

NOTICE OF MEETING

COMMITTEE: PLANNING & DEVELOPMENT
DATE: OCTOBER 7, 2015
PLACE: ONEIDA COUNTY COURTHOUSE – COUNTY BOARD ROOM
TIME: 1:00 P.M. CLOSED SESSION
1:30 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 roll call vote will be taken to go into closed session.
 - a. Dilapidated structure in Town of Nokomis.
 - b. Placement of a structure without the benefit of permits that exceeds 2 stories and maximum 35ft height in the Town of Little Rice.
 - c. Discuss appeal 15-008 of David and Judith Robinson. The property is located at 2245 County Hwy G, being part NW SE, Section 27, T36N, R9E, PIN PE 381, Town of Pelican, Oneida County, Wisconsin.
 - d. Discuss possible pier violations, Town of Lake Tomahawk.
 - e. Placement of accessories structures less than 75 feet from the ordinary high water mark in the town of Cassian.
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 August 19, 2015, September 2, 2015 and September 17, 2015.
8. The committee will be reviewing a modification pursuant to 15.31(2) of the Oneida County Subdivision Ordinance. Lots 5 & 6 in the Plat of 1965 Addition to Squash Lake Acres located in Gov't Lot 2, Section 19, T36N, R8E, Town of Crescent, Oneida County, Wisconsin.
9. Discuss brochure "Protecting Your Waterfront Investment."
10. Status of Act 55 questions. Discuss revisions to Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance as a result of Act 55.
11. Line item transfers, purchase orders, and bills.
12. Refunds.
13. Approve future meeting dates: October 21, 2015 and November 4, 2015.
14. Public comments.

15. Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

16. **Rezoning Petition #11-2015** Arlin and Sandy Jolin, owner, and Ed Choinski, agent, to change the zoning designation from District #02-Single Family to District #15-Rural Residential for property described as SW NW, Section 7, T38N, R8E, PIN# LT-563, Town of Lake Tomahawk, Oneida County.
17. **Ordinance Amendment #12-2015** authored by the Oneida County Planning & Development Committee to add Section 9.57, Moratorium on Livestock Facilities Licensing, to the Oneida County Zoning and Shoreland Protection Ordinance.

Additions noted by underline; Deletions noted by strikethrough.

9.57 MORATORIUM ON LIVESTOCK FACILITIES LICENSING

A. Purpose and Intent

The purpose of this ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County. Further, the imposition of a moratorium will allow Oneida County to determine whether it has adequate resources to enforce any new or existing livestock facility ordinance.

B. Authority

The Oneida County Board has the specific authority under Wisconsin Statutes including but not limited to §59.02(2) and §59.68 Wis. Stats.

C. Adoption

This ordinance, adopted by a majority vote of the Oneida County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on the licensing of new livestock facilities that will have 500 or more animal units, and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

D. Definitions

1. Livestock Facility - A feedlot, dairy farm, or other operation where livestock are or will be fed, confined, maintained, or stabled for a total of 45 days or more in any twelve (12) month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate "livestock facility."

2. Related Livestock Facilities - Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:

- a. They are located on the same tax parcel or adjacent tax parcels of land.
- b. They use one or more of the same livestock structures to collect or store manure.

c. At least a portion of their manure is applied to the same landspreading acreage.

3. Animal Unit - Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004.

E. Moratorium Imposed

The Oneida County Board of Supervisors hereby imposes a moratorium on the licensing of new livestock facilities that will have 500 or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

F. Duration of Moratorium

This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date. This moratorium may be extended for up to six (6) more months by a majority vote of the Oneida County Board of Supervisors.

18. Adjourn.

NOTICE OF POSTING

TIME: 2:00 PM ~ DATE: OCTOBER 1, 2015 ~ 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: October 1, 2015	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: October 1, 2015	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