

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 7
(Retail Food Establishments)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection
2 (DATCP) is authorized by Wis. Stat. § 97.41 to enter into written agreements with local health
3 departments to administer a retail food program under which the local health department acts as
4 DATCP’s agent for the purpose of inspecting and issuing licenses to retail food establishments; and
5

6 WHEREAS, a local health department that administers a retail food program under such an
7 agreement is authorized to collect a fee that covers the state fee and the reasonable costs of making
8 inspections, issuing licenses, and providing education, training, and technical assistance to the
9 establishments; and
10

11 WHEREAS, Wis. Admin. Code ch ATCP 75 sets forth the definitions, general provisions,
12 licensing requirements and standards, and provisions for the local regulation of retail food
13 establishments; and
14

15 WHEREAS, the Board of Health recommends that the health department enter into an
16 agreement to provide services as an agent of the State of Wisconsin for purposes of the inspection
17 and licensing of retail food establishments in order to provide local contacts to retail food
18 establishments and benefits the public in assuring a safe food supply;
19

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

23 Manitowoc County Code sec. 7.06 pertaining to laws, rules, and regulations adopted by
24 reference is amended by replacing “Wis. Stat. chs. 251, and 254” with Wis. Stat. chs. 97, 251, and
25 254”; inserting “Wis. Admin. Code ch. ATCP 75;” before Wis. Admin. Code § chs. DHS”; and
26 inserting the word “and” before “Wis. Admin. Code chs. Comm. 26 and 90.”
27

28 Manitowoc County Code sec. 7.21(1) pertaining to permit and license requirements is
29 amended by adding the phrase “retail food establishments” following the word “restaurants.”
30

31 Manitowoc County Code sec. 7.255 is created to read as follows:
32

33 7.255 Retail Food Establishments.
34

- 35 (1) The health department is eligible under state law and authorized by this Chapter
36 to act as an agent of the Wisconsin Department of Agriculture, Trade and
37 Consumer Protection under a written agreement for the purpose of issuing licenses
38 and making investigations or inspections of retail food establishments.

39 (2) The health department fee schedule for retail food establishments contained in
40 Appendix A includes the state's fee, which the health department shall collect and
41 pay to the Wisconsin Department of Agriculture, Trade and Consumer Protection.
42

43 Manitowoc County Code Ch. 7, Appendix A, Health Department Fee Schedule, 7/10/2011 -
44 6/30/2012, is amended by inserting the following fees:
45

46	Retail Food Establishment	
47	Large Non-Potentially Hazardous	200
48	Large Potentially Hazardous	719
49	Not Engaged in Food Processing	47
50	Small Potentially Hazardous	278
51	Very Small Non-Potentially Hazardous	63
52	Very Small Potentially Hazardous	63
53		
54	Retail Food Establishment - Reinspection	
55	Large Non-Potentially Hazardous	190
56	Large Potentially Hazardous	450
57	Not Engaged in Food Processing	90
58	Small Potentially Hazardous	190
59	Very Small Non-Potentially Hazardous	90
60	Very Small Potentially Hazardous	90

61
62 This ordinance is effective June 1, 2011.

Dated this 17th day of May 2011.

Respectfully submitted by the
Board of Health

Andy Schneider, Chair

FISCAL IMPACT: Generates approximately \$24,500 in revenue, less state fees, to net
approximately \$22,000 to cover program costs.

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 PARTICIPATION IN UNITED WAY CAMPAIGN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County is committed to improving the quality of life for all of its
2 citizens and recognizes that private, not-for-profit organizations make a significant contribution to
3 the quality of life in Manitowoc County; and
4

5 WHEREAS, United Way Manitowoc County, Inc. conducts an annual campaign that gives
6 employees an opportunity to support charitable causes through a payroll giver’s plan and to support
7 more than two dozen different organizations in Manitowoc County that insure basic needs are met,
8 increase self-sufficiency, nurture children and youth, promote health and healing, and strengthen
9 families; and
10

11 WHEREAS, Manitowoc County has determined that a single, combined campaign such as the
12 United Way is the most efficient and effective way to provide its employees with an opportunity to
13 contribute to charitable organizations;
14

15 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
16 designates United Way Manitowoc County, Inc. as the organization authorized to offer an
17 opportunity to enroll in a payroll giver’s plan to Manitowoc County employees, officers, and officials
18 from now through December 31, 2011, with payroll deductions to be made during the 2012 calendar
19 year; and
20

21 BE IT FURTHER RESOLVED that the Manitowoc County Board of Supervisors authorizes
22 and encourages the voluntary participation of its employees, officers, and officials in the United Way
23 campaign.

