



**MANITOWOC COUNTY**  
**COUNTY BOARD OF SUPERVISORS**  
**MEETING NOTICE**

DATE: November 12<sup>th</sup>, 2024

TIME: 6:00 P.M.

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

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

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

- I. Call to order by County Board Chair**
- II. Invocation by Supervisor Falkowski**
- III. Pledge of Allegiance**
- IV. Roll Call**

**V. PROCLAMATIONS**

A. Proclamation Declaring Manitowoc County America Recycles Day 2024

**VI. PUBLIC COMMENT**

Members of the public will be allowed three (3) minutes to speak on matters pertaining to County Board business.

**VII. CONSENT AGENDA (Any routine or non-controversial items)**

A. Approve October 28, 2024 County Board Minutes

B. Appointments by County Executive

1. Expo Ice Center Board

Appoint eight members to fill a vacancy for a term expiring December 31, 2027.

- a. Patrick "PJ" Albert
- b. Stephanie Binversie
- c. Jeremy Hawig
- d. Kris Kohlmann
- e. Nancy Newberg
- f. Mike Plate
- g. Rob Voss
- h. Russel Zipperer

2. Joint Dispatch Board

Appoint one member to succeed Jason Freiboth for a two-year term expiring December 2026.

- a. Jason Freiboth

3. Veterans Service Commission

Appoint one member to succeed Tom Hoffman for a three-year term expiring December 2027.

- a. Tom Hoffman

C. Ordinances and Resolutions

1. Planning and Park Commission

- a. Ordinance 2024/2025-52 Amending Zoning Map (David and Claire Petersen)
- b. Ordinance 2024/2025-53 Amending Zoning Map (David and Claire Petersen)
- c. Resolution 2024/2025-54 Authorizing County Conservation Aids Grant Application
- d. Resolution 2024/2025- 55 Adopting Manitowoc County Planning and Park Commission Fee Schedule

2. Finance Committee

- a. Ordinance 2024/2025- 56 Amending Manitowoc County Code s. 4.12 regarding sale of tax deeded properties.

**VIII. COMMITTEE REPORTS, RESOLUTIONS, AND ORDINANCES**

A. Aging & Disability Board

B. Board of Health

C. Criminal Justice Coordinating Council

D. Executive Committee

E. Expo-Ice Center Board

F. Finance Committee

- 1. Resolution 2024/2025-57 Adopting 2025 Budget and Property Levy

G. Highway Committee

H. Human Service Board

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

J. Personnel Committee

K. Planning and Park Commission

L. Public Safety Committee

M. Public Works Committee

N. Transportation Coordinating Committee

**IX. ANNOUNCEMENTS**

**X. ADJOURNMENT**

Tyler Martell, Chairman

Prepared by Melissa Tennant, Deputy County Clerk

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

**ORDINANCE AMENDING ZONING MAP**  
(David and Clair Petersen)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2024; and  
3

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

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

11 A parcel of land located in all of Tract One (1) of Certified Survey Map, recorded in  
12 Volume 20 of Certified Survey Maps, on Page 3 as Document No. 867235 plus additional lands;  
13 being part of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-  
14 Three (23), Township Eighteen (18) North, Range Twenty-Two (22) East, Town of Liberty,  
15 Manitowoc County, Wisconsin, more particularly described as follows:  
16

17 Commencing at the south quarter corner of said Section 23; thence N00°-03'-02"E  
18 along the east line of the SW1/4 of said Section 23, a distance of 2023.20 feet to  
19 the point of beginning; thence S87°-34'-00"W 730.00 feet; thence N41°-14'-08"W  
20 76.49 feet; thence N03°-59'-57"E 275.00 feet; thence N65°-32'-13"E 390.00 feet;  
21 thence S89°-56'-58"E 406.00 feet to said east line; thence S00°-03'-02"W along  
22 said east line, a distance of 462.00 feet to the point of beginning, said parcel  
23 containing approximately 337,572 square feet (7.750 acres) of land  
24

25 is hereby rezoned from Large Estate (LE) District and Rural Residential (RR) District to General  
26 Agriculture (GA) District.

Dated this 12th day of November 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

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



COUNTERSIGNED: \_\_\_\_\_  
Tyler Martell, County Board Chair                      Date

APPROVED: \_\_\_\_\_  
Bob Ziegelbauer, County Executive                      Date

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS NOVEMBER 12, 2024.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	DAVID AND CLAIR PETERSEN 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.

David and Clair Petersen, on September 25, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 7.75 acres of land located in the NE1/4, SW1/4, Section 23, T18N-R22E, Town of Liberty, from LE, Large Estate and RR, Rural Residential 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 with a minimum lot size of 10.0 acres.

1. Action taken to date on this request includes:

- a. David and Clair Petersen petitioned for a zoning map amendment on September 25, 2024.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on October 14, 2024 and on October 21, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on October 28, 2024.
- e. The Commission at their October 28, 2024 meeting recommended approval of a requested rezoning of approximately 7.75 acres of land located in the NE1/4, SW1/4, Section 23, T18N-R22E, Town of Liberty, from LE, Large Estate and RR, Rural Residential 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 Residential District and RR, Rural Residential District.
2. The Liberty Town Board and the Town Planning Commission supports the proposed zone change to GA, General Agriculture.
3. The applicant wishes to operate a septic business. Rezoning will permit this use if the applicant obtains a conditional use permit from the Board of Adjustment.

## RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of David and Clair Petersen to rezone approximately 7.75 acres of land from LE, Large Estate and RR, Rural Residential to GA, General Agriculture were approved.

The Manitowoc County Planning and Park Commission, at its October 28, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 7.75 acres of land located in the NE1/4, SW1/4, Section 23, T18N-R22E, Town of Liberty, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from LE, Large Estate and RR, Rural Residential 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 8<sup>th</sup> St., Ste. 115  
Manitowoc, WI 54220

**Jessica Backus**  
Manitowoc County Clerk

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

October 15<sup>th</sup>, 2024

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

and

Manitowoc County Supervisor Ryan 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/Applicant:**

David & Clair Petersen  
7334 Nagel Road  
Valders, WI 54245  
(House # 7002 Nagel Road)

**Township:**

Liberty

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

Sincerely,

*Jessica Backus*

Jessica Backus  
Manitowoc County Clerk





Manitowoc County
Planning and Park Commission

Fee (\$531) Received [checked]
Receipt # 41562

ZONING MAP AMENDMENT APPLICATION

Date of Application: OWNER / APPLICANT/ AGENT
Owner: David Petersen +Clair
Applicant/Agent: Same as Owner
Address (1): 7334 Nagel Road
Address (2):
City/State/Zip: Valders, WI 54245
Phone: (920) 323-2640

MANITOWOC COUNTY RECEIVED
SEP 25 2024
PLANNING & PARK COMMISSION

PROPERTY LEGAL DESCRIPTION
NE 1/4, SW 1/4, S 23 T 18 N R 22 E Town of Liberty
House /Fire #: Two parcels at 7002 Nagel Road
Tax Number: 008-023-009-000.0 (6.63 acres) and 008-023-009-002.0 (1.12 acres)

PROPERTY INFORMATION
Existing Zoning District: LE & RR & RR
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:

6.63 acre parcel zoned LE and 1.12 acre parcel zoned RR to be combined into a single 7.75 acre parcel zoned GA

Proposed use: (Reason for change)

Rezone to GA is necessary; GA allows for a conditional use permit to be issued for an existing small business.

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

[Signature] 8-20-24
Signature (applicant, owner, agent) Date
[Signature] Date

# MANITOWOC COUNTY

## ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Liberty from LE & RR to GA)

### PETITIONER

Name: David & Clair Petersen  
Address: 7334 Nagel Rd  
Valders WI 54245  
Town: Liberty

### PARCEL

Location: NE1/4, SW1/4, Section 23, T18N-R22E  
Tax#: 008-023-009-000.00 & 008-023-009-002.00  
Area: 6.63 acres & 1.12 acres

### ACTION TO DATE

Petition Submitted: September 25, 2024  
Town Action: Approved September 9, 2024  
Hearing Notice Published: 10/14/2024 & 10/21/2024  
Advisory: 10/28/2024  
Hearing: 10/28/2024

### ADJACENT USES & ZONING

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

### PARCEL USES & ZONING

Existing Zoning District: LE, Large Estate Residential & RR, Rural Residential  
Existing Land Use: Existing Small Business & Grassland  
Proposed Zoning District: GA, General Agriculture  
Proposed Use: Conditional Use to operate business

### MAP INFORMATION

Farmland Preservation Designation: Non-Farmland Preservation  
Soil Type: HrB, HrD2, NsB, SyA  
Air Photo Date: 04/2023

### OTHER CONSIDERATIONS

Drainage: Well – slightly poorly drained  
Soil Limitations: Moderate – Severe  
Sewage Disposal: Private Onsite Wastewater Treatment  
Road Access: Nagel Rd

Soil Test: N/A  
Terrain: 0 to >12 Percent Slopes  
Vegetative Cover: Grassland/Gravel/Building

