

SECOND AMENDED
NOTICE OF MEETING

COMMITTEE: PLANNING & ZONING
DATE: SEPTEMBER 15, 2010
TIME: 12:30 P.M. CLOSED SESSION - COMMITTEE ROOM #2
1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2
2:00 P.M. PUBLIC HEARING – 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.
 - a. Junkyard complaint in the Town of Newbold.
 - b. Junkyard complaint in the Town of Pelican.
 - c. Contractor storage yard and sign complaint in the Town of Cassian.
 - d. Conditional Use Permit for truck repair and sales in the Town of Minocqua.
4. A roll call vote will be taken to return to open session.
5. Public comments.
6. Preliminary 2-lot certified survey map of Thomas and Valerie Maros at 7641 Hwy X being part of Gov't Lot 1, Section 28, T39N, R11E, PIN TL 1264-2C, Town of Three Lakes.
7. Preliminary 3rd Addendum to the Three Lakes Haven Condominium being part of Lots 4, 5 & 6 Big Stone Plat, Section 2, T38N, R11E, Unit7 for expandable area, PIN TL 3476, Town of Three Lakes.
8. Request to modify previously approved conditions of approval associated with a preliminary 2-lot Certified survey map of William Jensen Res. Trust, owner for property described as part of Gov't Lot 4, Section 33, T39N, R11E, on Medicine Lake, Town of Three Lakes. The original approval was given by the Planning and Zoning Committee on March 5, 2010 and time extensions granted to finalize and record map have expired.
9. NR 115. The Committee will be discussing draft language.
10. Section 9.52, Mobile Home, Manufactured Home and House Trailer Parks and Section 9.53 Campgrounds and Recreational Vehicle Parks. The Committee will be discussing density requirements.
11. Approve POWTS Easement Forms.
12. Chapter 13, Oneida County Private Onsite Wastewater Treatment System Ordinance. The Committee will be discussing requests by Towns, Lake Associations and individuals to require inspections of Private Onsite Wastewater Treatment Systems (POWTS).
13. Line item transfers, purchase orders and bills.
14. Refunds.

15. Approve future meeting dates: October 6 and October 20, 2010.
16. Public comments.
17. Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

18. **Conditional Use Permit Application** of Rynders Development Co., Inc. for outdoor sales of landscaping materials including but not limited to mulch, topsoil, pavers, and fieldstone on the following described property: Part Gov't Lot 2, Section 14, T39N, R6E, at 815 27 Hwy 51, PIN MI 2205-1 (includes MI 2205) Town of Minocqua.
19. **Revised Conditional Use Permit Application** by Krist Oil Company to open an LP business which will include installation of a 30,000 gallon above ground LP bulk tank and inventory of six to twelve 500 gallon LP tanks on the following described property: Part SE NW and SW NW, n/k/a Lot 1 & 2 CSM V10 P2557, Section 10, T39N, R6E, at 9890 Old Hwy 70 Road, PIN MI 2161-1, Town of Minocqua.
20. **Rezone Petition #6-2010** of the Hodag Sports Club, landowner, MSA Professional Services Inc., Jim Rollmann agent to rezone land from District 1A Forestry and District #2, Single Family Residential to all District #4 Residential Farming on property described as follows:
 - A. SE NW, Section 34, T37N, R9E, PL 658, Town of Pine Lake.
 - B. SW NE, Section 34, T37N, R9E, PL 653, Town of Pine Lake.
 - C. SE NE, Section 34, T37N, R9E, PL 654, Town of Pine Lake.
 - D. All that part of NW SW lying north of Oak Leaf Road Section 35, T37N, R9E, PL 676-2, Town of Pine Lake.
21. Adjourn.

NOTICE OF POSTING

TIME: 9:00 AM DATE: SEPTEMBER 14, 2010 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: 09/14/10	Time: Approx. 9:30 a.m.
Lakeland Times	Date: "	Time: "
Buyer's Guide/Our Town	Date: "	Time: "
WXPR Public Radio	Date: "	Time: "
WERL/WRJO Radio	Date: "	Time: "
News of the North	Date: "	Time: "

NEWS MEDIA NOTIFIED VIA FAX:

WHDG Radio Station	Date: 09/14/10	Time: Approx: 9:30 a.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