u>	Address (1)	<u>7816 Middle Rd</u>
Address (2)	_____	Address (2)	_____
City/State/Zip	<u>Manitowoc WI 54220</u>	City/State/Zip	<u>Manitowoc WI, 54220</u>
Phone	<u>920-901-3857</u>	Phone	<u>920-901-6898</u>

PROPERTY LEGAL DESCRIPTION

SW 1/4, SE 1/4, S 20 T 19 N R 23 E Town of Manitowoc Rapids

House /Fire # 8218 Tax Number 010-020-015-001.00

PROPERTY INFORMATION

Existing Zoning District EBA 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:

A 7.9 acre parcel with a house, GARAGE & BARNS. To be 2 lots
1 lot 3.9 Acres with the house & BARNS the other lot 4 acres just
FARM land & a part of an existing pond with someday a house might
Be put on the 4 acre parcel

Proposed use: (Reason for change)

To sell 4 Acres to Neighbor for Farmland & a possible House
some day?

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

Jack J. Ploeder 11-9-23
Signature (applicant, owner, agent) Date
Paul Liermann 11-9-23
Signature (applicant, owner, agent) Date

MANITOWOC COUNTY

ZONING MAP AMENDMENT FACT SHEET

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

PETITIONER

Name: Paul Liermann (Owner)
Jack J. Ploederl (Applicant)
Address: 8218 Middle Rd.
Manitowoc WI 54220
Town: Manitowoc Rapids

PARCEL

Location: SW ¼, SE¼, Section 20, T19N-R23E
Tax#: 010-020-015-001.00
Area: 8 acres

ACTION TO DATE

Petition Submitted: 11/13/2023
Town Action: Approved November 8, 2023
Hearing Notice Published: 11/20/2023 & 11/27/2023
Advisory: 12/4/2023
Hearing: 12/4/2023

ADJACENT USES & ZONING

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

PARCEL USES & ZONING

Existing Zoning District: EA, Exclusive Agriculture
Existing Land Use: Farmstead & Grassland
Proposed Zoning District: SE, Small Estate Residential
Proposed Use: Build Single Family Home

MAP INFORMATION

Farmland Preservation Designation:
Farmland Preservation
Soil Type: Knb, KnC2
Air Photo Date: 04/2020

OTHER CONSIDERATIONS

Drainage: Well drained
Soil Limitations: Moderate – Severe
Sewage Disposal: Private Onsite Wastewater Treatment
Road Access: Middle Rd.

Soil Test: N/A
Terrain: 6 to 12 Percent Slopes
Vegetative Cover: Grassland

Town Future Land Use Designation: Agricultural

These areas are primarily agriculture-related, woodlands, and open space land uses. Proposed non-farm developments or low density growth proposals should not significantly impact agricultural lands, agricultural productivity, or cause fragmentation or large woodland and open spaces.

County Future Land Use Designation: Agricultural

The purpose of the Agricultural designation is to 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 the farmlands into the future.

TOWN OF MANITOWOC RAPIDS

Jessica Backus, Clerk
PO Box 123
Manitowoc, WI 54221-0123
(920) 901-6559

Josh Stradal, Chairperson
3329 Branch River Rd
Manitowoc, WI 54220
(920) 323-0357

Manitowoc County Office Complex
4319 Expo Drive
P.O. Box 935
Manitowoc, WI 54221-0935



November 8, 2023

Re: Ploederl/Liermann Rezone Request

Dear Planning and Zoning Department,

The Town Board for the Town of Manitowoc Rapids has decided to approve Jack Ploederl and Paul Liermann's rezone request.

Enclosed you will find the Plan Commission's rezone review and the minutes from November 8, 2023 Town Meeting with a motion was made by Supervisor Wetenkamp to approve the rezone request, seconded by Supervisor Jost. The Town Board unanimously approved.

If there are any questions please contact me at (920) 901-6559.

Sincerely,

Jessica Backus, Clerk/Treasurer

**TOWN OF MANITOWOC RAPIDS
MINUTES FROM THE NOVEMBER 8, 2023**

The November 8, 2023 meeting of the Town of Manitowoc Rapids meeting was called to order by Chairperson Stradal at 6:32 p.m. at the Town Hall, 8624 CTH JJ, Manitowoc, WI.

ROLL CALL

The roll was called, and members present were: Josh Stradal-Chairperson, Tom Wetenkamp-Supervisor 1, John Jost-Supervisor 2, Jessica Backus-Clerk/Treasurer, and Jeremy Stradal-Road Foreman. Jim Wiesner-Constable was excused.

APPROVAL OF MINUTES – APPROVAL OF AGENDA

Chairperson Stradal presented the minutes from the October 11, 2023 meeting. Supervisor Jost moved to approve the meeting minutes. seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Chairperson Stradal presented the November 8, 2023 agenda. Supervisor Wetenkamp moved to approve the agenda. seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

TREASURER'S REPORT

Clerk Backus presented the cash flow report. Supervisor Wetenkamp moved to approve the cash flow report, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

PUBLIC COMMENT

Chairperson Stradal opened public comment at 6:35 p.m.