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: *Dave Petersen*

Date Received: *8/13/2024*

Evaluation Meeting Date: *9/3/2024*

Site Address: <sup>7002</sup>~~6565~~ Nagel Road  
OC

Change Requested: *Combine 2 separate lots and rezone from LE and RR to GA, variance for less than 10 acre lot in GA, conditional use permit for existing and growing septic installation business.*

**1. Current Zoning Map:**

*LE & RR*

**2. Within 75 feet of wetland:**

*Small creek on passes thru property, changes would not impact creek.*

**3. Farmland Preservation Area:**

*No*

**4. Woodland Preservation Area:**

*No*

**5. Planning Map & Criteria:**

**A. Natural Areas**

*Not applicable*

**B. Transportation (Commercial Develop.Only)**

*Minimal increase in traffic, work is done off site*

**C. Topography & Soil**

*Flat and gentle sloping topography and soil is clay mix*

**D. Pre-existing Home Site**

*House previously on the site, structure removed, well and septic present.*

**E. Detrimental To Air, Ground Water, Or Surface Water Quality**

*Not as presented.*

**F. Any Land Use Conflicts**

*Not as presented*

**6. Site Inspection**

*Yes*

# Town of Liberty Change Request Form

## 7. Special Considerations

*Business has existed at this location with no known issues, is in harmony with the surrounding properties and acceptable uses in adjacent zoning districts. Business continues to grow, and applicant feels the need to obtain a conditional use permit at this time.  
See applications for additional details on conditions.*

### Results of Plan Commission Evaluation, Advisory to Liberty Town Board:

*Approved on a 3-0 vote*

**Plan Commission Members:** Dave Christel, Drew Otto, Steve Lenzner, Kevin Neeb, and Ron Schnell

*Steve Lenzner, Kevin Neeb, Ron Schnell* DC

\$150 Application Fee received at Planning Commission meeting? No / Yes Cash  
Check#

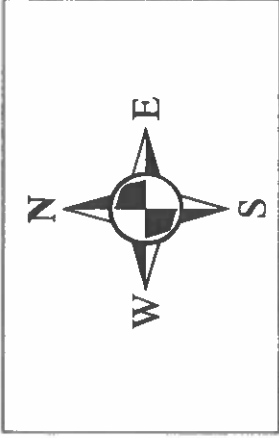
## Liberty Town Board Directive

Change supported by the Town Board with Plan Commission recommendations on this day: 9 / 9 / 2024 along with the following conditions:

*with special conditions.*

Change not supported by the Town Board on this day: \_\_\_ / \_\_\_ / 20\_\_\_ for the following reasons:

Signatures of Board *[Signature]* Date 9-9-2024  
*[Signature]* 9-9-2024



David & Clair Petersen  
 NE 1/4, SW 1/4  
 Section 23, T18N-R22E  
 Town of Liberty  
 From: LE To: GA  
 Approximately 6.63 acre(s)  
 From: RR To: GA  
 Approximately 1.12 acre(s)  
**-87.833, 44.014**

