

**ORDINANCE AMENDING MCC § 4.13(5)(a)
(Register of Deeds Fees)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Statutes prescribe certain fees that the Register of Deeds is
2 required to collect; and

3
4 WHEREAS, 2009 Wis Act 314 recently was enacted into law and changed the amount of
5 certain fees that the Register of Deeds is required to collect; and

6
7 WHEREAS, the Manitowoc County Code needs to be amended to conform to the changes in
8 fees prescribed by state law;

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

12
13 Manitowoc County Code sec. 4.13(5)(a) is amended to read as follows:

14
15 (5) Register of Deeds Fees. (a) The Register of Deeds shall collect the fees prescribed by Wis.
16 Stat. § 59.43 and any other applicable state law or administrative code.

Dated this 20th day of July 2010.

Respectfully submitted by the
Finance Committee

Mary Muench, Chair

FISCAL IMPACT: Indeterminable.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

COUNTERSIGNED: _____
Paul R. Tittl, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 2

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wis. Stat. § 59.72(3) authorizes the county board to create a Land Information
2 Office to coordinate land information projects within the county and between the county and other
3 local units of government; to develop and secure approval for a countywide plan for land records
4 modernization; and to review and recommend grant projects from local governmental units to the
5 state department of administration; and

6
7 WHEREAS, 2009 Wis. Act 314, which was recently enacted, requires that the county establish
8 a Land Information Council with certain required members, including a member of the land
9 information office; and

10
11 WHEREAS, the Finance Committee recommends the following changes to the Manitowoc
12 County Code to conform to recent changes in state law and to better organize the county's land
13 records activities:

14
15 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain
16 as follows:

17
18 Manitowoc County Code sec. 2.02(16u) is created to read as follows:

19
20 (16u) Land Information Office. The Land Information Office is created pursuant to Wis. Stat.
21 59.72(3) and is responsible for coordinating land information projects within the county and between
22 the county and other local units of government; developing and securing approval for a countywide
23 plan for land records modernization; and reviewing and recommending grant projects from local
24 governmental units to the state department of administration. The office will be comprised of the
25 Register of Deeds and the GIS coordinator.

26
27 Manitowoc County Code § 2.02(20) is amended to read as follows:

28
29 (20) Register of Deeds. The Register of Deeds shall maintain accurate and reliable records of
30 all documents lawfully submitted for recording, accept applications for state identification cards,
31 furnish copies of vital records, and perform all other duties and responsibilities as set forth in the
32 Wisconsin Statutes. The Register of Deeds shall also coordinate and direct the operation of the Land
33 Information Office.

34
35 Manitowoc County Code § 2.04(7m) is created to read as follows:

36
37 (7m) Land Information Council. (a) A Land Information Council is hereby created pursuant
38 to Wis. Stat. § 59.72(3m).

39
40 (b) The Register of Deeds, the Treasurer, and the real property lister, or a designee, will be
41 ex officio members of the council. The remaining members of the council will be appointed by the

42 county executive, subject to confirmation by the county board, and will include a member of the
43 county board, a representative of the land information office, a realtor or a member of the Realtors
44 Association employed within the county, a public safety or emergency communications
45 representative employed within the county, and the county surveyor or a registered professional land
46 surveyor employed within the county, and one public representative.

47

48 (c) Council members who hold county elective office or who are employed by the county will
49 serve on the council for so as long as they hold office or are employed by the county. Appointed
50 council members will serve two-year terms.

51

52 (d) The council may bring matters forward to the county board through the Finance
53 Committee.

54

55 This ordinance is effective August 1, 2010.

Dated this 20th day of July 2010.

Respectfully submitted by the
Finance Committee

Mary Muench, Chair

FISCAL IMPACT: The statute creating the Land Information Council also increases the funds available for land record modernization by \$3 per recorded document. The increased revenue will cover any increased expenses.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

COUNTERSIGNED: _____
Paul R. Tittl, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AUTHORIZING ADVISORY REFERENDUM
ON CONSTITUTIONAL AMENDMENT TO PROHIBIT
TRANSFERS FROM SEGREGATED TRANSPORTATION FUND**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin’s transportation infrastructure is a fundamental component in its
2 ability to attract and retain business and produce jobs; and
3

4 WHEREAS, revenues from Wisconsin’s gasoline sales tax and vehicle registration fees are
5 deposited into the state’s segregated transportation fund, comprise more than 90% of the state’s
6 segregated transportation fund, and are intended to be used to fund transportation projects, but have
7 been declining and are inadequate to meet the state’s existing transportation needs; and
8