Randy Drumm, S Parkview Rd, would like the Town Board to discuss fixing S Parkview Rd because it has become a dangerous road to drive on.

No one else present wished to speak, subsequently Chairperson Stradal closed public input at 6:37 p.m.

REPORTS

Highway – Road Foreman Stradal received quotes for sand from Jim's Excavating and fuel from Maribel Grain. Supervisor Jost moved to accept both quotes, seconded Supervisor Wetenkamp. Upon vote, the motion was carried unanimously. Stradal recommended S Parkview Rd for the Local Road Improvement Project, and a second project could be of N Union Rd. Chairperson Stradal moved to accept the recommendation, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

NEW BUSINESS

Discussion and possible action to adopt the 2024 Proposed Budget and 2023 Tax Levy

Chairperson Stradal moved to adopt the 2024 Proposed Budget and 2023 Tax Levy; seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Rezone Request for Jack Ploederl/Paul Liermann

Randy Drumm, Land Use Committee Rep., informed the Board of the proposed rezone request from JJ Ploederl (applicant) and Paul Liermann (landowner). They proposed the 8 acres zoned EA be rezoned to SE to build a future home. The applicant met all the requirements and signed the right to farm. The Land Use Committee recommend approval of the rezone request to the Town Board. Supervisor Wetenkamp moved to approve the rezone, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on Conditional Use Permit for Bryce Fischer

Chairperson Stradal had been informed the Conditional Use Permit was no longer requested.

Discussion and possible action on Ordinance to Regulate and Prohibit Parking of Vehicles within the Town of Manitowoc Rapids (N & S Parkview Rd)

Chairperson Stradal informed the Board with the new parking lot at the entrance of Camp Vits Park people are no longer parking on the shoulders of N and S Parkview Rd. Road Foreman Stradal requested the 'No Parking' signs be removed. Chairperson Stradal moved to revoke the ordinance and remove the signs, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

Discussion and possible action on Creating an Ordinance regulating Driveway Requirements

Chairperson Stradal requested an ordinance be created regulating driveway requirements and further discussed at the next meeting.

Discussion and possible action regarding Fire Department Contracts

Chairperson Stradal moved to approve the Fire Department Contracts for Branch, Rockwood, and Silver Creek, seconded by Supervisor Wetenkamp. Upon vote, the motion carried unanimously.

Discussion and possible action regarding First Responder Contracts

Supervisor Wetenkamp moved to approve the First Responder Contracts for Branch and Silver Creek, seconded by Supervisor Jost. Upon vote, the motion was carried unanimously.

Discussion and possible action on Employee Manual

Supervisor Wetenkamp moved to approve the Employee Manual, seconded by Supervisor Jost. Upon discussion and vote, the motion was carried unanimously.

Discussion and possible action on ARPA Funds

Chairperson Stradal moved to gift \$5,000 to the Branch Ball Park for the next major improvement of the park's playground equipment, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously. A letter will be sent with the check to inform the Branch Area Recreational Association that the gift is intended for the playground equipment.

OLD BUSINESS

Discussion and possible action on Resch Property-206 S Alverno Rd

Joe Stanzel reported that Ms. Resch contacted him regarding a controlled burn to raze the rest of the burnt home. Stanzel informed her that she would need to place all materials on the garage for a burn pile. He has not heard back from her to date.

OTHER BUSINESS

Items for Next Month

Driveway Ordinance; Resch's Property

Vouchers

Clerk Backus presented the November vouchers. Chairperson Stradal moved to approve the vouchers as presented for the month of October, seconded by Supervisor Wetenkamp. Upon vote, the motion was carried unanimously.

NEXT MEETING DATES

Monthly Meeting – December 13, 2023 at 6:30 p.m.

There being no further discussion, Supervisor Wetenkamp moved to adjourn: seconded by Supervisor Jost, and the motion was adopted by acclamation. The meeting was adjourned at 7:01 p.m.

Respectfully submitted,
Jessica Backus, Clerk/Treasurer

**Town of Manitowoc Rapids Planning Commission
Rezoning Review Criteria**

Applicant Jack J. Ploederl
Address 7816 Middle Rd
Location SW 1/4 SE 1/4
Tax Parcel # 010-020-015-001.00

Owner Paul Liermann
Address 8218 Middle Rd
Section 20 Town 19 Range 23

Background Information

Is the Letter of Intent application complete for review purpose?

Yes No

Was applicant/agent present for review?

Yes No

Have all abutting property owners been properly notified?