Dated this 17th day of May 2011.

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. _____

APPROVED: _____
Bob Ziegelbauer, County Executive

Date

RESOLUTION ACCEPTING DATCP GRANT

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County's Land and Water Resource Management Plan identifies
2 proper management of nutrients applied to cropland as a Best Management Practice to protect public
3 health and safety by reducing or eliminating nutrients in surface and ground water; and
4

5 WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection is
6 willing to provide Manitowoc County with a Grant of \$22,000 to provide financial assistance to
7 landowners who prepare and follow a Nutrient Management Plan;
8

9 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
10 authorizes the Soil and Water Department Director to accept a grant from DATCP in an amount not
11 to exceed \$22,000; and
12

13 BE IT FURTHER RESOLVED that appropriate revenue and expenditure line items in the
14 2011 budget are amended by the amount of the grant funds received and that the
15 Comptroller/Auditor is directed to record such information in the official books of the County for
16 the year ending December 31, 2011 as may be required.

Dated this 17th day of May 2011.

Respectfully submitted by the
Land Conservation Committee

Susie Maresh, Chair

FISCAL IMPACT: No tax levy impact. Increases revenues and expenditures by equal amounts of up to \$22,000.

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: _____ Date
Bob Ziegelbauer, County Executive

**RESOLUTION APPROVING FUNDING OF HEALTH SAVINGS ACCOUNTS
FOR NON-REPRESENTED EMPLOYEES**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Manitowoc County has, pursuant to the requirements of expired 2010 labor
2 agreements, provided employees represented by AFSCME with full funding of their 2011 health
3 insurance deductible through contributions to health savings accounts in the amount of \$1,500 for
4 single plans and \$3,000 for family plans; and
5

6 WHEREAS, Health Department employees represented by Local 5068 waived contributions
7 to their health savings accounts as part of the settlement of their 2011-2013 labor agreement; and
8

9 WHEREAS, nonrepresented employees did not receive any of their health savings accounts
10 in 2011; and
11

12 WHEREAS, Manitowoc County strives to treat employees fairly and equitably regardless of
13 whether or not the employees are represented under a labor agreement; and
14

15 WHEREAS, the goal is to end County funding of employee health savings accounts in 2012
16 so that employees will bear the full cost of the health insurance deductible; and
17

18 WHEREAS, providing nonrepresented employees with one-half of the funding of the annual
19 deductible — \$750 single for a single plan and \$1,500 for a family plan — would provide fair and
20 equitable treatment to this group of employees; and
21

22 WHEREAS, offering Health Department employees represented by Local 5068 with one-half
23 of the funding of the annual deductible — \$750 single for a single plan and \$1,500 for a family plan
24 — would provide fair and equitable treatment to this group of employees; and
25

26 WHEREAS, once enabling legislation is enacted and published, it would be fair and equitable
27 to recover an amount equal to one-half of the 2011 health savings account contributions by requiring
28 employees represented by an AFSCME Local to make 18 health insurance premium contributions
29 of \$41.67 for a single plan and \$83.33 for a family plan;
30

31 NOW, THEREFORE, BE IT RESOLVED that once enabling legislation is enacted and
32 published, one-half of the health savings account contributions provided in 2011 to employees
33 covered under an AFSCME agreement will be recovered through health insurance premium
34 contributions; and
35

36 BE IT FURTHER RESOLVED that once enabling legislation is enacted and published to
37 allow for the recovery of one-
38 half of the health savings account funding provided in 2011 to employees covered under an

39 AFSCME agreement, that the nonrepresented employee group receive a contribution to their health
40 savings account equal to one-half of the annual deductible; and

41

42 BE IT FURTHER RESOLVED that once enabling legislation is enacted and published to
43 allow for the recovery of one-half of the health savings account funding provided in 2011 to
44 employees covered under an AFSCME agreement, that Health Department employees represented
45 by Local 5068 be offered a contribution to their health savings accounts equal to one-half of the
46 annual deductible; and

47

48 BE IT FURTHER RESOLVED that the County's goal is to end funding of all employee health
49 savings accounts in 2012.

Dated this 17th day of May 2011.

