

**COMPREHENSIVE PLANNING OVERSIGHT COMMITTEE
AUGUST 8, 2012
COUNTRY BOARD ROOM
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501**

Members present: Chairman Gary Baier
Harland Lee
Don Sidlowski
Tom Rudolph
Bob Metropulos
Scott Holewinski
Billy Fried
Mike Timmons
Mark Pelletier

Department staff present: Peter Wegner, Assistant Planning & Zoning Director
Brian Desmond, Corporation Counsel
Julie Petraitis, Planning & Zoning Secretary

Other county staff present: None

Guests present: Dennis Schoeneck, Sherry Tischendorf, Marcus Nesemann, Jay Verhulst, Margaret Beals, Pat Zatopa, Dick Dvorak, Paul Sowinski

Call to order.

Chairman Gary Baier called the meeting to order at approximately 6:00 p.m., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda:

Motion by Tom Rudolph second by Mike Timmons to approve the agenda. Question by Mr. Sidlowski to agree end the meeting continue on another time if it reaches the hour of 8 p.m. Mr. Baier agreed and stated that he would adjourn the meeting at 7:30 if they were to a stopping point. With all members present voting "aye", the motion carried.

Introductions of the Comprehensive Planning Committee, County Staff and Town/City representatives were done at this time.

Approve meeting minutes of July 18, 2012.

Mr. Holewinski made a motion that the minutes be sent back with the public comments being verbatim and Mr. Holewinski's comment was missed. He feels the minutes should reflect that there is conflict at the meetings.

Mr. Wegner stated he doesn't feel that the minutes will be able to be transcribed verbatim. A court reporter would need to be hired to transcribe verbatim comments.

Mr. Fried asked if the minutes could be revised. That can be done only if the minutes reflect what was said at the meeting.

Mr. Lee stated that not everyone received minutes.

Mr. Baier stated they should table the approval of the minutes until the next meeting. Mr. Baier suggested that the minutes reflect as much information as possible.

Mr. Rudolph stated that if the public comments are verbatim the Committee member's comments will also have to be verbatim.

Mr. Desmond stated that if the Committee wishes to have the meetings recorded verbatim he can look into it but it will be expensive to hire a Court Reporter.

Mr. Holewinski stated perhaps it shouldn't be verbatim but the public comments should reflect that there is conflict and the comments should be more detailed.

Mr. Baier suggested that when the minutes are reviewed and there is something someone feels is missing the minutes can be amended to reflect what is missing. If anyone would like a copy of the recorded minutes those are also available.

Motion by Scott Holewinski second by Mike Timmons to postpone approval of July 18, 2012 meeting minutes until the next meeting. With all members present voting aye the motion carried.

Public Comments

Pat Zatopa asked for revised copies of the Comprehensive Plan to see if their comments were incorporated into the document.

Dick Dvorak stated that at the last meeting he asked that a copy of each Town and City Plan be present at the meeting for reference and those Plans are not at the meeting tonight. He stated that the Committee has to start looking at the Plan from a bottom-up direction. The Committee cannot just ignore the Town and City Plans.

He stated that he heard the County Forester made some suggestions about Element 2. He felt there was a number of very good points made. He hopes the Committee is going to review those comments and incorporate those into the Plan. He then asked if other Departments in the County were asked to make comments on the County Plan. He recommends the County seek other Department input.

He also stated that he hopes the public will be able to make comments tonight, not like the last meeting where they had to sit mute. The Town Representatives had answers to questions and could have helped out with the conversation.

Steve Margitan stated that he sees the changes were made from the last meeting but he would have liked to have had them prior to the meeting to see them in the context of the following pages and be prepared.

Dennis Schoeneck stated that at the last meeting on Page 8 Line 39 – 43 (Element 2), The sentence “*The planning effort needs to incorporate the protection and preservation of the critical natural resources.*” That’s how the Plan was written. The Committee was going through the Town of Little Rice’s comments. The Town of Little Rice had crossed that out and suggested “*Consider natural resources and incorporate methods to implement conservation strategies.*” He said the comment at the last meeting by Don Sidlowski was “Why are we doing this? It’s saying the same thing.” Mr. Schoeneck stated he wasn’t able to say anything at the last meeting, but those are two very different sentences. Conservation and preservation are two very different sentences. That’s the point of the Town Plans, exactly. He stated he wrote notes at the last meeting that this is a good example of what the Town’s are talking about. This is why the Town’s Plan is so important. The Town has incorporated conservation strategies. Those are the types of things that the Town’s are concerned about in their Town Plans.

Review Comments from the Towns. Review revised draft of the Oneida County Comprehensive Plan.

Chairman Baier asked Corporation Counsel for his guidance, if he’s in line in asking the public be allowed to comments and answer questions while the Committee is reviewing the suggested changes from the Towns.

Mr. Holewinski stated that this was discussed at the last meeting and made the motion to suspend the rule and allow the public to talk during agenda items 5 & 6 of today’s agenda per approval of the Chair, second by Mike Timmons. On roll call vote: Lee, nay; Sidlowski, nay; Rudolph, nay; Metropulos, nay; Holewinski, aye; Baier, aye; Fried, aye; Timmons, aye; and Pelletier, aye. Majority rule, motion carried.

Mr. Metropulos stated that he had discussion with two of the Towns after the last meeting and tried convincing them that the County Plan and each Town Plan is autonomous from each other and from all other Towns and suggested a statement be included in Element 9. Metropulos discussed it with Corporation Counsel and he came up with some language to add to Element 9 of the County Plan.