Map Overview

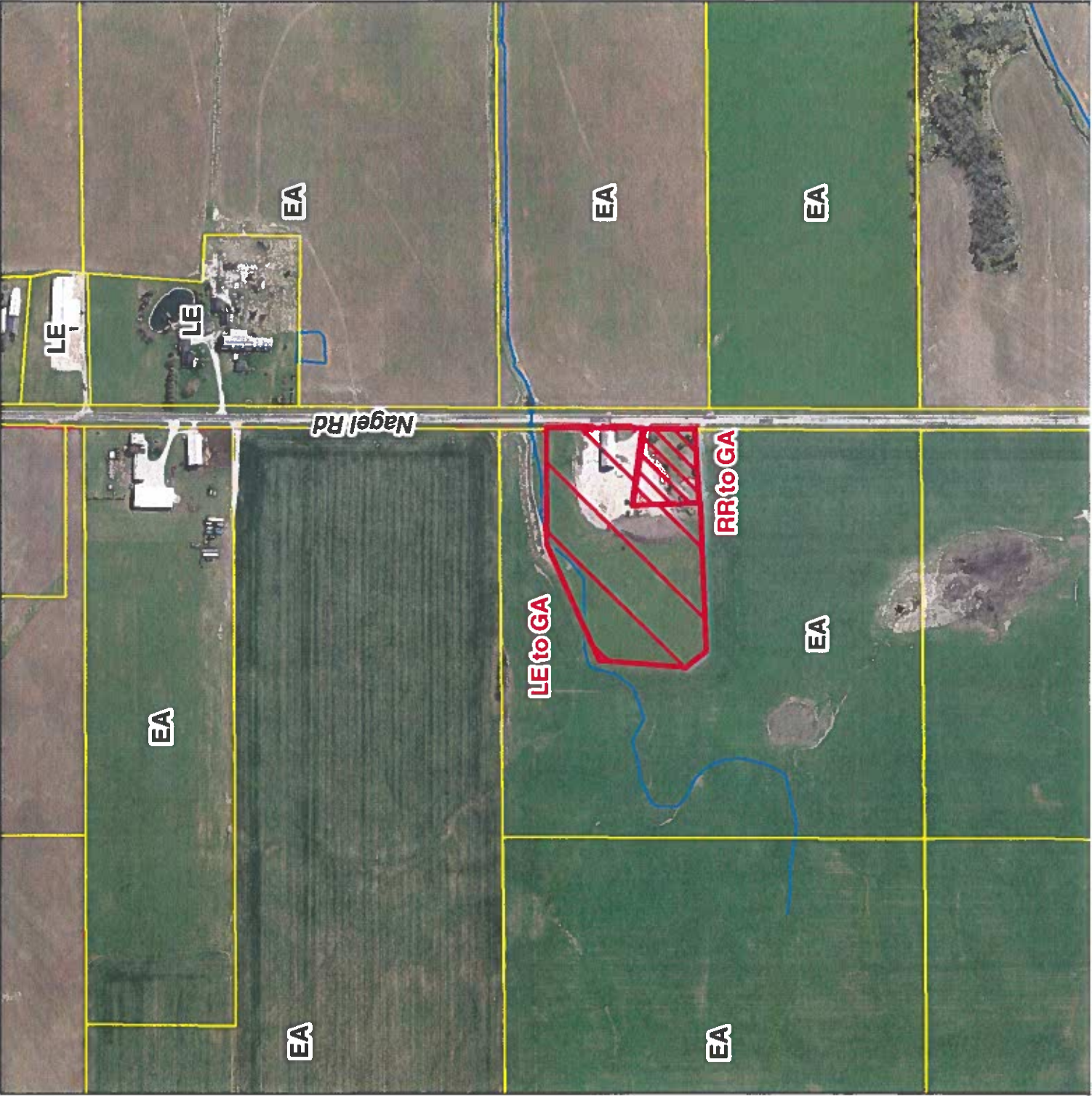
**Liberty**

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

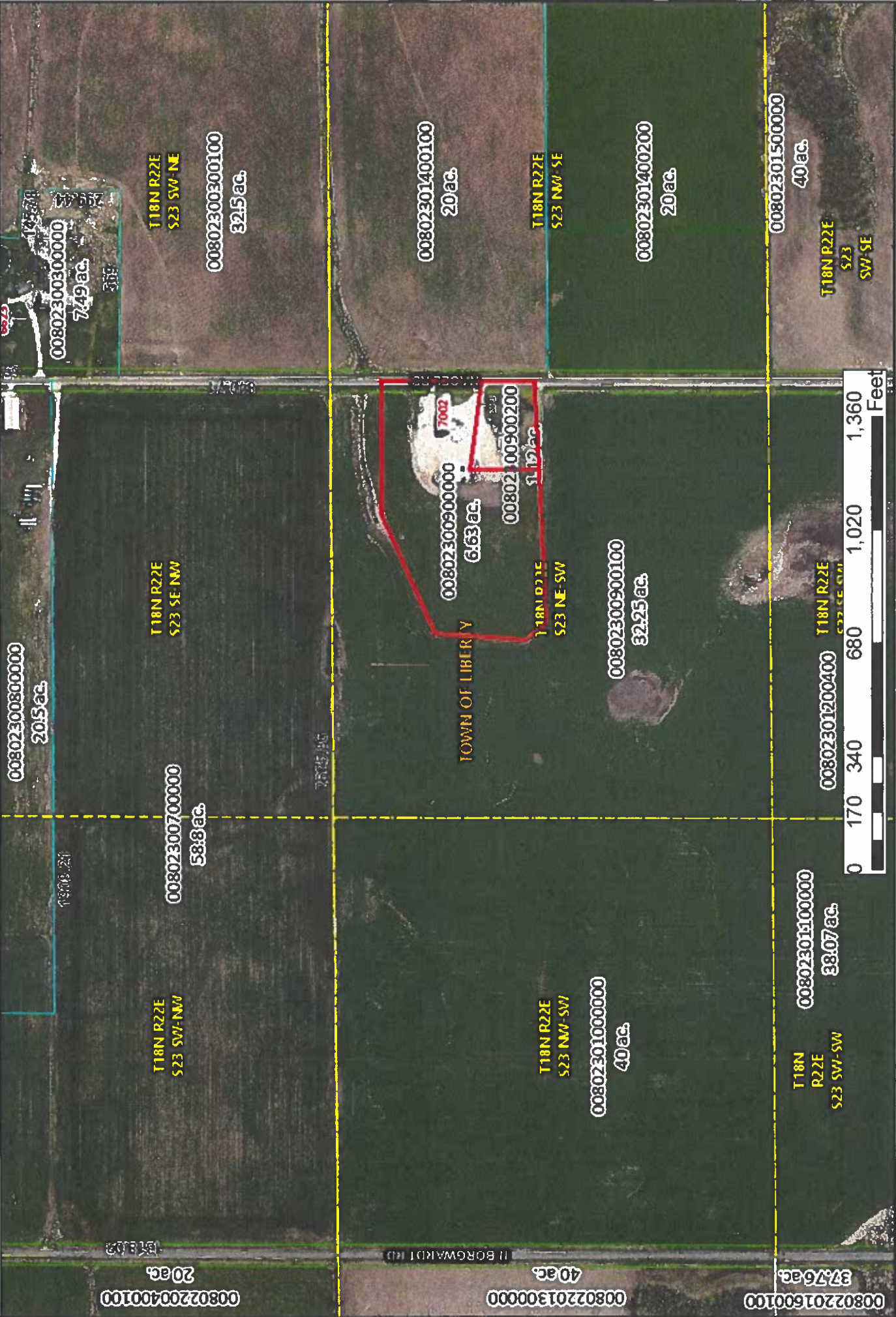


**Legend**

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



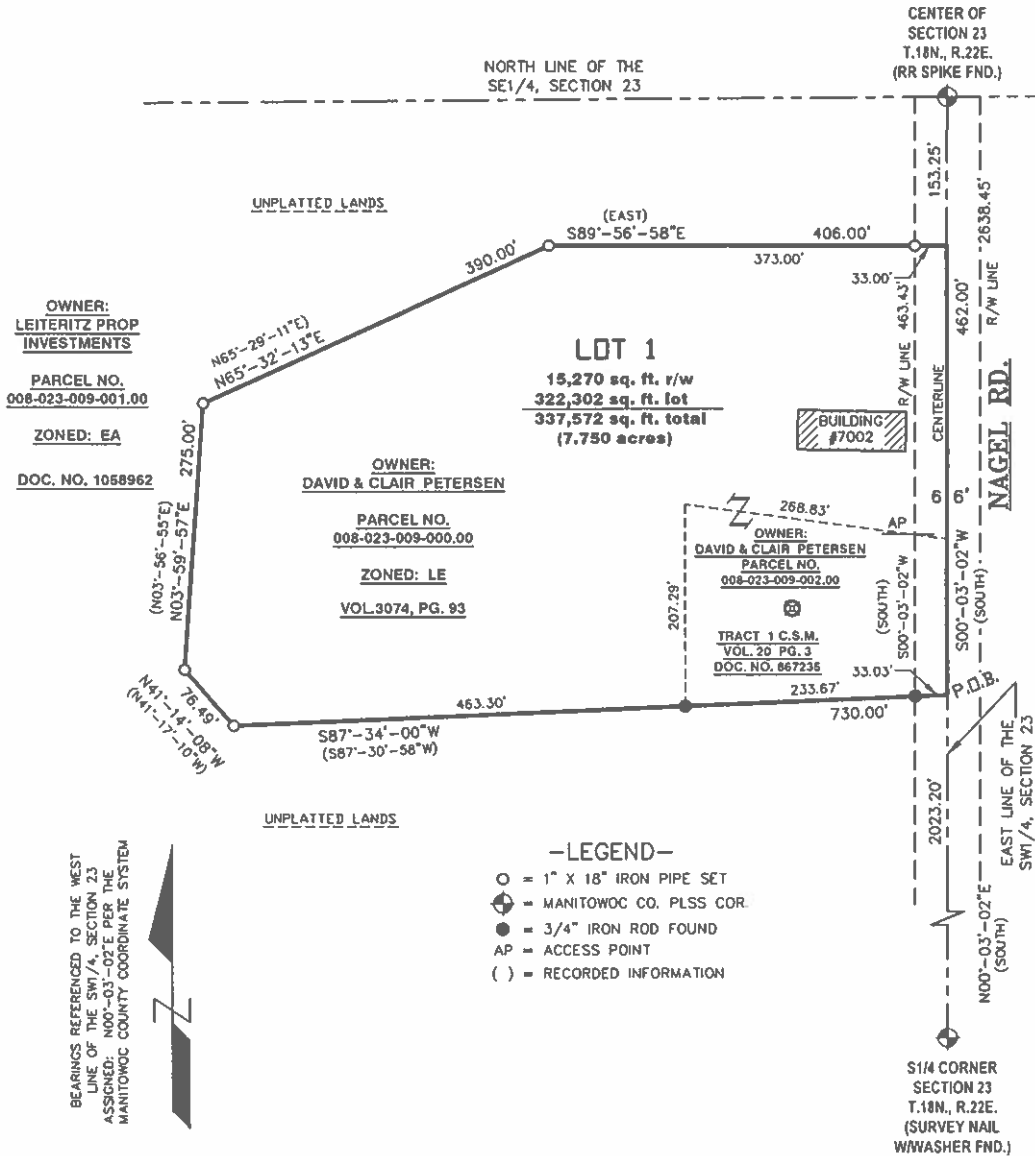
# Manitowoc County Parcel Viewer



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.



**CERTIFIED SURVEY MAP**  
**ALL OF TRACT 1 OF C.S.M., VOL. 20, PG. 3,**  
**DOC. NO. 867235, PLUS ADDITIONAL LANDS;**  
**BEING A PART OF THE NE1/4 OF THE SW1/4,**  
**SECTION 23, T.18N., R.22E., TOWN OF LIBERTY,**  
**MANITOWOC COUNTY, WISCONSIN**



**SURVEYED FOR:**  
DAVID & CLAIR PETERSEN  
7334 NAGEL ROAD  
VALDERS, WI 54245

**PARCEL NUMBER:**  
008-023-009-000.00 &  
008-023-009-002.00

**DEED:**  
DOC. NO. 1180101 &  
DOC. NO. 1147852

**FRONT YARD SETBACKS**  
 - 60' FROM C/L OF TOWN ROADS  
 OR 25' FROM RIGHT OF WAY  
 (WHICHEVER IS GREATER)

**SIDE AND REAR YARD SETBACKS**  
 - 25' FOR PRINCIPAL AND CONDITIONAL USE  
 - 10' FOR ACCESSORY STRUCTURES

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

<b>DRAWN BY:</b> JD	<b>FIELD WORK DATE:</b> 9-23-24
<b>CHECKED BY:</b> BB	<b>FIELD BOOK:</b> NOTES
<b>JOB NO.:</b> 15764	<b>SHEET</b> 1 OF 3

**ORDINANCE AMENDING ZONING MAP**  
(David and Clair Petersen)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held  
2 a public hearing on a petition for a zoning ordinance amendment on October 28, 2024; and  
3

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

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

11 A parcel of land located in all of Lot 2-1 of Certified Survey Map, recorded in Volume 30  
12 of Certified Survey Maps, on Page 31 as Document No. 1109533; being part of the Northwest  
13 Quarter (NW1/4) of the Northeast Quarter (NE1/4) and Southwest Quarter (SW1/4) of the  
14 Northeast Quarter (NE1/4) of Section Twenty-Three (23), Township Eighteen (18) North, Range  
15 Twenty-Two (22) East, Town of Liberty, Manitowoc County, Wisconsin, more particularly  
16 described as follows:  
17

18 Commencing at the north quarter corner of said Section 23; thence S00°-28'-51"W  
19 along the west line of the NE1/4 of said Section 23, a distance of 1104.62 feet to  
20 the point of beginning; thence S85°-09'-09"E 433.63 feet; thence S12°-57'-14"E  
21 80.62 feet; thence S04°-01'-23"W 100.00 feet; thence S88°-42'-33"W 445.14 feet  
22 to said west line; thence N00°-28'-51"E along said west line, a distance of 225.00  
23 feet to the point of beginning, said parcel containing approximately 91,183 square  
24 feet (2.093 acres) of land  
25

26 is hereby rezoned from Large Estate, (LE) District to Rural Residential (RR) District.

Dated this 12th day of November 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_



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



COUNTERSIGNED: \_\_\_\_\_ Date  
Tyler Martell, County Board Chair

APPROVED: \_\_\_\_\_ Date  
Bob Ziegelbauer, County Executive

REPORT TO:	THE MANITOWOC COUNTY BOARD OF SUPERVISORS NOVEMBER 12, 2024.
FROM:	THE MANITOWOC COUNTY PLANNING AND PARK COMMISSION
RE:	DAVID AND CLAIR PETERESEN 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.