Yes No

Existing Land Use EA

Proposed Land Use SE

The proposed rezoning will occur in the following Preferred Land Use Management Area(s) as identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Agriculture/Natural Features | <input type="checkbox"/> Primary Residential |
| <input type="checkbox"/> Rural Residential | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Branch Rural Center | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Planned Commercial District |

Existing Zoning District

- | | |
|---|--|
| <input checked="" type="checkbox"/> Agriculture (A-3) | <input type="checkbox"/> Industrial (I-1) |
| <input type="checkbox"/> Agriculture (A-2) | <input type="checkbox"/> Estate Residential (ES) |
| <input type="checkbox"/> Agriculture (A-1) | <input type="checkbox"/> Small Estate Residential (SE) |
| <input type="checkbox"/> Residential (R-1) | <input type="checkbox"/> Lake Residential (LR) |
| <input type="checkbox"/> Residential (R-2) | <input type="checkbox"/> Principal Agriculture (PA) |
| <input type="checkbox"/> Residential (R-3) | <input type="checkbox"/> General Agriculture (GA) |
| <input type="checkbox"/> Business (B-1) | <input type="checkbox"/> Natural Area (NA) |
| <input type="checkbox"/> Business (B-2) | <input type="checkbox"/> Conservancy (C1) |

Proposed Zoning District

- | | |
|--|---|
| <input type="checkbox"/> Agriculture (A-3) | <input type="checkbox"/> Industrial (I-1) |
| <input type="checkbox"/> Agriculture (A-2) | <input type="checkbox"/> Estate Residential (ES) |
| <input type="checkbox"/> Agriculture (A-1) | <input checked="" type="checkbox"/> Small Estate Residential (SE) |
| <input type="checkbox"/> Residential (R-1) | <input type="checkbox"/> Lake Residential (LR) |
| <input type="checkbox"/> Residential (R-2) | <input type="checkbox"/> Principal Agriculture (PA) |
| <input type="checkbox"/> Residential (R-3) | <input type="checkbox"/> General Agriculture (GA) |
| <input type="checkbox"/> Business (B-1) | <input type="checkbox"/> Natural Area (NA) |
| <input type="checkbox"/> Business (B-2) | <input type="checkbox"/> Conservancy (C1) |

Review Questions

1. Is the rezoning in compliance with the Zoning District Compliance Table? (Attached)

Yes No

2. If the subject parcel is currently zoned A-3, will the A-3 (Exclusive Agriculture) Rezoning Criteria be met? (See Attached)

Yes Yes with Conditions No N/A

If No, please list reasons: _____

3. If the rezoning is proposed to accommodate structures, do the subject parcels include an area with one or fewer criteria as identified by Map-8-8 within the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes No

4. Does the proposed use for the rezone meet the intent of the impacted Land Use Management Area objectives as identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes Yes with Conditions No N/A

If No, please list reasons: _____

5. Is the rezoning consistent with the General Land Use Policies identified in the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*? (See attached.)

Yes Yes with Conditions No N/A

If No, please list reasons: _____

6. Is the proposed use compatible with the *Town of Manitowoc Rapids Year 20-Year Comprehensive Plan*?

Yes Yes with Conditions No N/A

If No, please list reasons: _____

Other Conditions (When Applicable)

- Farm Consolidation
- Non-Conforming Lot(s)
- Non-Conforming Use
- Family Transfer or Sale of Property
- Requires "Drainage" Statement
- Requires Road Dedication
- Requires Utility or Service Easements

n/a

Planning Committee Recommendation – Approve Approve with Conditions Deny Table

Justification/Comments: *Small parcel not really good for farming with today's equipment!*
Michael E. Heck, Chairman

**Preferred Land Use Management Area
Zoning District Compliance**

Preferred Land Use Management Area	Potential Zoning Districts (Relative Order of Priority)
Agriculture/Natural Areas Features	A-3, PA, NA, GA, C1 *(A-2 & A-1 – prior to plan adoption)
Planned Unit Development	A-3, PA, NA, GA, A-2, Create New PUD District
Rural Residential	A-3, PA, NA, GA, A-2, ES, SE *Land zoned LR, A-1, R-1 (<2.5 acre lot size) will require the use of conservation design principals.
Primary Residential	A-3, PA, NA, GA *Lands zoned A-1, R-1, R-2, R-3 will be subject to a utility policy that allows for the potential accommodations of public water and sewer.
Branch Rural Center	A-3, PA, NA, GA, A-2, ES, SE, A-1, R-1, B-1, B-2
Industrial	I-1, A-3, PA, NA, GA, A-2, B-2, B-1
Commercial	B-1, B-2, A-3, PA, NA, GA, A-2, I-1
Planned Commercial District	A-3, PA, NA, GA, A-2, Create New PCD District

A-3 (Exclusive Agriculture) Rezoning Criteria

The following standards should apply to all land proposed for rezoning out of Exclusive Agriculture (A-3).

Manitowoc County Standards

The following standards are contained in Section 91.77 of the Wisconsin Statutes and must be found to exist before land can be rezoned out of the Exclusive Agriculture District (A-3).

1. A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agricultural use only after findings are made based upon consideration of the following:

a. Adequate public facilities to accommodate development either exists or will be provided within a reasonable time.

True False

Comments: _____

b. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.

True False

Comments: _____

c. The land proposed for rezoning is suitable for development and the development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.

True False

Comments: _____

The following "standards" are applied when considering areas that may be excluded from agricultural preservation area in the county plan. It follows that these same types of conditions should exist when a consideration is being given to removing land from the protection of the exclusive agricultural zoning district. Therefore, the following findings should be made for land that is proposed to be rezoned out of an exclusive agricultural zoning district.