Mr. Desmond stated that what he is about to read would be inserted into the Intergovernmental Cooperation section of the County Comprehensive Plan. Desmond read the language into the record. (attached).

Motion by Metropulos to include the language into Element 9, Section 9.7, line 14 of the Oneida County Comprehensive Plan, second by Harland Lee.

Discussion on the motion:

The language that Mr. Desmond read will be amended to read Element instead of Chapter.

Mr. Pelletier stated he had no objections to the language but questioned where the City of Rhinelander fits in. Mr. Desmond stated that they would add the City of Rhinelander as it was just an oversight.

Mr. Baier stated that he was anti Land Use Plan for many years. After being involved in the Town of Nokomis' Land Use Plan he feels that in the County Plan the City of Rhinelander is included just like any of the Towns.

Mr. Holewinski asked for a definition of "considered" in the language suggested by Mr. Metropulos. He stated that the Committee was supposed to have a "bottom-up" Comprehensive Plan but in four years the Committee has not looked at a Town Plan. He asked if that is "considered" or is it "bottom up" again.

Mr. Desmond stated that the language suggested reflects the implementation of the Plan not the creation of the Plan.

Mr. Holewinski asked if the Town Plan is considered or the County Plan is considered when making the decisions. Does the County Plan oversee the Town Plan?

Each Township and the City have their own Plan. If there are conflicts they have to be resolved by looking at both Plans and trying to figure out what's best for everyone involved. No Plan supersedes another.

Mr. Metropulos asked for Mr. Desmond's opinion that a Plan is a Plan. There is no law or zoning behind it. It's a Plan. It's basically a Plan for the future. Once there's an issue you sit down like gentlemen and work it out. It's a Plan. Plans don't dictate anything.

Mr. Desmond stated that they are Plans. They are a guide. It is enacted by an Ordinance and you're supposed to follow it as close as possible. There is nothing saying you can't go back and change it or amend things that need to be changed.

Mr. Sidlowski stated that the State has clarified that although the Plans are adopted by Ordinance they are not in and of themselves law. These are not laws, they are not mandated.

Mr. Metropulos stated that he thought if they inserted the language he suggested it would ease the minds of some of the Town's. It's in writing and under the Intergovernmental Cooperation.

Mr. Baier asked if they could put a phrase in the Plan that states that all of the Plans cannot be superseded by an upper Government Plan such as the County or State.

The Committee stated that the Plan basically states that already.

Mr. Metropulos stated that each Town Plan sits alone. There is no superseding.

Mr. Desmond stated that there may come a time when the County may have to make a decision as to what is in the best interest of the County as well as there may be times when the Town has to make decisions in the best interest of the Town. He doesn't feel anybody should be able to override anybody. The County does not dictate to the Towns.

Mr. Holewinski stated that this all goes back to the County Board, in 2008, passed the Resolution move on with option one, the Town Driven Plan, the Bottom Up Plan that would require 30-36 months to complete at a cost of 265,000.00. Attached to that Resolution was details on how option one and option two were going to be. Mr. Holewinski read the minutes into the record that stated that the Town Plan should be the foundation for the County Plan. How can that happen when the Committee, in four years, hasn't looked at the Town Plans? Where is the foundation to the County Plan? He feels the Committee should have been taking Element one from each Town Plan and putting it into the County Plan.

Mr. Metropulos stated that the Plans are individual Plans and you should also be able to say the County Plan is an individual Plan.

Mr. Holewinski doesn't feel the Town Plans should just be referenced in the County Plan. The County Board did not instruct the County to write their own Plan and just reference the Town Plan on the end. The Town Plans were supposed to be the foundation for the County Plan. He feels it is going to be hard to take this to the County Board for approval.

Mr. Sidlowski stated he has honestly read six of the Town Plans. He also stated that not all of the Plans had been received in a timely manner. The Committee was not in a position to take elements from each Plan when all the Plans were not available. From the beginning the Committee was on record that the Plans that the Towns delivered would be incorporated, in their entirety without change, to the County Plan. Mr. Sidlowski feels the Committee would have implemented

Vote on Motion: The motion, (by Bob Metropulos, second by Harland Lee) was amended to read Element instead of Chapter and to include the City of Rhinelander. With all members present voting "aye", the motion carried.

The Committee started the review of Element 2, submitted by the Town of Little Rice, where they left off on July 18, 2012 (Policies 1: page 13).

Billy Fried asked if it would be appropriate to add a footnote into the Plan which states that all of the Policies and Goals in the Plan will be considered in a certain manner when being implemented. Mr. Desmond stated that it could fall under Chapter 9, Implementation. The Committee agreed that this is a good idea.

Approve future meeting date: September 5, 2012 at 5:00 p.m.

Public Comment:

Mr. Dvorak stated that he is encouraged that the Committee is looking at the line by line suggestions. He feels the Committee is doing a really good thing. The Committee needs to continue doing what they're doing and he'd like the Committee to consider that there may be elements that none of the Towns have commented on. He feels the Committee should go through those s line by line as well to make sure that everything is appropriate.

Mr. Margitan stated that he is pleased that the Committee has allowed the public to have input and further discussion on why they made the comments they did. He appreciates it.

Future agenda items:

Continue reviewing comments from the Towns.

Adjourn.

8:00 P.M. A motion was made by Tom Rudolph, second by Bob Metropulos to adjourn the meeting. With all members present voting "aye", the motion carried.

Chairman Gary Baier

Karl Jennrich
Planning & Zoning Director