David and Clair Petersen, on September 25, 2024, petitioned the Manitowoc County Board of Supervisors to rezone approximately 2.06 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 23, T18N-R22E, Town of Liberty, from LE, Large Estate 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. David and Clair Petersen petitioned for a zoning map amendment on September 25, 2024.
- b. The petition was referred from the County Clerk to the County Planning and Park Commission for a hearing and recommendation.
- c. The public hearing notices were published in the Herald-Times-Reporter on October 14, 2024 and on October 21, 2024.
- d. The County Planning and Park Commission held a public hearing on this amendment request on October 28, 2024.
- e. The Commission at their October 28, 2024 meeting recommended approval of a requested rezoning of approximately 2.06 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 23, T18N-R22E, Town of Liberty, from LE, Large 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. David Petersen, 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 Residential District.
2. The Liberty Town Board and the Town Planning Commission supports the proposed zone change to RR, Rural Residential.
3. The applicant wishes to operate a septic installation business. Rezoning will permit this use if the applicant obtains a conditional use permit from the Board of Adjustment.

## RECOMMENDATION

The County Planning and Park Commission determined from testimony at the public hearing, from the zone change fact sheets and maps, and from the staff analysis, that the public health, safety and general welfare would be safeguarded and substantial justice done, if the request of David and Clair Petersen to rezone approximately 2.06 acres of land from LE, Large Estate to RR, Rural Residential were approved.

The Manitowoc County Planning and Park Commission, at its October 28, 2024 meeting, therefore by a unanimous vote recommended that the subject property (an approximately 2.06 acres of land located in the SW1/4, NE1/4, and the NW1/4, NE1/4, Section 23, T18N-R22E, Town of Liberty, more fully described in the accompanying proposed ordinance amendment) be recommended for rezoning from LE, Large 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 8<sup>th</sup> St., Ste. 115  
Manitowoc, WI 54220

Jessica Backus  
Manitowoc County Clerk

Telephone: (920) 683-4004  
Email: [jessicabackus@manitowocountywi.gov](mailto:jessicabackus@manitowocountywi.gov)

October 15<sup>th</sup>, 2024

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

and

Manitowoc County Supervisor Ryan 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/Applicant:**

David & Clair Petersen  
7334 Nagel Road  
Valders, WI 54245  
(House # 6565 Nagel Road)

**Township:**

Liberty

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

Sincerely,

*Jessica Backus*

Jessica Backus  
Manitowoc County Clerk



# Manitowoc County Planning and Park Commission

Fee (\$531) Received   
Receipt # **41562**

## ZONING MAP AMENDMENT APPLICATION

MANITOWOC COUNTY  
RECEIVED

SEP 25 2024

PLANNING & PARK  
COMMISSION

Date of Application: +Clair OWNER / APPLICANT/ AGENT

Owner	<u>David Petersen</u>	Applicant/Agent	<u>Same as Owner</u>
Address (1)	<u>7334 Nagel Road</u>	Address (1)	
Address (2)		Address (2)	
City/State/Zip	<u>Valders, WI 54245</u>	City/State/Zip	
Phone	<u>(920) 323-2640</u>	Phone	

PROPERTY LEGAL DESCRIPTION

SW 1/4 NE 1/4  
NW 1/4, NE 1/4 S 23 T 18 N R 22 E Town of Liberty

House /Fire # 6565 Nagel Road Tax Number 008-023-002-002.0

PROPERTY INFORMATION

Existing Zoning District LE&RR 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:

2.06 acre parcel zoned LE

Proposed use: (Reason for change)

Rezone to RR is necessary; RR allows for a conditional use permit to be issued for an existing small business.

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

[Signature] 8-20-24  
Signature (applicant, owner, agent) Date

\_\_\_\_\_  
Signature (applicant, owner, agent) Date

# MANITOWOC COUNTY

## ZONING MAP AMENDMENT FACT SHEET

(Manitowoc County, Town of Liberty from LE to RR)

### PETITIONER

Name: David & Clair Petersen  
Address: 7334 Nagel Rd  
Valders WI 54245  
Town: Liberty

### PARCEL

Location: NW1/4, NE1/4, Section 23, T18N-R22E  
SW1/4, NE1/4, Section 23, T18N-R22E  
Tax#: 008-023-002-002.00  
Area: 2.06 acres

### ACTION TO DATE

Petition Submitted: September 25, 2024  
Town Action: Approved September 9, 2024  
Hearing Notice Published: 10/14/2024 & 10/21/2024  
Advisory: 10/28/2024  
Hearing: 10/28/2024

### ADJACENT USES & ZONING

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

### PARCEL USES & ZONING

Existing Zoning District: LE, Large Estate Residential  
Existing Land Use: Existing Small Business & Grassland  
Proposed Zoning District: RR, Rural Residential  
Proposed Use: Conditional Use to operate business

### MAP INFORMATION

Farmland Preservation Designation:  
Non-Farmland Preservation  
Soil Type: HrB, SyA  
Air Photo Date: 04/2023

### OTHER CONSIDERATIONS

Drainage: Well – slightly poorly drained  
Soil Limitations: Moderate – Severe  
Sewage Disposal: Private Onsite Wastewater Treatment  
Road Access: Nagel Rd

Soil Test: N/A  
Terrain: 0 to >12 Percent Slopes  
Vegetative Cover: Grassland/Gravel/Building

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: *Dave Petersen*

Date Received: *8/13/2024*

Evaluation Meeting Date: *9/3/2024*

Site Address: *6565 Nagel Road*

Change Requested: *Rezone from LE to RR and conditional use permit for existing and growing septic installation business.*

**1. Current Zoning Map:**

*LE*

**2. Within 75 feet of wetland:**

*No*

**3. Farmland Preservation Area:**

*No*

**4. Woodland Preservation Area:**

*No*

**5. Planning Map & Criteria:**

**A. Natural Areas**

*Not applicable*

**B. Transportation (Commercial Develop. Only)**

*Minimal increase in traffic, work is done off site*

**C. Topography & Soil**

*Flat topography and soil is clay mix*

**D. Pre-existing Home Site**

*No*

**E. Detrimental To Air, Ground Water, Or Surface Water Quality**

*Not as presented.*

**F. Any Land Use Conflicts**

*Not as presented*

**6. Site Inspection**

*Yes*



# Town of Liberty Change Request Form

## 7. Special Considerations

*Business has existed at this location with no known issues, is in harmony with the surrounding properties and acceptable uses in adjacent zoning districts. Business continues to grow, and applicant feels the need to obtain a conditional use permit at this time.  
See applications for additional details on conditions.*

### Results of Plan Commission Evaluation, Advisory to Liberty Town Board:

*Approved on a 3-0 vote*

**Plan Commission Members:** Dave Christel, Drew Otto, Steve Lenzner, Kevin Neeb, and Ron Schnell

*Steve Lenzner, Kevin Neeb, 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: 9 / 9 / 2024 along with the following conditions:

with Special Conditions



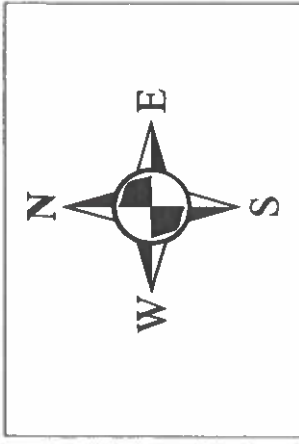
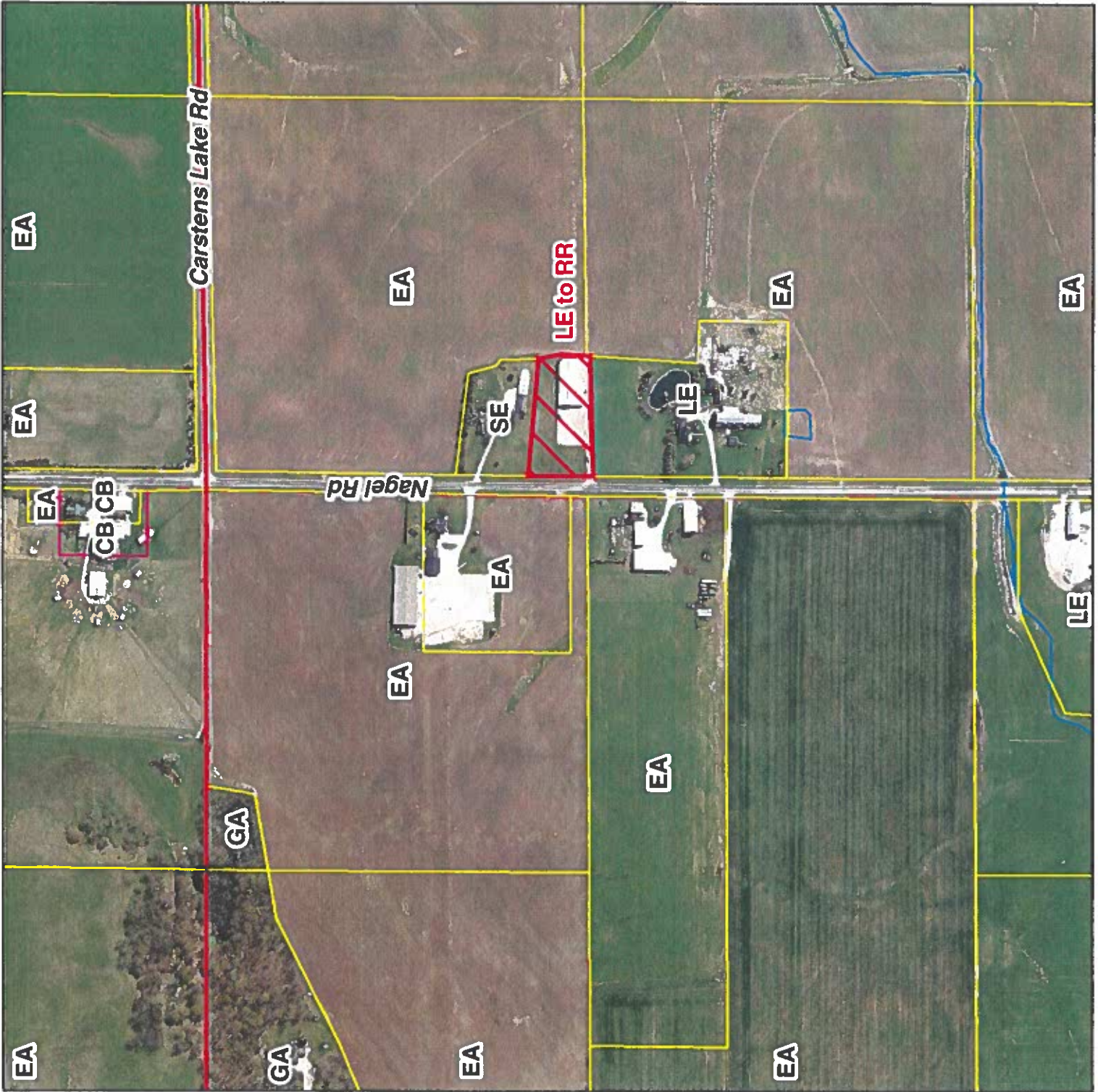
Change not supported by the Town Board on this day: \_\_\_ / \_\_\_ / 20\_\_\_  
for the following reasons:

Signatures of Board

*[Handwritten signatures]*

Date

9-9-24  
9-9-2024



David & Clair Petersen  
 NW 1/4, NE 1/4 &  
 SW 1/4, NE 1/4  
 Section 23, T18N-R22E  
 Town of Liberty  
 From: LE To: RR  
 Approximately 2.06 acre(s)  
**-87.831, 44.019**

Map Overview

**Liberty**

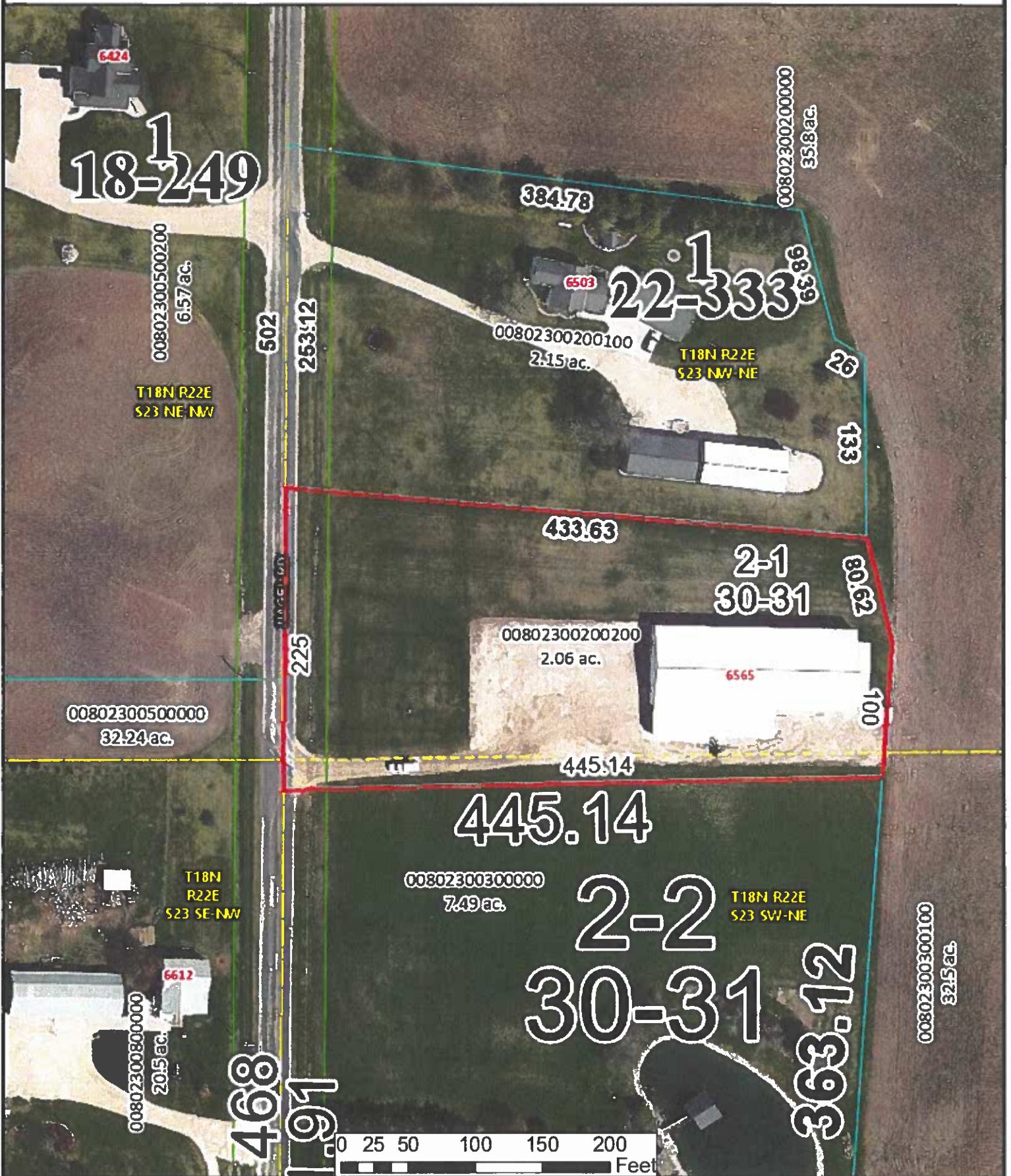
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



**Legend**

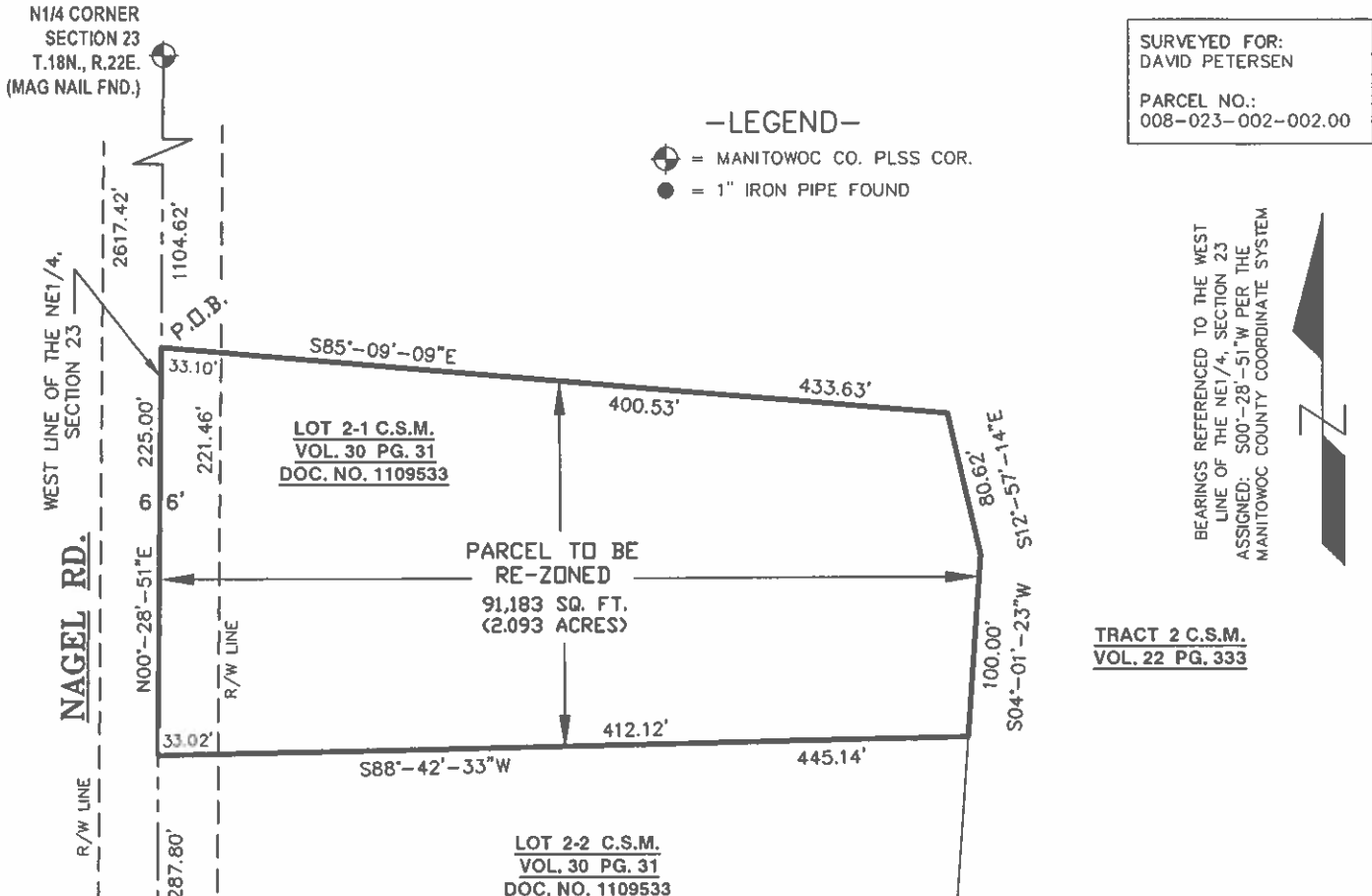
- Proposed Zone Change
- Section Line
- Parcel Line
- Water Way