9 WHEREAS, the Legislative Fiscal Bureau reports that Wisconsin transferred approximately
10 \$1.2 billion from the segregated transportation fund to the general fund during the last decade,
11 replaced the transferred funds with approximately \$800 million in general obligation bonds, and thus
12 reduced the funds available for transportation purposes by approximately \$400 million; and
13

14 WHEREAS, transferring money from the segregated transportation fund erodes the public’s
15 confidence that the user taxes and fees that it pays will be used for their intended purpose; and
16

17 WHEREAS, The Pew Center on the States recently identified Wisconsin as one of ten “States
18 in Fiscal Peril,” noted that Wisconsin’s “history of budget shortfalls and pattern of borrowing
19 frequently to cover operating expenses, among other measures, made it poorly positioned to weather
20 the most recent severe economic downturn,” and specifically cited the practice of taking money from
21 the transportation fund to pay for day-to-day operations and then borrowing to cover the
22 transportation budget; and
23

24 WHEREAS, borrowing to fund ongoing operating costs has damaged the state’s bond rating
25 to the point that CNN listed Wisconsin as having the second worst general obligation bond rating
26 in the country in 2009 and has created repayment obligations that will hinder the state’s ability to
27 fund other vital programs in the future, such as Shared Revenue, Youth Aids, Community Aids, and
28 Court Services; and
29

30 WHEREAS, creating constitutional protection for segregated transportation funds similar to
31 that provided in Indiana, Iowa, Michigan, Minnesota, and Ohio will ensure that the practice of using
32 segregated transportation fund for other purposes and borrowing to cover ongoing transportation
33 operating costs will not continue;
34

35 WHEREAS, the citizens of Manitowoc County should be heard on this important issue;
36

37 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors
38 that the following question will be put to the voters of Manitowoc County in an advisory referendum
39 during the November 2010 election:

40 Should the Wisconsin Constitution be amended to prohibit transfers from the segregated
41 transportation fund?

42
43 and;

44
45 BE IT FURTHER RESOLVED that the County Clerk is directed to cause a Notice of
46 Referendum to be published in the county's official newspaper as required by law; and

47
48 BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this
49 resolution and a copy of the results of the advisory referendum to the Governor of the State of
50 Wisconsin, each legislator in the Wisconsin Senate and Assembly who represents constituents from
51 Manitowoc County, and the Wisconsin Counties Association.

Dated this 20th day of July 2010.

Respectfully submitted by the
Highway Committee

Don C. Markwardt, Chair

FISCAL IMPACT: Cost to provide required notices, prepare ballots and voting machines, and
distribute results is estimated at \$2,500.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION RECOGNIZING THE 20TH ANNIVERSARY
OF THE AMERICANS WITH DISABILITIES ACT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the Americans With Disabilities Act was signed into law on July 26, 1990 by
2 President George H. Bush; and

3
4 WHEREAS, the Americans With Disabilities Act established a clear and comprehensive
5 national mandate to ensure the civil rights of people with disabilities; and

6
7 WHEREAS, the Americans With Disabilities Act has expanded opportunities for the disabled
8 by reducing barriers, changing perceptions, and increasing full participation in community life;

9
10 NOW THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
11 celebrates the progress that has been made by reaffirming the principles of equality and inclusion and
12 rededicates itself to the principles and objectives of the Americans With Disabilities Act.

Dated this 20th day of July 2010.

Respectfully submitted by the
Personnel Committee

Norbert A. Vogt, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**RESOLUTION AUTHORIZING HIGHWAY DEPARTMENT
TO PERFORM WORK EXCEEDING \$25,000
(Devils River State Recreation Trail)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the State of Wisconsin has enacted legislation providing matching grants for
2 development projects in governmental parks and recreation facilities; and
3

4 WHEREAS, the Department of Natural Resources, the Department of Transportation, and the
5 Manitowoc County Planning and Park Commission have determined that development of the Devils
6 River State Recreation Trail, a public recreational trail on an abandoned railroad right-of-way in
7 Manitowoc County, has a high priority; and
8

9 WHEREAS, the Department of Natural Resources has provided Manitowoc County with a
10 grant for 100% of the funding necessary to develop roughly 2 miles of the Devils River State
11 Recreation Trail; and
12

13 WHEREAS, Wis. Stat. § 59.52(29) provides that the county board may, by a three-fourths vote
14 of all of its members entitled to a seat, provide that a public work or any part of a public work may
15 be done directly by the county without submitting the work for bids; and
16

17 WHEREAS, the Highway Department has the ability to perform the work required on the
18 Devils River State Recreation Trail; and
19

