

AMENDED
NOTICE OF MEETING

COMMITTEE: PLANNING & DEVELOPMENT
DATE: AUGUST 6, 2014
PLACE: ONEIDA COUNTY COURTHOUSE – COUNTY BOARD ROOM
TIME: 12:30 CLOSED SESSION
1:00 P.M. REGULAR MEETING
2:00 P.M. PUBLIC HEARING

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION / DECISION

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. weekly rental in District #2, Single Family in the Town of Woodruff
 - b. approve closed session minutes
4. It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85(1)(f), 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. (Zoning Director)
5. A roll call vote will be taken to return to open session.
6. Announcement of any action taken in closed session.
7. Public comments.
8. Approve meeting minutes from July 2, 2014.
9. Approve meeting minutes from July 16, 2014.
10. Rezone petition #9-2014 of Terry and Hallie Moline. Government Lot 9, Section 15, T38N, R7E, East of South Bluebird Road to include PIN's LT 191-6, LT 191-5, LT 191-2 and LT 191-1 and all of Government Lot 8 to include PIN's LT 188-7, LT 188-9, LT 188-5, LT 188-4, LT 188-8, LT 188-2, LT 188-1 and LT 188, Town of Lake Tomahawk. The committee will be acting to approve or deny the Rezone Petition.
11. Ordinance Amendment #9-2014. The committee will be forwarding Ordinance Amendment #9-2014 to the Oneida County Board of Supervisors, a rezone in the Town of Lake Tomahawk.
12. Preliminary Third Addendum to Lake Terrace Estates (alter lot lines) on property described as PT G.L. 3, Section 8 and Pt G.L. 1, Section 9, T38N, R11E, PIN TL 3422, Town of Three Lakes.
13. Section 9.52, Mobile Home, Manufactured Home, and House Trailer Parks. The committee will be discussing modifications to this section including removing the impervious surface requirements.

14. Section 9.33F, Recreational Vehicle/Camping Tent. The committee will be discussing the placement of recreational vehicles on personal property. Staff will provide examples of regulations from other counties and seek direction from the committee.

15. Section 9.20, Zoning Districts. The committee will be reviewing draft language.

16. Section 9.57, Domesticated Horses. The committee will be discussing allowing horses with conditions in District #2, Single Family.

17. Line item transfers, purchase orders and bills.

18. Refunds.

19. Approve future meeting dates:

20. Public comments.

21. Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

22. **Rezone Petition #6-2014** of the Town of Cassian to rezone from District #5, Recreational to District #2, Single Family Residential on property described as Government Lots 1-6 and Government Lots 8-10 and the SE SE, all located in Section 6, T37N, R7E, and Government Lots 5 and 6, Section 5, T37N, R7E, Town of Cassian, Oneida County, Wisconsin.

23. **Rezone Petition #8-2014** of the Town of Three Lakes, for Kathy Miler, owner, Mike Miller, agent to rezone from District #2, Single Family Residential to District #4, Residential and Farming for property described as: all of Government 1, Section 27, T38N, R11E, PIN TL 725, lying East of Big Lake Loop Road E, Town of Three Lakes, Oneida County, Wisconsin.

24. **Ordinance Amendment #5-2014** authored by the Planning and Development Committee to amend Section 9.56, Domesticated Chickens / Ducks of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Additions noted by underline and deletions by strikethrough:

9.56 DOMESTICATED CHICKENS/DUCKS (#1-2011)

A. Purpose and Intent

It is the purpose of this ordinance to provide standards for the keeping of domesticated chickens/ducks. It is intended to enable residents to keep a small number of chickens/ducks on a non-commercial basis.

B. Definitions

1. Chicken – The common fowl (*Gallus gallus*) especially when young; also - its flesh used as food.
2. Pen – shall mean a wire enclosure connected to a coop for the purpose of allowing chickens/ducks to leave the coop while remaining in an enclosed, predator-safe environment.
3. Duck – Any of various swimming birds (family Anatidae, the duck family) in which the neck and legs are short, the feet typically webbed, the bill often broad and flat, and the sexes usually different from each other in plumage.

4. Coop – shall mean a structure for the sheltering of chickens/ducks. An existing shed or garage can be used for this purpose if it meets the standards contained in this ordinance including the required setbacks from property lines.

C. Number and Type of Chickens/Ducks Allowed

1. The maximum number of chickens and/or ducks allowed is eight (8) per lot.
2. Only female chickens are allowed, no roosters. Male or female ducks are allowed. There is no restriction on chicken or duck species.

D. Coop and Pen Construction

The chickens/ducks shall be provided with a covered coop and attached pen. Chickens/ducks shall not be allowed out of the coop or pen.

E. Location

1. Chicken/duck coops and pens shall not be located closer than fifty (50) feet to any lot line.
2. Chicken/duck coops and pens shall not be located closer than seventy-five (75) feet from the ordinary high water mark (OHWM) of any lake, river or stream.
3. Chicken coops and pens, pursuant to this section are allowed in District #2 - Single Family Residential, District #4 - Residential and Farming, District #10 – General Use, District #14 - Residential & Retail and District #15 – Rural Residential
4. Minimum lot size is one acre.

F. Other Provisions

Poultry are still allowed in District #4 - Residential and Farming, District #10 - General Use, District #14 - Residential and Retail, and District #15 - Rural Residential pursuant to the requirements in those sections.

25. Adjourn.

NOTICE OF POSTING

TIME: 2:00 PM DATE: August 1, 2014

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:

Northwoods River News	Date: 08/01/14	Time: Approx. 2:30 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: 08/01/14	Time: Approx. 2:30 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 Mary Bartelt 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