

AMENDED
NOTICE OF MEETING

COMMITTEE: PLANNING & ZONING
DATE: NOVEMBER 17, 2010
PLACE: ONEIDA COUNTY COURTHOUSE – COMMITTEE ROOM #2
TIME: 1:00 P.M. REGULAR MEETING
2:00 P.M. PUBLIC HEARING

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION ITEMS

1. Call to order.
2. Approve the agenda.
3. Public comments.
4. Approve meeting minutes of November 3, 2010.
5. 1st Addendum to Fryday's Northwoods Condominium, Unit #3 a part of Gov't Lot 4, Section 15, T37N, R7E, Town of Cassian.
6. Zoning permit refund request of Kenneth Maciaz property located at 4406 County Hwy Y further described as part of the NW SW, Section 24, T37N, R6E, PIN LR 953-3, Town of Little Rice.
7. 2011 Planning and Zoning Long Range Plan.
8. Line item transfers, purchase orders and bills.
9. Refunds.
10. Approve future meeting dates: December 1 and December 13, 2010.
11. Public comments.
12. Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

13. **Conditional Use Permit Application** of Crescent Lake Bible Camp, owner and Michael Jewell, agent to construct a 36 foot climbing tower at 2750 Bible Camp Road legally described as part Gov't Lot 2, Section 20, T36N, R8E, PIN CR 257, Town of Crescent.
14. **Ordinance Amendment** #9-2010 authored by the Planning and Zoning Committee to create Section 9.56, Domesticated Chickens / Ducks to the Oneida County Zoning and Shoreland Protection Ordinance as follows:

CHICKENS

9.56

Domesticated Chickens / Ducks

A. **Purpose and Intent**

1. It is the purpose of this ordinance to provide standards for the keeping of domesticated chickens/ducks. It is intended to enable residents to keep a small number of female chickens/ducks on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The County recognized that adverse neighborhood impacts may result from the keeping of domesticated chickens/ducks as a result of noise, odor, unsanitary living conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites and non-confined animals leaving the owner's property.

B. Definitions.

1. Chicken – The common fowl (Gallus gallus) especially when young; also: its flesh used as food.
2. Pen – shall mean a wire enclosure connected to a coop for the purpose of allowing female chickens/ducks to leave the coop while remaining in an enclosed, predator-safe environment.
3. Duck – Any of various swimming birds (family Anatidae, the duck family) in which the neck and legs are short, the feet typically webbed, the bill often broad and flat, and the sexes usually different from each other in plumage.
4. Coop – shall mean a structure for the sheltering of female chickens/ducks. An existing shed or garage can be used for this purpose if it meets the standards contained in this ordinance including the required setbacks from property lines.

C. Permit Required.

1. A one time permit is required for the keeping of any domesticated chickens/ducks pursuant to this section.

D. Number and type of chickens/ducks allowed.

1. The maximum number of chickens and/or ducks allowed is six (6) per lot.
2. Only female chickens/ducks are allowed, no roosters or drakes. There is no restriction on chicken/duck species.

E. Coop and Pen construction

1. Coop

- a. The chickens/ducks shall be provided with a covered coop with not less than two nor more than four square feet of area per chicken/duck. The coop shall be constructed of sturdy, predator proof material and shall provide adequate shade from sun and warmth in cold weather. The floor of the coop shall be covered with bedding and be regularly cleaned or otherwise maintained. The coop may be built as part of a yard shed or garage, but cannot be placed on top of a building.

2. Pen.

- a. Chickens/ducks shall be provided with a run attached to a surrounding coop. The pen shall be made of strong, predator-proof wire fencing. To prevent chickens/ducks from flying out of the run, fencing shall be of sufficient height, be covered, or the chickens shall have their wings clipped.

F. Location.

1. Chicken/duck coops and pens shall not be located closer than fifty (50) feet to any lot line or one-hundred (100) feet to an existing neighboring residence.
2. Chicken coops and pens, pursuant to this Section, are allowed in District #02, Single Family Residential only.
3. Minimum lot size is 2.5 acres.

15. Adjourn.

NOTICE OF POSTING

TIME: 10:00 AM DATE: NOVEMBER 16, 2010 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: 11/16//10	Time: Approx. 10:30 a.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: 11/16/10	Time: Approx: 10:30 a.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