

**NOTICE OF MEETING – 2<sup>nd</sup> AMENDED**

**COMMITTEE:** PLANNING & DEVELOPMENT  
**DATE:** JULY 28, 2021  
**PLACE:** ONEIDA COUNTY COURTHOUSE – COUNTY BOARD ROOM  
**TIME:** 12:30 P.M. CLOSED SESSION  
1:00 P.M. REGULAR MEETING  
2:00 P.M. PUBLIC HEARING

**ZOOM OPTION:** ID: 838 1538 7831 PASSCODE: 292827 PHONE: 312-626-6799  
<https://us02web.zoom.us/j/83815387831>

**Zoom is being offered as a convenience for this meeting. If zoom functionality drops the meeting will continue in-person at the location listed above.**

A quorum may be present consisting of members of the Administration Committee; Conservation & UW-EX Education Committee; Forestry, Land & Recreation Committee; Labor Relations & Employee Services Committee; Public Works Committee; and Social Services Committee. No governing body will exercise any responsibilities, authority or duties except for the Planning and Development Committee.

**ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION / DECISION**

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1. Call to order.
2. Approve the amended 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. ~~Shoreland zoning violations town of Newbold.~~
  - b. ~~Tourist rooming house violation town of Three Lakes.~~
  - c. Approve closed session minutes of June 30, 2021.
  - d. Conditional use permit application for JBM Howard Companies, Inc. applicant/proposed owner, to develop and operate a waste transfer facility on the following property described as being: Part of the NW NW, Section 1, and part of the NE NE, Section 2, T36N, R8E, PIN CR 6-A, 3611 Highway 47, Town of Crescent. The conditional use permit was previously discussed and denied on May 19, 2021. The denial was rescinded on June 16, 2021.
  - e. Shoreland zoning violations town of Newbold.
4. A roll call vote will be taken to return to open session.
5. Announcement of any action taken in closed session.
6. Public comments.
7. Approve meeting minutes of July 14, 2021.
8. Discussion/decision related to conditional use permit application for JBM Howard Companies, Inc. applicant/proposed owner, to develop and operate a waste transfer facility on the following property described as being: Part of the NW NW, Section 1, and part of the NE NE, Section 2, T36N, R8E,

PIN CR 6-A, 3611 Highway 47, Town of Crescent. The conditional use permit was previously discussed and denied on May 19, 2021. The denial was rescinded on June 16, 2021.

9. Discussion/decision concerning paving existing gravel driveways closer than 75' to Ordinary High Water Mark.
10. Discussion/decision concerning issuance of a citation on property described as part Government Lot 6, Section 24, T39N, R7E, PIN WR 1029, Town of Woodruff. The committee will also be discussing issuing citations for Tourist Rooming Houses not in compliance with an Administrative Review Permit.
11. Resolution for Ordinance Amendment #1-2021 authored by the Planning and Development Committee to amend Chapter 15, Article 1 General Provisions, Article 2 Procedures for Applications and Review of Land Divisions, Article 3 Subdivision Design Standards and Article 6 Definitions of the Oneida County Subdivision Control Ordinance.
12. Discussion/decision – Planning & Zoning Department permit activity/revenue.
13. Discuss/decision/prioritization of 2021 Oneida County Planning and Zoning Department projects.
14. Refunds.
15. Line item transfers, purchase orders, and bills.
16. Approve future meeting dates: August 11 and 25, September 8, 2021.
17. Public comments.
18. Future agenda items.
19. Discussion/decision concerning support for a funding request related to modernizing the Oneida County Floodplain map.
20. Discussion/decision concerning support for a funding request related to obtaining more detailed elevation data also referred to as LiDar.
21. Discussion/decision concerning Water's Edge Condominium, an eight unit condominium conversion of Lot 1 of CSM V24 P5096 being part of Government Lot 6, Section 11, T39N, R6E, Town of Minocqua.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

22. **Ordinance Amendment #9-2021** authored by the Planning and Development Committee to amend Chapter 9, Article 5, Section 9.57 Livestock Facilities Licensing of the Oneida County Zoning and Shoreland Protection Ordinance.

23. Adjourn.

**NOTICE OF POSTING**

TIME: Approx. 11:30am ~ DATE: **7/27/21** ~ PLACE: COURTHOUSE BULLETIN BOARD

**SCOTT HOLEWINSKI, COMMITTEE CHAIR**

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 AND/OR FAX – DATE: 7/27/21 TIME: Approx. 11:30 AM**

Lakeland Times  
Star Journal

WJFW-TV 12  
Vilas County News

WXPR Public Radio  
WERL/WRJO Radio

Tomahawk Leader

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 Tracy Hartman at 715-369-6144 with specific information on your request allowing adequate time to respond to your request.

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

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**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