

NOTICE OF MEETING

COMMITTEE: PLANNING & ZONING
DATE: September 17, 2008
TIME: 12:30 P.M. CLOSED SESSION - COMMITTEE ROOM #2
1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION ITEMS

1. Call to order.
2. Approve the agenda.
3. It is anticipated that the Committee may meet in Closed Session pursuant to Wisconsin Statutes, Section 19.85 (1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.
4. A roll call vote will be taken to return to open session.
5. Approve regular meeting minutes of July 30, 2008.
6. Approve public hearing meeting minutes of July 30, 2008.
7. Preliminary 2-lot certified survey map for Larry Fleischer, owner on property described as part of Lot 1 of CSM #3381 being part of Gov't Lot 2, Section 16, T39N, R5E, 8406 Squirrel Lake Rd., PIN# MI 1785, Town of Minocqua.
8. Preliminary 3-lot certified survey map for Fred Whitman, owner on property described as part of Gov't Lot 1, N165' of survey map C602, PIN# HA 113-4 and part of Gov't Lot 1, S165' of survey map C602, PIN# HA 113, all in Section 10, T38N, R6E, 6930 Hwy 51, Town of Hazelhurst.
9. Preliminary 2-lot Certified Survey Map of Paul Jakel, owner; and James McGinnis, agent; located in the NE SE, Section 23, T36N, R6E, PIN# LR 362, Town of Little Rice.
10. Two-lot certified survey map of Thomas Benish on property described as part of the SE SE, Section 16 and part of Gov't Lot 8, Section 21, T38N, R11E, PIN# TL 572-8, Town of Three Lakes.
11. Preliminary 2-lot certified survey map of Anthony Tillman, owner, for property described as part of the SE SE, Section 11, and part of the NE NE, Section 14 both in T38N, R11E, on Whitefish Lake, PIN# TL533-2, Town of Three Lakes.
12. After-the-fact 3-lot certified survey map of Midwest Land Company, owner, Dan Higginbotham, surveyor for property described as part of Lot 2 of certified survey maps vol. 12 Page 2998 located in part of Gov't Lots 4 & 5, Section 9, T36N, R7E, on Hancock Lake, PIN# WB 126-1A, Town of Woodboro.
13. Conditional Use Permit #08-82 of Paul Hastreiter.
14. Section 9.50, Legal Pre-Existing Structures; 9.55, Adult Oriented Business Ordinance and 9.99, Shoreland Structures and Uses. The Committee is considering allowing the expansion of Legal Pre-existing uses.

15. Correspondence from Town of Woodboro requesting Oneida County to allow Towns to regulate the size of a dwelling.
16. Forward Resolution #1-2008, Amendments to chapter 17, to the Oneida County Board of Supervisors.
17. Forward Rezone Petition #10-2008, a rezone in the Town of Minocqua, to the Oneida County Board of Supervisors.
18. Forward Rezone Petition #12-2008, a rezone in the Town of Minocqua, to the Oneida County Board of Supervisors.
19. Line item transfers, refunds, purchase orders and bills.
20. Approve future meeting dates: October 1, 15 and 29, 2008.
21. Public comments.
22. Future agenda items.
23. Adjourn.

NOTICE OF POSTING

TIME: 3:00 PM DATE: September 12, 2008 PLACE: COURTHOUSE BULLETIN BOARD

SCOTT HOLEWINSKI, COMMITTEE CHAIRMAN

Notice posted by the Planning & Zoning Department. Additional information on a specific agenda item may be obtained by contacting the person who posted this notice at 715-369-6130.

NEWS MEDIA NOTIFIED VIA E-MAIL:

Rhineland Daily News	Date: 09/12/08	Time: Approx. 3:30 p.m.
Lakeland Times	Date: “	Time: “
Buyer’s Guide/Our Town	Date: “	Time: “
WXPR Public Radio	Date: “	Time: “
WERL/WRJO Radio	Date: “	Time: “

NEWS MEDIA NOTIFIED VIA FAX:

WHDG Radio Station	Date: 09/12/08	Time: Approx: 3:30 p.m.
WJFW-TV 12	Date: “	Time: “
Vilas County News	Date: “	Time: “
Tomahawk Leader	Date: “	Time: “
WLSL	Date: “	Time: “

Notice is hereby further given that pursuant to the Americans with Disabilities Act reasonable accommodations will be provided for qualified individuals with disabilities upon request. Please call Robert Bruso at 715-369-6144 with specific information on your request allowing adequate time to respond to your request.

See reverse side of this notice for compliance checklist with the Wisconsin Open Meeting Law.

GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

MANNER OF NOTICE:

Date, time, place and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to apprise members of the public and news media.

TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is good cause that such notice is impossible or impractical.
3. Separate notice for each meeting of the governmental body must be given.

EXEMPTIONS FOR COMMITTEES & SUBUNITS

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful setting to act or deliberate upon the subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

SYNOPSIS OF STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Concerning a case which was the subject of Judicial or quasi-judicial trial before this governmental body Sec. 19.85(1)(a)
2. Considering dismissal, demotion or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation or performance evaluation data of any public employee over which this body has jurisdiction or responsibility. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social or personal histories or disciplinary data of specific person, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public, would likely have a substantial adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f), except where paragraph 2 applies.
7. Conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

PLEASE REFER TO CURRENT STATUTE SECTION 19.85 FOR FULL TEXT

CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session within twelve hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.

4. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session.
5. In order for a meeting to be closed under Section 19.85(1)(f) at least one committee member would have to have actual knowledge of information which he or she reasonably believes would be likely to have a substantial adverse effect upon the reputation involved and there must be a probability that such information would be divulged. Thereafter, only that portion of the meeting where such information would be discussed can be closed. The balance of that agenda item must be held in open session.

BALLOTS, VOTES AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.

Prepared by Oneida County Corporation Counsel Office - 5/16/96