# Manitowoc County Parcel Viewer



# EXHIBIT MAP FOR DAVID PETERSEN

LOT 2-1 OF C.S.M RECORDED IN VOLUME 30 OF CERTIFIED SURVEY MAPS, PAGES 31/32, AS DOC. NO. 1109533;  
BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4-NE1/4) AND  
THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4-NE1/4),  
SECTION 23, T.18N., R.22E., TOWN OF LIBERTY, MANITOWOC COUNTY, WISCONSIN



All of Lot 2-1 of Certified Survey Map, recorded in Volume 30 of Certified Survey Maps, on Page 31 as Document No. 1109533; being part of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) and Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) the of Section Twenty-Three (23), Township Eighteen (18) North, Range Twenty-Two (22) East, Town of Liberty, Manitowoc County, Wisconsin containing 91,183 square feet (2.093 acres) of land and being described by:

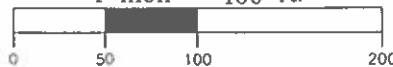
Commencing at the north quarter corner of said Section 23; thence S00°-28'-51"W along the west line of the NE1/4 of said Section 23, a distance of 1104.62 feet to the point of beginning; thence S85°-09'-09"E 433.63 feet; thence S12°-57'-14"E 80.62 feet; thence S04°-01'-23"W 100.00 feet; thence S88°-42'-33"W 445.14 feet to said west line; thence N00°-28'-51"E along said west line, a distance of 225.00 feet to the point of beginning.

**SURVEYOR'S CERTIFICATE**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**GRAPHIC SCALE**  
 1 inch = 100 ft.



WISCONSIN PROFESSIONAL LAND SURVEYOR  
 Bradley A. Buechel, S-2613

**MERIDIAN**  
**SURVEYING, LLC**

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

<b>DRAWN BY:</b> JD	<b>FIELD WORK DATE:</b> 9-23-24
<b>CHECKED BY:</b> BB	<b>FIELD BOOK:</b> NOTES
<b>JOB NO.:</b> 15764	<b>SHEET</b> 1 <b>OF</b> 1

**RESOLUTION AUTHORIZING COUNTY CONSERVATION AIDS  
GRANT APPLICATION**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, the Manitowoc County Planning and Zoning Department wishes to replace  
2 the existing concrete boat ramp launch at Pigeon Lake due to unsafe conditions caused by  
3 deterioration (“Project”); and  
4

5           WHEREAS, the Manitowoc County Planning and Zoning Department has identified a total  
6 cost of \$10,000.00 for this Project; and  
7

8           WHEREAS, the Wisconsin Department of Natural Resources (WDNR) has grant funding  
9 available through the County Conservation Aids (CCA) program for the installation of fish and  
10 game projects under Wis. Stat. § 23.09(12); and  
11

12           WHEREAS, the CCA grant program may reimburse fifty percent of the total project cost  
13 for eligible projects; and  
14

15           WHEREAS, the Planning and Park Commission held a public hearing on October 28, 2024  
16 to consider the grant application and after careful consideration and review recommends the  
17 Planning and Zoning Department pursue the available grants under the CCA program for the  
18 Project;  
19

20           NOW, THEREFORE, BE IT RESOLVED that the county board of supervisors of the  
21 county of Manitowoc authorizes the Planning and Zoning Director, or his designee, to apply for  
22 and accept a CCA grant from the WDNR in the total amount of up to \$5,000.00 for the Project;  
23 and  
24

25           BE IT FURTHER RESOLVED that the Planning and Zoning Director, or his designee, is  
26 authorized to sign documents and take actions necessary to accept the grant and complete the  
27 Project as authorized in the County’s grant application to the WDNR, including obtaining any  
28 permits that may be required; and  
29

30           BE IT FURTHER RESOLVED that the Finance Director is directed to record such  
31 information in the official books of the County as may be required with carryover as needed.

Dated this 12th day of November 2024.

Respectfully submitted by the  
Planning and Park Commission

\_\_\_\_\_  
James Falkowski, Chair

FISCAL IMPACT: No tax levy impact. Increases both State Conservation Aid by \$5,000.00 and associated expense(s) by an equal amount.

FISCAL NOTE: Reviewed and approved by Finance Director. \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'RZ', is written over the line for the Finance Director's approval.

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

APPROVED:

\_\_\_\_\_  
Bob Ziegelbauer, County Executive

\_\_\_\_\_  
Date

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

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

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

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

8           WHEREAS, a copy of the proposed Planning and Zoning Department fee schedule is  
9 attached to this Resolution as Appendix A;  
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, 2025, 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 12th day of November 2024.

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

## Appendix A

### PLANNING AND ZONING DEPARTMENT FEE SCHEDULE

January 1, 2025

<b>PRIVATE ONSITE WASTEWATER TREATMENT (POWTS) APPROVALS</b>	
Holding Tank - 5,000 gpd or less	\$ 143
Holding Tank - 5,001 – 10,000 gpd	\$ 175
Holding Tank - 10,001+ gpd	\$ 219
In-Ground Non-Pressurized System - Residential	\$ 208
In-Ground Non-Pressurized System - Nonresidential - 1,000 gpd or less	\$ 274
In-Ground Non-Pressurized System - Nonresidential - 1,001 – 2,000 gpd	\$ 334
In-Ground Non-Pressurized System - Nonresidential - 2,001 - 5,000 gpd	\$ 400
Maintenance Program - Per Year	\$ 15
Pressurized System - 1,000 gpd or less	\$ 274
Pressurized System - 1,001 – 2,000 gpd	\$ 334
Pressurized System - 2,001 - 5,000 gpd	\$ 400
Revision - Previously Approved Plan	\$ 148

<b>NONMETALLIC MINING</b>	
Active Acreage - Per Acre/Per Year	\$ 75
Mining Plan Review	\$ 300
Mining Plan Modification Review	\$ 300

<b>SANITARY PERMITS</b>	
Alternate, Experimental, or Other System	\$ 645
Holding Tank	\$ 645
In-Ground Non-Pressurized System	\$ 530
Large Scale System	\$ 781
On-site Soil Evaluation	\$ 88
On-site System Evaluation	\$ 88
Pressurized System	\$ 645
Reconnection	\$ 208
Renewal	\$ 131
Soil Test Review	\$ 40
Wisconsin Fund Application	\$ 100



**PLANNING AND ZONING DEPARTMENT  
FEE SCHEDULE**

January 1, 2025

<b>ZONING PERMITS</b>	
Accessory Structure (New Construction or Modification)	\$ 120
Board of Adjustment - Appeal	\$ 553
Board of Adjustment - Interpretation Request	\$ 553
Board of Adjustment - Variance Request	\$ 553
Certified Survey Map - Appeal	\$ 187
Certified Survey Map – Review (First Lot)	\$ 160
Certified Survey Map – Review (For Each Additional Lot)	\$ 60
Certified Survey Map - Variance Request	\$ 187
Conditional Use Permit	\$ 553
Development Plan Review (First Lot)	\$ 427
Development Plan Review (For Each Additional Lot)	\$ 55
Filling and Grading Permit	\$ 185
Impervious Surface Calculation Review	\$ 185
Industrial Site Plan Review	\$ 148
Principal Structure (New Construction or Modification)	\$ 235
Shoreland Mitigation Plan Review	\$ 350
Subdivision Plat Review (First Lot)	\$ 454
Subdivision Plat Review (For Each Additional Lot)	\$ 50
Telecommunication - Tower	\$ 3,000
Telecommunication - Antenna Co-location	\$ 120
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	\$ 553