1. Existing or planned activities adjacent to the identified parcel to be rezoned are compatible with an agricultural use.

True False

Comments: _____

2. The area to be rezoned is not economically viable for agricultural use.

True False

Comments: _____

3. Substantial urban growth in the area to be rezoned or planned urban expansion has created a public need to convert agricultural land use to other uses.

True False

Comments: _____

4. Maintenance of the area in agricultural use is not consistent with the goals and objectives of a county agricultural preservation plan. (To be determined by Manitowoc County.)

[Handwritten signature]

Finally, a proposed rezoning out of an Exclusive Agricultural District (A-3) may be approved if it can be determined that such a use would not conflict with agricultural use and is found to be necessary in light of alternative locations available for such uses. The "mistake" and/or "change of conditions" rules should apply also.

Town Standards

The following are local town standards which shall apply to all Exclusive Agriculture (A-3) rezones. These standards are in addition to the previously listed Manitowoc County standards. These standards are intended to fulfill the objectives of the Agriculture/Natural Features Management Area as identified within Map 8-9 of the *Manitowoc Rapids Year 20-Year Comprehensive Plan*.

1. The property owner is not an active participant in the Manitowoc County Farmland Preservation Program (i.e. receiving tax credit).

True False

Comments: _____

2. A majority of the farmland included in the rezoning is not classified as "Best" for agricultural production as classified by Manitowoc County using the Land Evaluation and Site Assessment (LESA) system (see Map 8-6).

True False

Comments: _____

3. A majority of the land proposed for rezoning contains one or fewer criteria as identified by Map 8-8 of the *Manitowoc Rapids 20-Year Comprehensive Plan*.

True False

Comments: _____

4. The land proposed for rezoning is not within 1,000 feet of any active farming operation (see Map 8-7).

True False

Comments: _____

5. The land proposed for rezoning does not fragment a useable farm field.

True False

Comments: _____

6. The land owner for which the rezone is proposed is willing to sign appropriate documentation which would hold harmless area farmers/land owners and their farming operations and practices from normal nuisances which occur as part of farming procedures (nuisances include but are not limited to noise from farm equipment, hours of operation, inconvenience of farm equipment travel on public roads, occasional smell and dust).

True False

Comments: _____

Other Considerations

7. The land is being rezoned to accommodate a use (i.e. housing unit or business) which will support commercial agricultural production (i.e. farm employee residence, equipment repair, etc.).

True False

Comments: _____

8. Farmland contained within the rezoned area is of unique proportion which limits the ability of farm equipment to work efficiently.

True False

Comments: _____

A-3 to A-2, PA, NA, and GA rezones should only be reviewed if the proposed rezoning includes proposed uses of agricultural nature or contains a conservation easement which restricts further fragmentation of the parcel. Limits of Disturbances (area accommodating buildings and accessory features) within the allowed rezone districts shall be limited to 2 acres in size.



Paul Liermann/
 JJ Ploederer
 SW 1/4, SE 1/4
 Section 20, T19N-R23E
 Town of Manitowoc Rapids
 From: EA To: SE
 Approximately 8 acre(s)
-87.768, 44.096

