

## NOTICE OF MEETING

**COMMITTEE:** PLANNING AND ZONING  
**DATE:** JANUARY 20, 2010  
**TIME:** 1:00 P.M. REGULAR MEETING  
2:00 P.M. PUBLIC HEARING  
**PLACE:** COMMITTEE ROOM #2, COURTHOUSE  
RHINELANDER, WI

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

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1. Call to order.
  2. Approve the agenda.
  3. Approve regular and public hearing minutes of December 2, 2009.
  4. Approve regular and public hearing minutes of December 16, 2009.
  5. Possible modifications involving the Conditional Use Permit of Rynders Realty for a 22-unit duplex development described as part of Gov't Lot 2 and NW SE and Parcel 1B of SM C1489, located in Section 10, T39N, R6E, PIN MI 2166 and MI 2167, Town of Minocqua. The Planning and Zoning Committee conditionally approved this on May 20, 2009.
  6. Sixty-day time extension to record the final plat of Bear Lake Highlands located in Gov't Lot 2, Section 19, T38N, R6E, Town of Hazelhurst. The committee may also revisit and revise conditions of approval. The Committee originally approved this on July 15, 2009.
  7. Preliminary 2-lot Certified Survey Map for Heidi Trapp on Marion Lake on property described as part of Gov't Lot 6, Lot 2 CSM V15 P3472, Section 11, T39N, R5E, Rolling Bear Trail, PIN# MI 1721-8, Town of Minocqua.
  8. Preliminary 4-lot certified Survey Map of The Miller Family Living Trust, Kip Soder Surveyor for property located in part of Gov't Lot 9, Section 3, T38N, R11E and part of the SE SW, Section 34, T39N, R11E, PIN# TL 408-9 and 408-10 on Laurel Lake, Town of Three Lakes.
  9. Anonymous complaint at 907 Hwy 45, Town of Schoepke.
  10. Private On-site Wastewater Treatment System inventory/maintenance program.
  11. 2009 Senate Bill #450.
  12. NR 115

### CONDUCT PUBLIC HEARING ON THE FOLLOWING:

13. Conditional Use Permit Application of Indian Shores Resort

Condominium to modify Conditional Use Permit #08-151 and amend condominium documents to re-establish the restaurant and bar as a facility open to the public on property described as part of the Indian Shores Resort Condominium located in Section 29, T39N, R7E, 7750 Indian Shores Road, Town of Woodruff. This business was formerly known as The Shoreline Inn.

14. Adjourn.

**NOTICE OF POSTING**

**TIME: 3:00 DATE: JANUARY 14, 2009 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: 1/14/10	Time: Approx. 3:30 p.m.
Lakeland Times	Date: “	Time: “
Buyer’s Guide/Our Town	Date: “	Time: “
WXPR Public Radio	Date: “	Time: “
WERL/WRJO Radio	Date: “	Time: “
NewsOftheNorth	Date: “	Time: “

**NEWS MEDIA NOTIFIED VIA FAX:**

WHDG Radio Station	Date: 1/14/10	Time: Approx: 3:30 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 Robert Brusio 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