20 WHEREAS, the Planning and Park Commission recommends that the Highway Department
21 be authorized to perform the work;
22

23 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors,
24 in accordance with Wis. Stats. 59.52(29), authorizes the Highway Department to perform the work
25 on the Devils River State Trail under the grant provided by the Department of Natural Resources
26 without submitting the work for bids; and
27

28 BE IT FURTHER RESOLVED that the Park Supervisor is authorized to sign all necessary
29 documents on behalf of the County of Manitowoc and to take the necessary steps to receive and
30 disburse funds under the grant and complete the work authorized; and
31

32 BE IT FURTHER RESOLVED that Manitowoc County will comply with state and federal
33 rules for the grant; will be responsible for updating plans and monitoring ongoing operations; will
34 obtain written approval from the Wisconsin Department of Natural Resources before making
35 changes in the project; and will maintain a record of expenditures; and
36

37 BE IT FURTHER RESOLVED that revenues in the 2010 budget are amended by the amount
38 of the grant, that expenditures in the 2010 budget are amended by an amount equal to the grant, and
39 that the Comptroller/Auditor is directed to record such information in the official books of the

40 County as may be required.

Dated this 20th day of July 2010.

Respectfully submitted by the
Planning and Park Commission

Melvin Waack, Chair

FISCAL IMPACT: No tax levy impact.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**ORDINANCE AMENDING ZONING MAP
(Paul Shimek)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held a
2 public hearing on a petition for a zoning ordinance amendment on June 28, 2010; and

3
4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and
5 an examination of the facts, recommends that the petition be approved for the reasons stated in the
6 attached report;

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

10
11 A parcel of land located in the SE¼, SW¼, & SW¼, SW¼, Section 7, T20N-R23E,
12 Town of Kossuth, commencing at the S¼ corner of said Section 7; thence westerly along
13 the centerline of Polifka Road approximately 1173 feet; thence northerly approximately
14 33 feet to the north r/w of Polifka Road which is the point of real beginning; thence
15 continue northerly approximately 200 feet; thence westerly approximately 369 feet;
16 thence southeasterly approximately 115 feet; thence southerly approximately 145 feet;
17 thence easterly along the north r/w of Polifka Road approximately 264 feet to the point
18 of real beginning, said parcel containing approximately 1.6 acres of land, shall be and
19 is hereby rezoned from A3 Agriculture to A1 Agriculture.

Dated this 20th day of July 2010.

Respectfully submitted by the
Planning and Park Commission

Melvin Waack, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

COUNTERSIGNED: _____
Paul R. Tittl, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AUTHORIZING OUT-OF-STATE TRAVEL
(Nancy H. Crowley)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Emergency Management Director Nancy H. Crowley is the chair of the mid-year
2 planning meeting of the National Radiological Emergency Preparedness Conference Steering
3 Committee in Orlando, Florida, September 29-October 1, 2010; and

4

5 WHEREAS, all expenses (airfare, hotel, meals, and surface transportation) will be borne by
6 NextEra Energy Point Beach;

7

8 NOW, THEREFORE, BE IT RESOLVED the Manitowoc County Board of Supervisors
9 authorizes Nancy H. Crowley to travel out of state to attend the mid-year planning meeting of the
10 National Radiological Emergency Preparedness Conference Steering Committee in Orlando, Florida
11 September 29-October 1, 2010.

Dated this 20th day of July 2010.

Respectfully submitted by the
Public Safety Committee

Rick Henrickson, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

RESOLUTION ACCEPTING JUSTICE ASSISTANCE GRANT FUNDS

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the City of Manitowoc has been awarded a Justice Assistance Grant and is
2 authorized to provide the County with \$4,817 from the grant to support a Multi-Launcher Program;

3
4 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
5 authorizes the Manitowoc County Sheriff's Department to accept \$4,817 from the City of Manitowoc
6 to be used for the Multi-Launcher Program through December 31, 2011; and

7
8 BE IT FURTHER RESOLVED that the County Board authorizes and ratifies the execution
9 by the County Executive and other county officials of an Interlocal Agreement and any other required
10 agreement that is required between the City and County in connection with this grant; and

11
12 BE IT FURTHER RESOLVED that the 2010 budget is amended by the amount of the funds
13 awarded and received and that the Comptroller/Auditor is directed to record such information in the
14 official books of the County for the year ending December 31, 2010 as may be required.

Dated this 20th day of July 2010.

Respectfully submitted by the
Public Safety Committee

Rick Henrickson, Chair

FISCAL IMPACT: No tax levy impact. Increases revenues and expenses by \$4,817.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