Map Overview

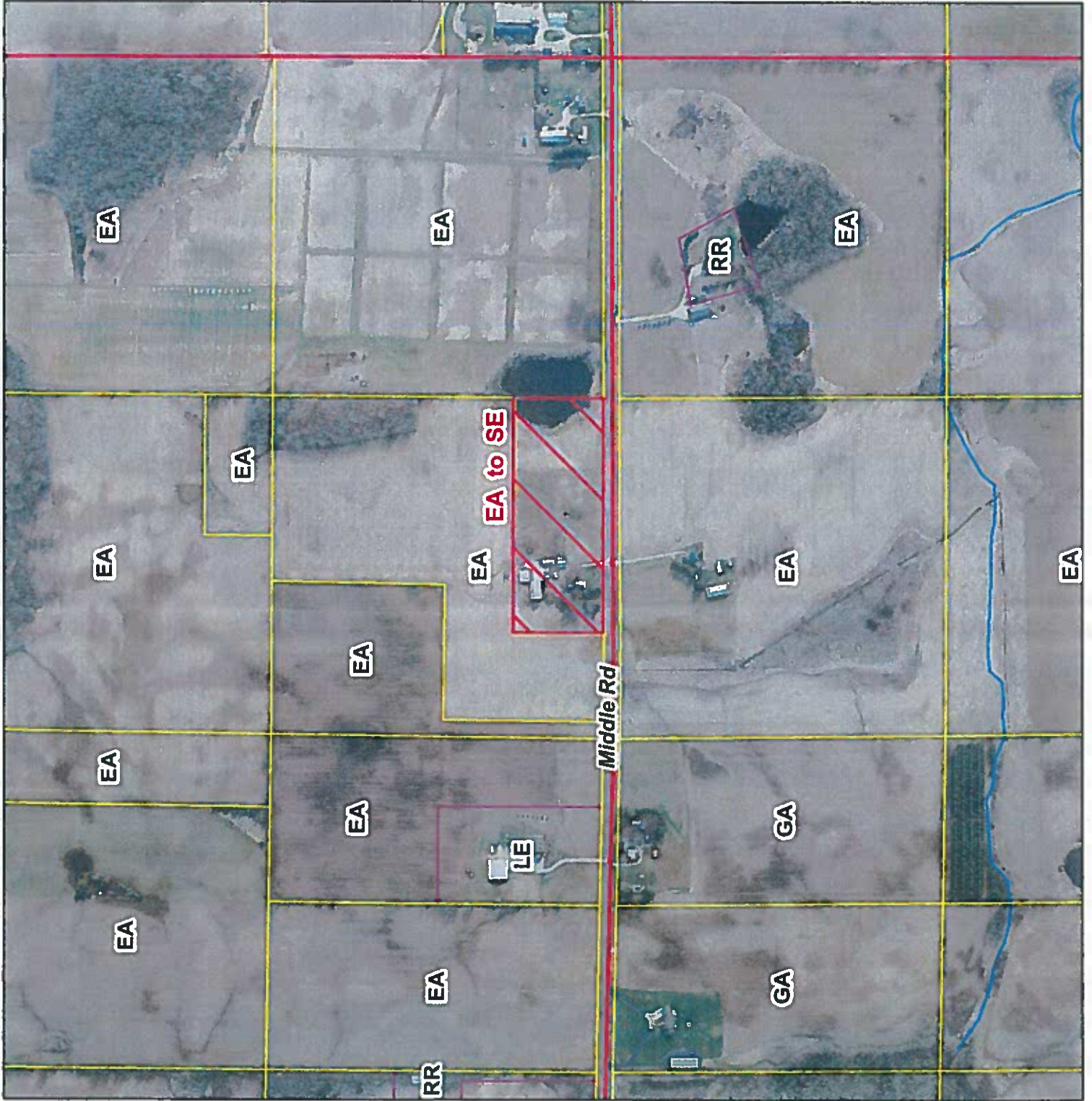
Manitowoc Rapids

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

-  Section Line
-  Zoning Line
-  Parcel Line
-  Streams



PATRICK J
BRANDL

Fwy Ln

EDWIN
FREE JR

DAVID
P LUTZ

(Private)

Middle Rd

Middle Rd



**INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION
COURTHOUSE IMPROVEMENT BONDS IN AN AMOUNT NOT TO
EXCEED \$7,500,000**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County, Wisconsin (the "County") is in need of an amount not to
2 exceed \$7,500,000 for the public purpose of financing Courthouse improvement projects,
3 including engineering and design and replacement of HVAC system and windows and engineering
4 and design for repairs to the Courthouse dome (the "Project"); and
5

6 WHEREAS, it is desirable to authorize the issuance of general obligation bonds for such
7 purpose pursuant to Wis. Stat. ch. 67;
8

9 NOW, THEREFORE, BE IT RESOLVED by the county board of supervisors of the
10 County of Manitowoc that:
11

12 Section 1. Authorization. The County shall borrow an amount not to exceed \$7,500,000
13 by issuing its general obligation courthouse improvement bonds (the "Bonds") for the public
14 purpose of financing the Project. There be and there hereby is levied on all the taxable property
15 in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when
16 due the principal and interest on such Bonds.
17

18 Section 2. Sale of the Bonds. The County Board of Supervisors hereby authorizes and
19 directs that the Bonds be offered for public sale. At a subsequent meeting, the County Board of
20 Supervisors shall consider such bids for the Bonds as may have been received and take action
21 thereon.
22

23 Section 3. Notice of Sale. The County Clerk (in consultation with PMA Securities, LLC
24 ("PMA")) be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in
25 such manner and at such times as the County Clerk may determine and to cause copies of a
26 complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as
27 the County Clerk may determine.
28

29 Section 4. Official Statement. The County Clerk (in consultation with PMA) shall cause
30 an Official Statement to be prepared and distributed. The appropriate County officials shall
31 determine when the Official Statement is final for purposes of Securities and Exchange
32 Commission Rule 15c2 12 and shall certify said Official Statement, such certification to constitute
33 full authorization of such Official Statement under this resolution.

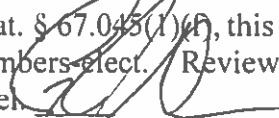
Dated this 17th day of December 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: No fiscal impact. This resolution authorizes the issuance of bonds, but has no fiscal impact until the county board adopts a resolution for the sale of the bonds. That resolution will contain a fiscal note.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Pursuant to Wis. Stat. § 67.043(1)(f), this resolution requires a vote of three-fourths of the members elect. Reviewed and approved as to form by Corporation Counsel 

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION DENYING CLAIM
(Thomas Skattebo)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Thomas Skattebo filed a claim with Manitowoc County on August 21, 2023
2 seeking an unspecified amount for damages purportedly caused by the County's sale of his former
3 properties as a result of the tax delinquency and *in rem* foreclosure process; and
4

