

SECOND AMENDED NOTICE OF MEETING

COMMITTEE: PLANNING & DEVELOPMENT
DATE: April 17, 2024
PLACE: ONEIDA COUNTY COURTHOUSE – COUNTY BOARD ROOM
TIME: **CLOSED SESSION: 12:30 p.m.**
PUBLIC HEARING: 1:00 p.m.
REGULAR MEETING: Immediately following Public Hearing

ZOOM OPTION: ID: 848 0105 5964 PASSCODE: 302199 PHONE: 312-626-6799
<https://us02web.zoom.us/j/84801055964>
Zoom is being offered as a convenience to view the meeting.
Remote participation is not allowed.

It is possible that a quorum of County Board members will be at this meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the County Board pursuant to State ex rel. Badke v. Village Board of Greendale, 173 Wis. 2d 553, 494 N.W.2d 408 (1993), and must be noticed as such, although the County Board will not take any formal actions at this meeting. It is also possible that there may be quorums of other County Board Committees present, although those committees will not take any formal action at this meeting.

Anyone having an interest may attend and be heard. Interested parties who are unable to attend may send written comments to Scott Holewinski, Chairman, Oneida County Planning & Development Committee, P.O. Box 400, Rhinelander, WI 54501. All written comments shall be received no later than 10:00 a.m. on April 15, 2024 and shall include your name and voting address and, if not from Oneida County, your property address within Oneida County. All written comments will be given to committee members prior to the start of the public hearing and announced by name during the public hearing. Written comments shall not be read into the record.

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. Approve closed session minutes of April 1, 2024.
 - b. Long-Form Complaint concerning PIN's MI 3239 & MI 3240.
 - c. Private Onsite Wastewater Treatment System (POWTS) concerning PIN CR 162-6.
4. A roll call vote will be taken to return to open session.
5. Announcement of any action taken in closed session.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

6. **Conditional Use Permit application** by Scott and Jenny Symonds, applicants and owners, to operate a restaurant within the existing building that includes outdoor seating and outdoor music on the following described property: Lot 1, CSM 1912, being part of Government Lot 7, Section 35, T37N, R6E, PIN CA 540-A, 3800 Highway 51, Town of Cassian.
7. Public comments (limited to 3 minutes per person).
8. Approve meeting minutes of March 20 and April 1, 2024.

9. Discussion/decision concerning a Conditional Use Permit application pursuant to Section 9.42(C)(2) for property described as Lot 1, CSM 4633, being part of Government Lot 5, Section 3, and Government Lot 1, Section 4, T38N, R7E, 8168 Lark Road, PIN LT 35-5, Town of Lake Tomahawk. The committee will be discussing and determining an extension for the review time for the application.
10. Preliminary eight (8) lot County Plat of Yawkey View Estates, Brandon & Kristin Newman Revocable Trust, owner, and submitted by Vreeland Associates, Inc., Timothy Vreeland, surveyor, for following vacant lands further described as Lots 1 and 2, CSM 5434, being a part of Government Lot 1, and part of the NE-NE, Section 22, T38N, R6E, PINs HA 294 and HA 295, Town of Hazelhurst.
11. Preliminary five (5) lot land division of Patricia Lakes Estates Condominium I, containing multiple owners, and submitted by Wilderness Surveying, Inc., Jim Rein, surveyor, for the following property currently described as: Patricia Lake Estates Condominium I, being a part of Government Lot 4, Section 9, T39N, R6E, PINs MI 7245 thru MI 7251, Town of Minocqua.
12. Preliminary Shady Point Condominiums Plat, a four (4) unit conversion condominium, Bergman Family III LLC, owner, and submitted by Eagle Landmark Surveying Inc., Tom Boettcher, surveyor, for the following property described as Part of Government Lot 14, Section 29, T37N, R9E, PINs PL 609-5, 4050, 4051, and 4058 Shady Point Drive, Town of Pine Lake.
13. Discussion/decision concerning a Conditional Use Permit application by Ed Rynders, applicant and acting owner of Tri-County Sand and Gravel LLC and EJR5 LLC, to revise Conditional Use Permit #1900127 for the expansion to the existing Non-Metallic Mine limits and to include hot mix asphalt plant and wash plant operations on the following described properties: Parts of the NW-SE, NE-SW, SW-SE, SE-SW, NE-SE, and the Fractional NE, Section 6, and part of the NE-NW, Section 7, T39N, R4E, PINs MI 599, MI 605, MI 606, MI 606-1, MI 604, and MI 613, 14300 State Highway 70, Town of Minocqua.

The applicant, Ed Rynders, and acting owner of Tri-County Sand & Gravel LLC and EJR5 LLC, also filed for a reclamation permit for the increase in mining acreage as described above and includes the following described properties: Parts of the NW-SE, NE-SW, SW-SE, SE-SW, Section 6, and part of the NE-NW, Section 7, T39N, R4E, PINs MI 606-1, MI 604, and MI 613 (excludes MI 599, MI 605, MI 606), 14300 State Highway 70, Town of Minocqua. A public hearing was held on April 3, 2024, and the committee will be continuing deliberations concerning the application.
14. Discussion/decision concerning the revision fees for sanitary permits.
15. Discussion/decision concerning the Oneida County Planning & Zoning Conditional Use Permit (CUP) Application as it relates to Section 9.42(D) of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be reviewing the proposed changes to the CUP Application.
16. Discussion/decision – Planning & Zoning Department permit activity/revenue.
17. Refunds.
18. Approve future meeting dates: May 1 and 15, 2024.
19. Future agenda items.
20. Adjourn.

NOTICE OF POSTING

TIME: Approx. 9:15 a.m. ~ DATE: April 15, 2024 ~ PLACE: Oneida County Courthouse Bulletin Board

SCOTT HOLEWINSKI, COMMITTEE CHAIR

Notice posted by Monique Taylor, Administrative Support, Planning & Zoning Department. Additional information on a specific agenda item may be obtained by contacting the Planning & Zoning Department at 715-369-6130.

NEWS MEDIA NOTIFIED VIA E-MAIL ~ DATE: April 15, 2024 ~ TIME: Approx. 9:30 a.m.

Lakeland Times	Northwoods River News
Star Journal	Tomahawk Leader
Vilas County News	NRG Media Northwoods
WCYE Radio	WJJQ Radio
WPEG Radio/TV	WRJO Radio
WXPR Public Radio	WJFW-TV 12

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 715-369-6125 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