**ORDINANCE REPEALING AND RECREATING MANITOWOC COUNTY  
CODE § 4.12**

(Maintenance and Sale of Tax-Deeded Land)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc county code § 4.12 governs the acquisition, maintenance, and sale  
2 of tax deeded lands; and  
3

4 WHEREAS in March of 2024, the Wisconsin legislature enacted 2023 Wisconsin Act 207,  
5 which made changes to the process that counties must follow when disposing of tax-deeded  
6 properties, including, *inter alia*, a requirement to sell tax-deeded properties, a right of former  
7 owners to repurchase, and the hold period for proceeds; and  
8

9 WHEREAS, as a result of these changes, Manitowoc County must update its ordinance in  
10 order to comply with state law; and  
11

12 WHEREAS, after careful consideration and review, the Manitowoc County Finance  
13 Committee recommends that s. 4.12 of the Manitowoc County Code be repealed and recreated to  
14 read as provided herein;  
15

16 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does  
17 ordain as follows:  
18

19 Manitowoc County Code § 4.12 is repealed and recreated in its entirety to read as follows:  
20

21 **4.12 Acquisition, Maintenance, and Sale of Tax-Deeded Land.**  
22

23 (1) Definitions. In this s. 4.12:  
24

25 (a) “Beneficiary” shall have the meaning given in Wis. Stat. § 851.03.  
26

27 (b) “Heir” means any person, including the surviving spouse, who is entitled  
28 under the statutes of intestate succession to an interest in property of a  
29 decendent (see Wis. Stat. § 851.09).  
30

31 (c) “Owner-Occupied, Single-Family Residence” means any single-family  
32 residential unit used by one family that owns the property as their permanent  
33 and primary residence and, upon request, is able to provide the county  
34 treasurer with evidence establishing the satisfaction of these terms (e.g., a  
35 utility bill).  
36

37 (d) “Tax-Deeded Lands” shall have the meaning given in Wis. Stat. § 75.35(1).  
38

- 39           (2) Acquisition. The power to acquire tax-deeded land, including the power to  
40 determine which properties to acquire, is delegated to the county treasurer, with  
41 assistance from the corporation counsel and public works director. Manitowoc  
42 County recognizes that there may be properties that are undesirable to acquire and  
43 delegates to the treasurer the authority to make such a determination.  
44
- 45           (3) Maintenance. The power to manage tax-deeded land is delegated to the public  
46 works director. The public works director shall take such action as is reasonably  
47 necessary to inspect, secure, and maintain the property in good, marketable  
48 condition. The public works director may request assistance from other county  
49 departments and offices, including the finance director, corporation counsel, health,  
50 highway, and human services departments and the offices of the county clerk,  
51 register of deeds, and treasurer. All costs incurred in the management of tax-  
52 deeded land will be charged against the property and recovered from the proceeds  
53 to the sale of the property insofar as permitted by law.  
54
- 55           (4) Sale. The power to sell tax-deeded land is delegated to the finance committee,  
56 with assistance from the corporation counsel, treasurer, and public works director  
57 as provided for in this s. 4.12, subject to the requirements of Wis. Stat. §§ 75.35,  
58 75.36, and 75.69. All sales of tax-deeded land will be on an “as is” basis.  
59
- 60           (5) Notice. Within 30 days of the county’s acquisition of a tax-deeded land, the  
61 treasurer shall notify the former owner, by registered mail or certified mail sent to  
62 the former owner’s mailing address on the tax bill, that the former owner may be  
63 entitled to a share of the proceeds of a future sale of the tax-deeded land.  
64
- 65           (6) Appraisal. The finance committee shall determine the appraised value of the tax-  
66 deeded land using information provided by the public works director regarding the  
67 property’s condition and fair market value as reported by the treasurer. The public  
68 works director may employ the services of a certified appraiser to collect  
69 information and provide an opinion regarding the property’s appraised value.  
70
- 71           (7) Right to Repurchase. This sub. (7) shall only apply to tax-deeded lands that are  
72 owner-occupied, single-family residences.  
73
- 74           (a) Within 45 days of the county’s acquisition of an owner-occupied, single-  
75 family residence, the treasurer shall provide notice to the former owner of  
76 the former owner’s, the former owner’s heirs, or the former owner’s  
77 beneficiaries right to repurchase the tax-deeded land. Such notice shall be  
78 mailed to the former owner’s last known address on file with the treasurer.  
79
- 80           (b) If a former owner of tax-deeded land, or such former owner’s heir or  
81 beneficiary, notifies the treasurer of an intent to repurchase the tax-deeded  
82 land within 90 days of the date the county acquiring the tax-deeded land,  
83 the treasurer shall order a title report from a title insurance company  
84 showing all liens of record against the tax-deeded land in existence on the

85 day prior to the judgment of foreclosure in favor of the county, the cost of  
86 which shall be paid in advance by the person notifying the treasurer of the  
87 intent to repurchase the tax-deeded land.  
88

89 (c) If the former owner, or such former owner’s heir or beneficiary, provides  
90 proof of satisfaction of all liens of record as established in the title report  
91 within 30 days of the date of the title report, the treasurer shall convey the  
92 tax-deeded land to the former owner, or such former owner’s heir or  
93 beneficiary, by quit-claim deed provided the former owner, or such former  
94 owner’s heir or beneficiary, has provided the county with funds necessary  
95 to satisfy all costs and expenses due the county as provided in Wis.  
96 Stat. § 75.35(3).  
97

98 (8) Advertisement. For any tax-deeded land that is not repurchased pursuant to sub.  
99 (7), the county shall advertise the sale of such property as follows.  
100

101 (a) For the first attempt to sell tax-deeded land, the public works director shall  
102 publish a list of tax-deeded land for purchase that includes the location and  
103 appraised value of each property. Such list shall be published on the  
104 county’s website and as a class 1 notice.  
105

106 (b) Subsequent attempts to sell tax-deeded land shall be advertised by  
107 publication of a class 1 notice. The public works director may also  
108 advertise subsequent attempts to sell tax-deeded land through real estate  
109 brokers or any other appropriate means.  
110

111 (c) A list of tax-deeded land, including the location and appraised value of each  
112 property, shall be available for public inspection at the public works  
113 department and the treasurer’s office.  
114

115 (d) No tax-deeded land may be sold unless notice of the sale is mailed to the  
116 clerk of the municipality in which the property is located at least three weeks  
117 prior to the time of the sale.  
118

119 (9) Bids.  
120

121 (a) Bids must be submitted to the public works director on a form that has been  
122 approved by corporation counsel. Bid forms may be available from the  
123 corporation counsel, treasurer, or public works department.  
124

125 (b) Each bid must be accompanied by an earnest money deposit equal to 10%  
126 of the bid.  
127

128 (c) A bid on a tax-deeded land must be for the property “as is, where is, and  
129 without any conditions.”  
130

131                   (d)     The public works director shall provide the completed bid forms to the  
132                   finance committee for its determination on selling tax-deeded land.

133  
134     (10) Bid Evaluation. The finance committee may accept any bid to purchase tax-  
135     deeded land it determines that is most advantageous to the county subject to the  
136     following.

137  
138                   (a)     Every bid less than the appraised value shall be rejected at the first attempt  
139                   to sell the property.

140  
141                   (b)     Tax-deeded land previously advertised for sale may be sold for any amount  
142                   as determined by the finance committee, but only after the public works  
143                   director advertised the sale of such tax-deeded land by publication of a class  
144                   1 notice.

145  
146                   (c)     Any bid containing a contingency shall be rejected.

147  
148                   (d)     A bid that is less than the amount of the highest bid may be accepted only  
149                   if the finance committee prepares a written statement, available for public  
150                   inspection, explaining the reason for accepting the bid.

151  
152                   (e)     A bid that is less than the total of the delinquent taxes, interest, and costs  
153                   incurred may be accepted if the finance committee determines that the sale  
154                   is advantageous to the county.

155  
156                   (f)     The finance committee may reject any bid if it determines acceptance will  
157                   hamper other tax collection efforts or if it determines that it is in the  
158                   county's interest to reject such bid.

159  
160     (11) Notice of Bid Acceptance or Rejection. The finance committee shall select the bid  
161     that it determines to be in the best interests of the county and bidders shall be  
162     notified of finance committee decisions within 30 days of the committee's decision.  
163     A successful bidder shall pay the remaining balance within 14 days of being  
164     notified or the earnest money deposit shall be forfeited. If a bid is not accepted,  
165     the earnest money deposit shall be returned to the bidder.

166  
167     (12) The treasurer shall send to the former owner any proceeds to which the former  
168     owner is entitled under Wis. Stat. § 75.36(2m)(a) by [certified/registered mail] to  
169     the former owner's last known address. If the payment to the former owner is  
170     returned to the county or otherwise not claimed by the former owner within one  
171     year following the mailing of the proceeds, the payment shall be considered  
172     unclaimed funds and disposed of pursuant to Wis. Stat. § 59.66(2). Neither the  
173     former owner nor any person making a claim for any funds under this sub. (10) is  
174     entitled to interest on sums owed by the county hereunder.

