

ZONING & PLANNING COMMITTEE

Minutes of Regular Monthly Meeting

February 3, 2011

Page 1 of 1

Agenda Item #1: Call to Order. Chris Mayer, Chairman, called the Zoning & Planning Committee Meeting to order at 9:00 a.m. at the Lac du Flambeau Town Hall, 109 Old Abe Road, Lac du Flambeau WI. He welcomes everyone to Lac du Flambeau and introductions were made.

Members Present: Chris Mayer; Steve Favorite; Bob Egan; Ralph Sitzberger.

Member Absent: Fred Radtke.

Others Present: Dawn Schmidt, Zoning Administrator; Tammy Baughman, Administrative Secretary; Laurel Carlson; Stuart L. Foltz; Matt Gaulke.

Agenda Item #2: Approve Agenda. Motion by Steve Favorite, second by Bob Egan to approve agenda to be discussed in any order. All say aye, motion carried.

Agenda Item #3: Approve Minutes. Motion by Bob Egan, second by Steve Favorite to approve the 1/6/11 Regular Monthly Meeting Minutes. All say aye, motion carried.

Agenda Item #4: Subdivision Approval: A Preliminary 20 Lot Subdivision for Davis Trust, Property Owner; Part of the NE1/4 of the SW1/4 and part of the SE1/4 of the NW1/4 and part of the SW1/4 of the NE1/4 in Section 32, T41N, R8E, Town of Plum Lake (Foltz and Associates, Inc). Stuart Foltz, surveyor was present for the property owner Russell Davis. He said the 20 parcels are flat and wooded with the exception of lots 2 & 18. All have sandy soils. There is a 40' wide easement road to access the lots. Steve Favorite suggests naming the private road with the Mapping Department before approval of the final plat.

Motion by Steve Favorite, second by Bob Egan to approve the preliminary subdivision as presented and approve the final with the condition that the private road is named. All say aye, motion carried.

Agenda Item #5: Approve Zoning/Shoreland/Sanitary Violation Forfeiture Schedule. Dawn handed out a forfeiture schedule for zoning, shoreland and sanitary violations that could occur on individual properties that may cause a deputy to issue a citation. She explained Martha, Corporation Counsel said our ordinance, at this time, gives us the authority to enforce a \$50.00 to \$500.00 per day citation. Martha requests that we breakdown each offense with a base forfeiture (how much our office would receive for the violation) and the balance would be broke down for individual court costs. Chris has concerns that a property owner may violate the ordinance if only a fine is assessed. Dawn said that we are a county that demands compliance and a citation would only be issued as a last resort. Other enforcement actions were discussed. Dawn will discuss with Martha, if further approval is necessary beyond this committee.

Motion by Ralph Sitzberger, second Bob Egan to adopt the Zoning/Shoreland/Sanitary Violation Forfeiture Schedule as presented. All say aye, motion carried.

Agenda Item #6: Discuss Wireless Communication Ordinance. Bob Egan received and reviewed a copy of Oneida County's Wireless Communication Ordinance. He said by relaxing our ordinance would allow business opportunities for cell tower companies; allow more internet coverage for entrepreneurs; high speed internet for the students, better cell phone service and economic development. He suggested allowing up to a 199' tower and changing the setback requirement to 100' plus the height of the tower from the principal dwelling that is not on the property on which the tower is located; the ability to co-locate when the structure is technically and economically feasible; county and local government having the right to reserve space on the new tower; change the fence requirements to indicate the 6' fence around the anchors and the base of the tower. Permitting procedures and conditional use permits were discussed. Dawn read our current ordinance purpose and intent statement and discussed. Bob commented that with the suggested changes, coverage in approximately 85% of the area can be accomplished by putting up 8 to 9 towers within the up to 199' in height, and repeater towers can be built to service the remainder 15% of the population. Ralph feels times have changed in the past 5 years with the demand of cell phones, high speed internet service and we must also be willing to change. Steve feels we owe it to the public to be a little more lenient to allow internet service. Chris requests Dawn to propose ordinance changes and bring them forward to next month's meeting. Chris said to put on the March agenda for further discussion.

Agenda Item #7: Land Use Plan. Chris said we can remove this from our monthly agenda items.

Agenda Item #8: NR115: Dawn said Gov. Walker was possibly going to take a look at NR115 and according to Dawn's DNR contact we are to keep moving forward until further notice. Steve said his concern is what is in the best interest of the public; the old NR115 or the new NR115. Dawn said Tom Blake will replace Jayne Wade, Water Management Specialist as our DNR shoreland-wetland technical zoning contact.

Agenda Item #9: Letters and Communications. Chris told the committee he received a letter from Mr. & Mrs. Adams. Steve said he attended a Lidar Conference, done similar to aerial photography. It is an economically advantageous way to retrieve the contours of the land for updating the outdated floodplain maps and placement of our cell towers.

Agenda Item #10: Public Comment. Matt Gaulke welcomed the committee to Lac du Flambeau.

Agenda Item #11: Review Statistics and Budget. Chris said our budget looks in good shape, maybe one line item transfer, and requests a balance to general fund after Clerk's final reconciliation.

Agenda Item #12: Training and Out of County Travel. Dawn informed member's that she, Mary, and 4 deputies will be attending a plumber's Continuing Education Credit Seminar in Arbor Vitae.

Dawn asks for approval for Mary to attend a Plumber & Soil Tester Seminar in Langlade County on February 24, 2011.

Motion by Steve Favorite, second by Bob Egan to approve training and out of county travel. All say aye, motion carried.

Agenda Item #13: Sign Vouchers.

Motion by Steve Favorite, second by Ralph Sitzberger to pay bills. All say aye, motion carried.

Agenda Item #14: Confirm March 3, 2011 meeting. Chris confirmed March 3rd Zoning & Planning meeting to be held at the Cloverland Town Hall. Steve Favorite and Fred Radtke will not be in attendance.

Agenda Item #15: It is anticipated that the committee will go into closed session pursuant to Wis. Stat., §19.85(1)(c); for the purpose of considering performance evaluation data of an employee over which the governmental body has jurisdiction or exercises responsibility. Agenda Item #16: Adjournment of the closed session and return to open session. Agenda Item #17: Committee may consider ratifying any action taken in closed session. Postponed.

Agenda Item #18: Adjournment. Motion by Steve Favorite, second by Chris Mayer to adjourn. All say aye, motion carried. Meeting adjourned at 10:45 a.m.