Respectfully submitted by the
Personnel Committee

Norbert A. Vogt, Chair

FISCAL IMPACT: Recovery of one-half of HSA payments made to AFSCME employees would equal \$318,000. The contribution to nonrepresented employees would be \$134,250. Providing the same funding to Health Department employees represented by Local 5068 equals \$12,000. The net savings to the County would be \$171,750 if Local 5068 accepts the offer and \$183,750 if Local 5068 declines the offer.

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 APPROVING AMENDMENT TO EMPLOYEE POLICY MANUAL
(Annual Proration of Benefits for Part-time Employees)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, Manitowoc County has adopted an Employee Policy Manual to ensure fair and
2 equal treatment of County employees and compliance with Federal and State employment laws; and
3

4 WHEREAS, part-time employees are eligible for all of the fringe benefits provided to full-time
5 employees on a pro-rated basis; and
6

7 WHEREAS, the frequency of calculation of pro-ration for different groups of employees
8 currently varies from quarterly to bi-annual to annual; and
9

10 WHEREAS, performing benefit pro-rations on an annual basis allows employees greater
11 predictability in determining the cost of their participation in employee benefits, while still crediting
12 them with every hour worked toward the calculation of the pro-ration; and
13

14 WHEREAS, performing benefit pro-rations on an annual basis decreases administrative time
15 and expense; and
16

17 WHEREAS, the implementation of this policy is contingent upon the enactment and
18 publication of enabling legislation by the State of Wisconsin; and
19

20 WHEREAS, this policy will not impact Health Department employees represented by Local
21 5068 until the expiration of their Agreement and this policy will not impact Sheriff's Department
22 employees represented by WPPA; and
23

24 WHEREAS, a copy of the revised policy has been reviewed by the Personnel Committee and
25 provided to the County Board;
26

27 NOW, THEREFORE, BE IT RESOLVED that the Employee Policy Manual is amended to
28 include the revised policy requiring annual pro-ration of fringe benefits for part-time employees as
29 soon as legally possible.

Dated this 17th day of May 2011.

Respectfully submitted by the
Personnel Committee

Norbert A. Vogt, Chair

**RESOLUTION APPROVING CHANGE TO
NORMAL WORK WEEK OF CERTAIN DEPARTMENTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS

1 WHEREAS, the normal work week for certain employees is currently 38 hours; and

2
3 WHEREAS, a 38-hour work week creates complexity in the administration and reporting of
4 paid time off because paid time off is based on a 7.5 hour day, which results in a 37.5-hour work
5 week based of five 7.5-hour days;

6
7 WHEREAS, reducing the normal work week to 37.5 hours based will eliminate the complexity
8 in the administration and reporting of paid time off and will help the county in reducing expenses,
9 which will be necessary because of reductions in State and Federal funding; and

10
11 WHEREAS, reducing expenses by reducing the normal work week by one-half hour is
12 preferable to eliminating positions and laying off current employees;

13
14 WHEREAS, implementation of the change in the normal work week to 37.5 hours is
15 contingent upon the enactment and publication of enabling legislation by the State of Wisconsin; and

16
17 WHEREAS, the changed work week will only affect employees who presently have a 38-hour
18 work week, but will not affect Health Department employees represented by Local 5068 until the
19 expiration of their current labor agreement;

20
21 NOW, THEREFORE, BE IT RESOLVED that the normal work week for employees currently
22 working a 38-hour work week be changed to a 37.5 hour work week as soon as legally possible.

Dated this 17th day of May 2011.

Respectfully submitted by the
Personnel Committee

Norbert A. Vogt, Chair

FISCAL IMPACT: Personnel expenses will be reduced by approximately \$101,281.14 based on 2010 rates and the current number of FTE's.

	Average Hourly Rate	Number of FTE's	Cost Per Hour	Wage Savings	FICA	5.8% WRS	Total Savings
Human Services Pro	\$29.15	43.2	\$1,259.28	\$32,741.28	\$2,504.71	\$1,898.99	\$37,144.98
Non-Represented	\$28.94	7.00	\$202.58	\$5,267.08	\$402.93	\$305.49	\$5,975.50
Sheriff Dept AFSCME	\$18.53	6.28	\$116.37	\$3,025.58	\$231.46	\$175.48	\$3,432.52
Supportive Services	\$20.40	90.95	\$1,855.38	\$48,239.88	\$3,690.35	\$2,797.91	\$54,728.14
Total Savings							\$101,281.14