175  
176     and

177  
178  
179  
180  
181

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

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

Dated this 12th day of November 2024.

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. \_\_\_\_\_

COUNTERSIGNED: \_\_\_\_\_  
Tyler Martell, County Board Chair Date

APPROVED: \_\_\_\_\_  
Bob Ziegelbauer, County Executive Date

DRAFT

**RESOLUTION ADOPTING 2025 BUDGET AND PROPERTY LEVY**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1           WHEREAS, a detailed copy of the County Executive’s proposed 2025 annual budget has  
2 been made available to each county supervisor and to the general public; and  
3

4           WHEREAS, the proposed 2025 annual budget was presented to the Manitowoc County  
5 Board of Supervisors at its meeting on October 8, 2024; 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 6, 2024; and  
10

11           WHEREAS, a public hearing on the proposed 2025 annual budget was held for the purpose  
12 of obtaining public input and the proposed 2025 annual budget was reviewed by the Manitowoc  
13 County Board of Supervisors at its annual meeting on October 28, 2024; and  
14

15           WHEREAS, the proposed 2025 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, 2024 to be 3.61%; and  
24

25           WHEREAS, a 2.0% 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 proposed changes to the group health plan include an increase to the  
41 premium and an increase to the embedded individual deductible under the family plan as required  
42 by the IRS; and

43  
44 WHEREAS, the proposed 2025 annual budget includes additional benefit offerings of  
45 Hospital Indemnity and Savi student loan assistance, both funded 100% by the employee; and

46  
47 WHEREAS, the proposed 2025 annual budget includes changes to sections 4.03 (Salary  
48 Basis Policy), 12.01 (General Restriction on Use of Paid Time Off), and 18.02 (Overtime) of the  
49 Employee Policy Manual;

50  
51 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of  
52 Supervisors hereby adopts a Governmental Funds Budget and a service delivery Proprietary Fund  
53 Budget for the calendar year beginning January 1, 2025 as indicated in the attached 2025 annual  
54 budget for Manitowoc County and any attachments or addenda thereto; and

55  
56 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors hereby  
57 authorizes that the following sums of money be raised for the ensuing year:

58  
59

State Special Charges - Charitable & Penal	\$	1,117.79
County Aid Bridges (Wis. Stat. § 82.08)	\$	30,230.00
Illegal Real Estate Taxes Charged Back (Prior Year)	\$	5,330.24
<u>All Other County Taxes</u>	\$	<u>32,985,206.00</u>
Gross County Tax Levy	\$	33,021,884.03

60  
61  
62  
63  
64

65 and

66  
67 BE IT FURTHER RESOLVED that Manitowoc County shall apportion the tax for bridges  
68 under Wis. Stat. § 82.08 on the taxable property of the participating districts; and

69  
70 BE IT FURTHER RESOLVED that the 2025 annual budget in detail hereto attached shall  
71 be made a part of the Tax Levy; and

72  
73 BE IT FURTHER RESOLVED that the wage schedule is increased by 2.0% as of  
74 December 22, 2024 and all employees at or below maximum receive a 2.0% increase as of  
75 December 22, 2024; and

76  
77 BE IT FURTHER RESOLVED that the performance-based increases included in the 2025  
78 annual budget will be granted pursuant to Manitowoc County Code §§ 5.02(3)(c), (d) and (e) as  
79 follows:

80  
81 (1) Employees below midpoint who meet or exceed job requirements (*i.e.* receive a  
82 cumulative score of 1.75 or greater on their employee evaluation) are eligible for a step increase;  
83 and



85 (2) Employees at or above midpoint who exceed job requirements (*i.e.* receive a  
86 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%  
87 increase; and

88  
89 (3) Employees at or above midpoint whose performance exceeds the proficient  
90 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee evaluation)  
91 will receive a 2.0% increase; and

92  
93 (4) Employees at or above maximum who exceed job requirements (*i.e.* receive a  
94 cumulative score of between 2.01 and 2.74 on their employee evaluation) will receive a 1.0%  
95 increase, paid to them per pay period for the following year; and

96  
97 (5) Employees at or above maximum whose performance exceeds the proficient  
98 performance level (*i.e.* receive a cumulative score of 2.75 or greater on their employee evaluation)  
99 will receive a 2.0% increase, paid to them per pay period for the following year; and

100  
101 BE IT FURTHER RESOLVED that effective January 1, 2025, the plan design of  
102 Manitowoc County’s group health plan will be changed as follows:

103  
104 1. For employees and elected officials covered under Manitowoc County’s General  
105 Health Plan plan premiums shall be increased by 8% as follows:

- 106  
107 a. Full premium for a Single Plan shall be \$744.36;  
108  
109 b. Full premium for an EE+Child(ren) Plan shall be \$1265.41;  
110  
111 c. Full premium for a Family Plan shall be \$2232.99.

112  
113 2. For employees and elected officials covered under Manitowoc County’s Protective  
114 Health Plan plan premiums shall be increased by 8% as follows:

- 115  
116 a. Full premium for a Single Plan shall be \$574.52;  
117  
118 b. Full premium for an EE+Child(ren) Plan shall be \$976.67;  
119  
120 c. Full premium for a Family Plan shall be \$1723.52.

121  
122 and

123  
124 BE IT FURTHER RESOLVED that effective January 1, 2025, the embedded individual  
125 deductible within the family plan shall be \$3300 for employees covered under either the General  
126 Health Plan or the Protective Health Plan; and

127  
128 BE IT FURTHER RESOLVED that effective January 1, 2025, the plan design of  
129 Manitowoc County’s benefits plan will include access to Hospital Indemnity and the Savi student  
130 loan assistance program; and

131  
132 BE IT FURTHER RESOLVED that effective January 1, 2025, Section 4.03 (Salary Basis  
133 Policy) shall be amended to read as follows:  
134

135 4.03 Salary Basis Policy  
136

137 The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees  
138 in the United States be paid at least the federal minimum wages for all hours worked and  
139 overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours  
140 in a work week.  
141

142 However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage  
143 and overtime pay for employees employed as a bona fide executive, administrative,  
144 professional, and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also  
145 exempt certain computer employees. To qualify for an exemption, employees generally  
146 must meet certain tests regarding their job duties and be paid on a salary basis at not less  
147 than ~~\$455 per week~~ the amount determined by the U.S. Department of Labor. Job titles  
148 do not determine exempt status. In order for an exemption to apply, an employee's  
149 specific job duties and salary must meet all the requirements of the Department's  
150 regulations.  
151

152 and  
153

154 BE IT FURTHER RESOLVED that effective January 1, 2025, Section 12.01 (General  
155 Restrictions on Use of Paid Time Off) shall be amended to read as follows::  
156

157 12.01 General Restriction on Use of Paid Time Off  
158

159 Except for positions that the employer requires to be staffed at all times, and except for  
160 non-accrued leave as further provided in this section, an employee may not combine paid  
161 time off with hours actually worked to exceed his or her normally scheduled hours in a  
162 calendar week. This policy does not prohibit an employee from combining non-accrued  
163 leave such as funeral leave as provided in Section 12.02, holidays as provided in Section  
164 12.03, and jury duty as provided in Section 12.07, with hours actually worked to exceed  
165 his or her normally scheduled hours. This policy does not prohibit an employee from  
166 combining approved scheduled vacation leave with hours actually worked when an  
167 employee is called in with a shift starting outside a department's normal business hours.  
168

169 and  
170

171 BE IT FURTHER RESOLVED that effective January 1, 2025, Section 18.02(2)  
172 (Overtime) shall be amended to read as follows:  
173

174 18.02 Overtime  
175 ...

176 (2) Except hours worked pursuant to Section 18.08 (Flex Time) or as otherwise  
177 provided by resolution of the Manitowoc County Board of Supervisors, non-  
178 exempt employees who are not subject to overtime provisions contained in a  
179 collective bargaining agreement will be paid overtime in accordance with the  
180 Federal Fair Labor Standards Act, with the following additions:

- 181
- 182 (a) For hours worked in excess of 10 hours per shift;
- 183
- 184 (b) For hours worked on actual holidays;
- 185
- 186 (c) A minimum of four hours of work are guaranteed to an employee who is  
187 called in to work on a non-scheduled work day.
- 188
- 189 (d) For time actually worked during a call-out of the Special Operations Squad,  
190 Scuba Team, Canine Unit or other County authorized emergency response  
191 unit.
- 192
- 193 (e) Except for positions that are required to be staffed at all times, for hours  
194 worked as the result of a call-in with a shift starting on a Sunday.
- 195

196 BE IT FURTHER RESOLVED that the Finance Director is authorized to make any  
197 technical corrections to the budget that are necessary.

Dated this 12th day of November 2024.


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 \$33,021,884.03  
Composite Tax Rate of \$3.679123 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