

TOURIST ROOMING HOUSE OPERATIONS TASK FORCE
JANUARY 27, 2022
COMMITTEE ROOM #2 – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Bob Thome, Scott Holewinski, Russ Fisher, Karl Jennrich

Members absent: Linda Conlon

Call to order and Chairperson’s announcements.

Chair Thome called the meeting to order at 10:00 a.m. in accordance with the Wisconsin Open Meeting Law.

Approve agenda for today’s meeting (order of agenda items at Chairperson’s discretion).

Motion by Scott Holewinski, second by Russ Fisher to approve the agenda. With all members present voting “aye”, the motion carried.

Public comment/communication

Chair Thome read a letter from Brian Marmes (copy in minute’s binder)

Chair Thome read an email from Scott Elsner (copy in minute’s binder)

Scott Elsner spoke concerning communication and accountability, believes neighbors should be notified when a TRH application is applied for; would like to see ordinance changes regarding excessive traffic and noise; lack of agent accountability; fees should be reevaluated if TRH staffing is not self-funded.

Mark Wallace spoke concerning a need for more accountability.

Approve meeting minutes of January 13, 2022. Motion by Russ Fisher, second by Bob Thome to approve the meeting minutes of January 13, 2022. With all members present voting “aye”, the motion carried.

Review TRHO TF Directive Outline See “Finalized TRHO TF Directive Outline” section below.

“Length of Stay” Discussion/Action Using Granicus data on Wednesday, January 26, 2022 there were 289 identified, actively advertising units in Oneida County jurisdiction. 118 of those units are zoned to require a 6 day minimum; 171 of those units are in zoning districts that don’t require a minimum length stay. Discussion only, no action taken.

Permitting/Licensing/Manpower Goals and Timeline – Discussion/Action The health department is looking at adding another person to help with the work load. The Planning and Zoning Department may be adding a part time position. Discussion only, no action taken.

Discussion of process for dealing with non-compliant TRHO The current process involves in-office/online research, sending letters, citations; process may change if on-site inspections are added.

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Owner reaches out after they receive correspondence from us concerning rental without permit, if they state they have ended rental, staff confirms that the listing has been removed and the complaint is abated.

Corporate Counsel – REVIEW Compliance Enforcement in the initial permitting/licensing/sales tax registration/insurance process, post initial compliance process, and penalties for violations, manpower– Discussion only Chad Lynch advised that it would be helpful for enforcement cases if someone from Planning and Zoning was able to take pictures of cars/occupants on rental premise, but staff could not go inside to count people or force someone to open the door.

Haven't heard back from Granicus about affidavits, currently have trials on February 7 and 9, but may have all settled before then. Spoke to AirDNA, wouldn't be able to use their data in court because it is gathered from Airbnb and VRBO and would be considered hearsay.

Public Health Department – REVIEW Inspection & Licensing process, manpower/job requirements, metrics, fees (Conlon) - Discussion only Jody McKinney advised that Linda Conlon will be giving a recommendation to hire another person. DATCP is rewriting ATCP 72, but it won't be approved for a few years. Once approved it will require a TRH to be inspected every other year, OCHD would still require license renewal and water testing yearly and may still inspect yearly if new law allows a county to mandate more frequent inspections.

Planning & Zoning Department – REVIEW Administrative Review Permit process, manpower/job requirements, metrics, fees, Walworth County Ordinance (Jennrich/Holewinski)– Discussion only Mr. Jennrich reached out to Walworth County to see how they are handling manpower/staffing. Walworth has an LTE employee dedicated to TRH's who handles permitting, annual renewals, compliance investigations, compliance inspections, enforcement. The committee discussed Walworth's TRH ordinance.

FINALIZE TRHO TF Directive Outline – Action Additions underlined, deletions strikethrough

- I. Method to address staffing to assure TRHO ordinance compliance
 - A. Create or appoint a 'point person' position to coordinate P&Z, HD, Finance and Corp. Counsel
 - B. See Item III.A&B below
 - C. Alignment of HD Licensing with P&Z permitting – ensure both departments have the same units licensed & permitted (~~HD 430 units, P&Z 150 units +/-~~)
 - D. ~~Potential~~ Increase HD staffing to meet annual compliance goals, funded by license fees
 - E. Potential Increase P&Z staffing to meet annual compliance goals funded by permit fees
- II. Process for dealing with non-compliant TRHO (agenda item 8 1-27-2022)
 - A.
 - B.

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- C.
- D.
- III. Third Party Provider Assistance
 - A. Renew Granicus Identification Contract (with potential Corp Council contract language change) using 2022P&Z budgeted funding ~~or split with HD~~— contract 700 ~~units listings~~, cost \$14,987 (included in P&Z 2022 Budget)
 - B. Purchase three addition modules (Compliance Monitoring, 24/7 Hotline, Mobile Permitting & Registration) 394 units, cost \$14,042 (Possible ARPA funding or general fund funding split between HD & P&Z)
 - C.
- IV. Specific Job Requirements for dealing with TRHO compliance
 - A. HD Sanitarian job requirements (per DATCP – DFSRL recommendation) for 280 - 320 licensed facilities/per inspector (self-funded with HD fees).
 - B. P&Z job requirements – Administrative Review Permit capable (2 currently in that position)
 - C. Corp Counsel -
 - D. Finance - None
- V. Penalties and suggested changes for TRHO violations/permitting/licensing
 - A. Re-evaluate Permitting workflow
 - B. Implement a renewal ARP fee for TRHO's
 - C. Require ‘WI seller’s permit’ and Room Tax Permit (if applicable) for ARP approval
 - D. Consider ~~special zoning districts which allow ‘less than 7 day stays’~~ permitted uses of TRH’s in different zoning districts
- VI. Yearly compliance goals (targeted total conservative estimate 400 – 700 ~~units listings~~)
 - A. All – unreasonable based upon current staffing levels in both departments. Licensing of new units approximately 3 hour per unit for HD and 4 hours per unit for P&Z.

Future agenda topics – Feedback from Walworth, Polk, and Buffalo Counties, Granicus. Process for dealing with non-compliant TRHO.

Public comment/communications

Scott Elsner spoke concerning clear definitions.

Dates and items for future agenda/meetings February 10, 2022, 1:00 p.m.

Adjourn.

11:48 a.m. There being no further matters to lawfully come before the committee, Chair Thome adjourned the meeting.

Chair, Bob Thome

Planning & Zoning Director, Karl Jennrich