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED:

Bob Ziegelbauer, County Executive

Date

**ORDINANCE AMENDING ZONING MAP
(Bradley and Tatum Schuler)**

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 April 25, 2011; 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 amended petition be approved for the reasons
6 stated in the attached report;

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

10
11 A parcel of land located in the NE¼, NW¼, Section 32, T18N-R21E, Town of Eaton,
12 commencing at the N ¼ corner of said Section 32; thence westerly approximately 620
13 feet; thence southerly approximately 415 feet which is the point of real beginning;
14 thence continue southerly approximately 209 feet, thence westerly approximately 209
15 feet to the point of real beginning, said parcel containing approximately 1.0 acres of
16 land, is hereby rezoned from A3 Exclusive Agriculture District to A1 Agriculture
17 District.

Dated this 17th day of May 2011.

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
(Joseph Keil)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, impaired driving continues to be one of the greatest and most persistent threats
2 to public safety, and the Drug Recognition Expert (DRE) Program has proven to be effective in
3 training officers to detect and remove impaired drivers from our roadways; and
4

5 WHEREAS, the 23rd Symposium on Alcohol and Drug Impaired Driving Enforcement will
6 present information about legislative and case law developments, alcohol and drug impaired driving
7 enforcement training, different aspects of driving under the influence enforcement, the most recent
8 trends in drug use, and the latest technology available to law enforcement and prosecutors; and
9

10 WHEREAS, Deputy Joseph Keil holds National Instructor Drug Recognition Expert Status,
11 and alcohol and drug impaired driving enforcement training will allow him to continue to provide
12 Sheriff's Department officers with new techniques and training to maintain their proficiency; and
13

14 WHEREAS, the Wisconsin Department of Transportation, Bureau of Transportation Safety,
15 will fund 100% of the cost of training, airfare, lodging, and meals;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors
18 authorizes Joseph Keil to attend the 23rd Symposium on Alcohol and Drug Impaired Driving
19 Enforcement in Palm Beach Gardens, Florida on July 11-13, 2011.

Dated this 17th day of May 2011.

Respectfully submitted by the
Public Safety Committee

Rick Henrickson, Chair

FISCAL IMPACT: No tax levy impact. Wisconsin Department of Transportation will pay all expenses, which are estimated at \$1,000.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

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

APPROVED: _____ Date
Bob Ziegelbauer, County Executive

RESOLUTION ADOPTING TENTATIVE SUPERVISORY DISTRICT PLAN

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wisconsin counties are, within 60 days after the population count is
2 established in the decennial federal census and certain maps become available or are published,
3 to propose a tentative county supervisory district plan setting forth the number of supervisory
4 districts and tentative boundaries or a description of boundary requirements, hold a public
5 hearing on the proposed plan, and adopt a tentative plan; and
6

7 WHEREAS, the Planning and Zoning Department has, at the request of the County Board
8 and the Special Committee on Number and Apportionment of County Board Supervisory
9 Districts, prepared a tentative county supervisory district plan that provides for 25 supervisory
10 districts; and
11

12 WHEREAS, the Special Committee on Number and Apportionment of County Board
13 Supervisory Districts conducted the required hearing on the proposed tentative supervisory
14 district plan on May 9, 2011 and has provided its recommended tentative supervisory district
15 plan to the county board;
16

17 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
18 Supervisors does hereby adopt the tentative supervisory district plan as recommended by the
19 Special Committee; and
20

21 BE IT FURTHER RESOLVED that the County Clerk is directed to transmit the tentative
22 plan that has been adopted to each municipal governing body in the county.

Dated this 17th day of May 2011.

Respectfully submitted by Special
Committee on Number and Apportionment
of County Board Supervisory Districts

Paul R. Tittl, 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 APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Steven Hoffman)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69; and

WHEREAS, the Town of Newton has adopted a new zoning ordinance in accordance with Wis. Stat. § 60.62; and

WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances are subject to county board approval in counties that have adopted a zoning ordinance under Wis. Stat. § 59.69; and

WHEREAS, the Town of Newton has submitted its new zoning ordinance to the county board for approval;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of Supervisors approves the zoning ordinance that was adopted by the Town Board of the Town of Newton for Steven Hoffman on May 11, 2011.

Dated this 17th day of May 2011.

Respectfully submitted by

Randy Vogel, Supervisor

FISCAL IMPACT: None.