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

8 WHEREAS, the insurance carrier has reviewed the information provided, investigated the
9 facts, and determined that Manitowoc County does not have coverage for this claim under the
10 County's liability insurance policy; and
11

12 WHEREAS, the corporation counsel has denied the claim pursuant to his authority under
13 M.C.C. § 2.02 as the amount damages claimed is unspecified, and thus does not exceed five
14 hundred dollars; and
15

16 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the claim
17 and recommend that the county board reaffirm the denial and formal disallowance;
18

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

Dated this 19th day of December 2023.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

ORDINANCE AMENDING MANITOWOC COUNTY CODE § 4.13(9)(a)
(Coroner's Office Fees)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Coroner's Office provides statutorily mandated
2 authorization to funeral homes to cremate bodies; and
3

4 WHEREAS, the Manitowoc County Coroner's Office currently charges a fee for viewing,
5 examining, confirming causes of death, photographing and signing required forms for said
6 authorization; and
7

8 WHEREAS, the Manitowoc County Coroner's Office fees for this service have not been
9 increased by the county board of supervisors of the county of Manitowoc since 2010;
10

11 WHEREAS, the Public Safety Committee has reviewed the Coroner's Office fees and
12 recommends increasing the cremation fee by the statutory limit of the CPI for the previous year
13 (6.8%) to \$133.50;
14

15 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
16 ordain as follows:
17

18 Manitowoc County Code § 4.13(9)(a) is amended to read as follows:
19

20 (9) The Coroner's office shall charge the following fees for services:
21

22 (a) Cremation authorization: ~~\$75~~ \$133.50 per body cremated.
23

24 and
25

26 BE IT FURTHER ORDAINED that if applicable, the table of contents shall be updated to
27 reflect this amendment; and
28

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

Dated this 19th day of December 2023.

Respectfully submitted by the
Public Safety Committee

James Falkowski, Chair

FISCAL IMPACT: Currently the Coroner's Office provides approximately 550 billable
cremation authorizations annually. The increase will provide

approximately \$4,675 more in annual revenue.

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

**RESOLUTION APPROVING WISCONSIN ASSESSMENT MONIES
PROGRAM APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the property located at 1910 20th Street in Two Rivers, Wisconsin (the
2 "Property") is the former site of the US Oil fuel tank farm; and

3
4 WHEREAS, the Property ownership changed several times with Seneca Petroleum and
5 David White the last owners of record; and

6
7 WHEREAS, the Property is a registered brownfield in the Wisconsin DNR database due
8 to historic oil spills on the property; and

9
10 WHEREAS, the Property fell into tax delinquency on the 1990's; and

11
12 WHEREAS, Manitowoc County acquired the property through the *In Rem* tax delinquency
13 process; and

14
15 WHEREAS, pursuant to County Board resolution No. 2011/2012 Resolution Authorizing
16 Grant Application, Manitowoc County applied for and received a Site Assessment Grant ("SAG")
17 to determine the amount of residual contamination on the Property in an effort to put the Property
18 back into beneficial use; and

19
20 WHEREAS, the SAG was completed in 2017 and no further investigation has taken place
21 since; and

22
23 WHEREAS, Manitowoc County considers the Property to meet the definition of
24 "brownfield" due to the presence or potential presence of a hazardous substance, pollutant, or
25 contaminant that hinders the expansion, redevelopment, or reuse of the Property; and

26
27 WHEREAS, Manitowoc County recognizes that the environmental assessment of
28 brownfields is an important part of protecting Wisconsin's resources; and

29
30 WHEREAS, a municipal resolution is required to apply for the Wisconsin Assessment
31 Monies ("WAM") program; and

32
33 WHEREAS, Manitowoc County will allow the Wisconsin Department of Natural
34 Resources and its duly authorized representatives, agents or contractors access to inspect the
35 Property and award records should the application be awarded;

36
37 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
38 county of Manitowoc authorizes an application to be submitted to the DNR for contractor services
39 under the WAM program; and

40
41
42
43
44
45
46
47
48

BE IT FURTHER RESOLVED that Manitowoc County will comply with all state and federal rules and requirements of the WAM program; and

BE IT FURTHER RESOLVED that the Manitowoc County Public Works Director is authorized to act on behalf of Manitowoc County to submit an application to the DNR for contractor services under the WAM program, sign documents, and take all necessary action to comply with approved award activities.

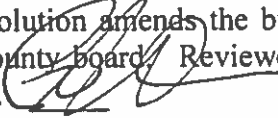
Dated this 19th day of December 2023.

Respectfully submitted by the
Public Works Committee

Rick Gerroll, Chair

FISCAL IMPACT: None. Any expenses will be directly off-set by grant revenues.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

**RESOLUTION AUTHORIZING CREATION AND REALLOCATION OF
HUMAN SERVICES DEPARTMENT 1.0 FULL-TIME EQUIVALENT
POSITION
(Psychiatrist to Advanced Psychiatric Nurse Practitioner)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, currently the Human Services Department is allocated a 1.0 Full-Time
2 Equivalent (“FTE”) Psychiatrist position, which is currently vacant; and
3

4 WHEREAS, the Human Services Department recognizes that due to the current market for
5 hiring Psychiatrists it will be difficult to fill the existing vacancy as currently structured; and
6

7 WHEREAS, after evaluating the essential duties of this position, the Human Services
8 Department has determined that it is feasible to fill this vacancy with an Advanced Psychiatric
9 Nurse Practitioner rather than a Psychiatrist; and
10

11 WHEREAS, recruiting for an Advanced Psychiatric Nurse Practitioner position is more
12 likely to result in a successful hire, while still meeting the needs of the Department; and
13

14 WHEREAS, after careful consideration and review, the Human Services Board and the
15 Personnel Committee recommends the current 1.0 FTE Psychiatrist position be converted to a 1.0
16 FTE Advanced Psychiatric Nurse Practitioner position;
17

18 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
19 county of Manitowoc authorizes the creation of a 1.0 FTE Advanced Psychiatric Nurse Practitioner
20 position by reallocating the 1.0 FTE Psychiatrist position; and
21

22 BE IT FURTHER RESOLVED, after the creation of the 1.0 FTE Advanced Psychiatric
23 Nurse Practitioner, the 1.0 FTE Psychiatrist position shall terminate; and
24

25 BE IT FURTHER RESOLVED that the 2023 Full-Time Equivalent Report (FTE) by
26 Department included in the 2023 Adopted Annual Budget Book is amended accordingly and that
27 the Finance Director is directed to record such information in the official books of the County for
28 the year ending December 31, 2023 as may be required.

Dated this 19th day of December 2023.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

**RESOLUTION AUTHORIZING REALLOCATION OF HUMAN
SERVICES DEPARTMENT 1.0 FULL-TIME EQUIVALENT POSITION
(CST Care Coordinator to CPS Intake Social Worker)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, currently the Human Services Department has a vacancy in a 1.0 Full-Time
2 Equivalent (“FTE”) CST Care Coordinator position; and
3

4 WHEREAS, due to increase demands in the CPS unit, an additional Intake Social Worker
5 is needed more than filling the CST Care Coordinator position; and
6

7 WHEREAS, reallocating 1.0 FTE CST Care Coordinator position to a 1.0 FTE CPS Intake
8 Social Worker position will assist the Department in responding to the increased reports of child
9 abuse and neglect; and
10

11 WHEREAS, after careful consideration and review, the Human Services Board and the
12 Personnel Committee recommend the current 1.0 FTE CST Care Coordinator position be
13 converted to a 1.0 FTE CPS Intake Social Worker position;
14

15 NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the
16 county of Manitowoc authorizes the reallocation of a 1.0 FTE CST Care Coordinator position to a
17 1.0 FTE CPS Intake Social Worker position; and
18

19 BE IT FURTHER RESOLVED that the 2023 Full-Time Equivalent Report (FTE) by
20 Department included in the 2023 Adopted Annual Budget Book is amended accordingly and that
21 the Finance Director is directed to record such information in the official books of the County for
22 the year ending December 31, 2023 as may be required.

Dated this 19th day of December 2023.

Respectfully submitted by the
Personnel Committee

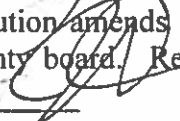
Susie Maresh, Chair

Human Services Board

Jim Brey, Chair

FISCAL IMPACT: The pay grade for the position will change from an hourly B23 position (\$23.08/hour) to a salaried C43 (\$52,783/year), *i.e.* an increase in wage rate. This change would represent an increase of \$8,921 from the levy.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

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

APPROVED: _____ Date _____
Bob Ziegelbauer, County Executive

MEETING OF THE COUNTY BOARD OF SUPERVISORS
MANITOWOC COUNTY, WISCONSIN

Tuesday, December 19, 2023

6:00 P.M.

Pursuant to Wis. Stats. 59.04, the County Board of Supervisors of Manitowoc County, Wisconsin convened in open session at the Heritage Building, in the City of Manitowoc, being the 19th day of December 2023, for the purpose of transacting business as a Board of Supervisors.

Chairperson Martell called the meeting to order at 6:00 p.m.

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

Roll call: 23 members were present at the time of roll call: Baumann, Behnke, Brey, Engelbrecht, Falkowski, Gerroll, Hacker, Hansen, Heller, Jadowski, Klein, Maresh, Martell, Metzger, Muench, Naidl, Phipps, Shimulunas, Sitkiewitz, Vogt, Wagner, Weiss and Zimmer. Supervisor Neils was excused. Supervisor District 1 was vacant.

On a motion by Supervisor Baumann, seconded by Supervisor Behnke the November 7, 2023 meeting minutes were approved on a unanimous vote.

REPORTS OF COUNTY SUPERVISORS, OFFICERS AND DEPARTMENT DIRECTORS

County Executive Bob Ziegelbauer and Chairperson Martell presented a Proclamation of January 2024 as Mentoring Month for Big Brothers Big Sisters.

County Executive Bob Ziegelbauer provided an update on the courthouse repair project.

PUBLIC INPUT – OPPORTUNITY FOR CITIZENS TO PRESENT THEIR VIEWS

Chairperson Martell declared public comment open at 6:10 p.m.

Scott Schleis, City of Manitowoc, read a statement on behalf of John Delsman regarding the courthouse repair project and how he was not in favor of the project at this time.

Eugene Weyer, Town of Newton, believed all Manitowoc County residents should have the opportunity to vote on the courthouse dome project through a referendum.

Patricia Klein, City of Two Rivers, believes bonding for the courthouse dome project would place an economic hardship on the residents of Manitowoc County.

No one else present wished to speak, subsequently Chairperson Martell closed public input at 6:22 p.m.

APPOINTMENTS BY CHAIRPERSON

Chairperson Martell presented his appointment of Mickey Lillibridge to fulfill the term of County Board Supervisory District 1. Supervisor Zimmer moved, seconded by Supervisor Muench to approve the appointment. Upon voice vote, the motion carried unanimously. Clerk Backus administered Supervisor Lillibridge's Oath of Office. Lillibridge took his County Board seat.

APPOINTMENTS BY COUNTY EXECUTIVE

Chairperson Martell presented County Executive Ziegelbauer's appointment of Cindy Neelis to the Aging and Disability Board. Supervisor Engelbrecht moved, seconded by Supervisor Baumann to approve the

appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Paul Granger to the Joint Dispatch Board. Supervisor Behnke moved, seconded by Supervisor Sitkiewitz to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Rhonda Green to the Land Information Council. Supervisor Falkowski moved, seconded by Supervisor Baumann to approve the appointment. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Jessica Backus, Korina Aghmar, Alternate) Jessica Wanserski, Patrick Dvorachek, and Robert Hennings Jr to the Local Emergency Planning Committee. Supervisor Sitkiewitz moved, seconded by Supervisor Baumann to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointments of Supervisor Don Zimmer, Amy Eisenschink, Jeremy Sehloff, and Sara Meier to the Manitowoc-Calumet Library System Board of Trustees. Supervisor Falkowski moved, seconded by Supervisor Weiss to approve the appointments. Upon voice vote, the motion carried unanimously.

Chairperson Martell presented County Executive Ziegelbauer's appointment of Markus Ladd to the Manitowoc-Calumet Library System Board of Trustees. Supervisor Hacker moved, seconded by Supervisor Weiss to approve the appointment. Upon voice vote, the motion carried unanimously.

COMMITTEE REPORTS ON MEETINGS, PETITIONS, RESOLUTIONS, ORDINANCES

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

Supervisor Falkowski moved, seconded by Supervisor Sitkiewitz to adopt Resolution 2023/2024-48 Approving Increase to the Annual Maintenance Program Fee. Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Zimmer to adopt Resolution 2023/2024-49 Authorizing Grant Application (Bullhead Lake Public Access). Upon vote, the motion carried unanimously.

Supervisor Falkowski moved, seconded by Supervisor Vogt to enact Ordinance 2023/2024-50 Amending Zoning Map (Paul Liermann). Upon vote, the motion carried unanimously.

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

Finance Committee: Supervisor Hansen gave a brief report.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-51 Initial Resolution Authorizing General Obligation Courthouse Improvement Bonds in an Amount Not to Exceed \$7,500,000. Upon discussion and vote, motion failed 13 ayes and 11 noes. Supervisors Baumann, Behnke, Engelbrecht, Heller, Klein, Lillibridge, Maresh, Martell, Metzger, Naidl, and Phipps voted no.

Supervisor Hansen moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-52 Denying Claim (Thomas Skattebo). Upon vote, the motion carried unanimously.

Highway Committee: Supervisor Behnke gave a brief report.

Personnel Committee: Supervisor Maresh gave a brief report.

Public Safety Committee: Supervisor Falkowski gave a brief report.

Supervisor Falkowski moved, seconded by Supervisor Hansen to enact Ordinance 2023/2024-53 Amending Manitowoc County Code §4.13(9)(a) (Coroner's Office Fees). Upon vote, the motion carried unanimously.

Public Works Committee: Supervisor Gerroll gave a brief report.

Supervisor Gerroll moved, seconded by Supervisor Sitkiewitz to adopt Resolution 2023/2024-54 Approving Wisconsin Assessment Monies Program Application. Upon vote, the motion carried unanimously.

Miscellaneous – Personnel Committee and Human Services Board: Supervisor Maresh moved, seconded by Supervisor Brey to adopt Resolution 2023/2024-55 Authorizing Creation and Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (Psychiatrist to Advanced Psychiatric Nurse Practitioner). Upon vote, the motion carried unanimously.

Supervisor Maresh moved, seconded by Supervisor Baumann to adopt Resolution 2023/2024-56 Authorizing Reallocation of Human Services Department 1.0 Full-Time Equivalent Position (CST Care Coordinator to CPS Intake Social Worker). Upon vote, the motion carried unanimously.

ADJOURNMENT

Supervisor Muench moved to adjourn, seconded by Supervisor Heller, and the motion was adopted by acclamation. The meeting adjourned at 8:04 p.m.

Respectfully submitted,
Jessica Backus, Manitowoc County Clerk