

CALL TO ORDER AND MEMBER INTRODUCTIONS

Chairman Beimborn called the meeting to order at 5:31 PM. All the members present did self-introductions.

Members Present:

Al Schlecht, Bob Rathsack, Cathy Stern, Dave Belfus, Ed Beimborn, Francis Kleckner, Jill Hapner, Joette Heckenbach, John Bauer, John Treffert, Katie Smith, Kit Keller, Lou Hefle, Mike Heili, Nina Look, Pat Marchese, Phil Beitz, Randy Tetzlaff, Roger Strohm, and Susan Nelson

Members Excused:

Angie Cope, Eric Rathke and Eric Ryer

Members Absent:

Andy Pederson, Brian Biernat, Dave Verley, Jon Censky, Ron Stadler, Scott Heatwole, and Bill McGill

Staff Present:

Andrew Struck - Ozaukee County - Planning and Parks Department
Nancy Anderson - Southeastern Wisconsin Regional Planning Commission (SEWRPC)
Ben McKay - Southeastern Wisconsin Regional Planning Commission (SEWRPC)

Presenter:

Deb Sielski, Assistant Administrator of the Washington County Planning and Parks Department

AVAILABLE HANDOUTS

- Draft of the Washington County Dispute Resolution Process – Insert into the Intergovernmental Cooperation Element – Chapter XIV of the Washington County Comprehensive Plan
- Draft Rules and By-Laws governing Washington County Multi-jurisdictional Dispute Resolution Panel
- Draft Intergovernmental Agreement Between the Town of Addison and Washington County to Participate in and Utilize the Washington County Multi-jurisdictional Dispute Resolution Panel
- Draft Resolution (City/Village/Town) – Authorize Participation in the Washington County Multi-jurisdictional Dispute Resolution Panel
- Draft Resolution (County) – Authorize Participation in the Washington County Multi-jurisdictional Dispute Resolution Panel
- Draft Washington County Multi-jurisdictional Dispute Resolution Panel – Joint Application for Dispute Resolution Process
- Draft Washington County – Administrative Procedures/Checklist Dispute Resolution
- Draft Washington County – Panel Guidelines Dispute Resolution
- Prioritization worksheets for the Land Use Element, Transportation Element, and Utilities and Community Facilities Element

ASSURANCE THAT THE MEETING WAS PROPERLY NOTICED

Chairman Beimborn asked staff if the agenda had been properly noticed and posted. Andrew Struck noted that the agenda was properly noticed and posted.

ADOPTION OF AGENDA

A motion was made by Mike Heili and seconded by Roger Strohm to adopt the agenda as written. All members present voting aye, the motion carried unanimously.

APPROVAL OF MINUTES

A motion was made by Bob Rathsack and seconded by Francis Kleckner to approve the minutes of the December 4, 2007 meeting of the Ozaukee County Comprehensive Planning Citizen Advisory Committee as written. All members present voting aye, the motion carried unanimously.

PRESENTATION: WASHINGTON COUNTY DISPUTE RESOLUTION PROCESS – DEB SIELSKI (ASSISTANT ADMINISTRATOR – PLANNING AND PARKS – WASHINGTON Co.)

Deb Sielski handed out a draft of the Washington County Dispute Resolution Process to supplement her presentation. She noted that local governments in Washington County requested in 2004 that such a process be developed as part of the comprehensive plan. A committee was formed in mid-2007 to draft the dispute resolution process, and involved County Board supervisors and local government representatives; with Deb and the County attorney providing staff support. The dispute resolution process is a voluntary process that facilitates a negotiation between local governmental units and/or the County. The dispute resolution process is available to all County and local units of government within and adjacent to Washington County. Deb Sielski stated that she anticipates that revisions may need to be made to the process after a few disputes are heard, and she intends to reconvene the committee annually to make such revisions.

Deb stated that each local government that intends to participate in the dispute resolution process will be asked to adopt a resolution to that effect, and to identify five elected or appointed officials that would be part of a pool of potential panel members. Deb is currently working with UW Extension to put together a workshop for the potential panel members to go through the process and the tools that could be used in the process. Deb also noted that she had contacted Brian Ohm concerning the dispute resolution process, and he mentioned that, to his knowledge, no other counties or local governments in Wisconsin had drafted a dispute resolution process yet.

Bob Rathsack inquired about the rationale behind using both elected and appointed officials for the panel. Deb Sielski responded that they started with only elected officials, but decided to also permit appointed officials, so that staff could serve on the subcommittee. Bob Rathsack also asked what defines “good faith” in the process. Deb Sielski responded that entering into the process constitutes “good faith,” but that the process could be voluntarily terminated at any point if either of the parties felt the other was not negotiating in good faith.

John Treffert commended Deb Sielski and Washington County on the creation of their dispute resolution process. He also asked if Washington County had considered running a “mock trial.” Deb Sielski acknowledged that a “mock trial” was a good idea, but noted that it might open up bad feelings amongst local governmental units.

Susan Nelson asked Deb for an example of a conflict that could benefit from the dispute resolution process. She also asked how the dispute resolution process was different from an ETZ process. Deb Sielski mentioned that towns had concerns regarding future amendments to town plans that may not be accepted by the County as an amendment to the County plan. The dispute resolution process would facilitate negotiations between the town and the County if that type of situation arose.

Phil Beitz inquired about the potential for a mediation process in Ozaukee County. Deb Sielski stated that a mediation process is one of the steps that could be taken to resolve disputes and could be incorporated into the Intergovernmental Cooperation Element. She also stated that disputing parties would be responsible for conducting the mediation process on their own, unlike the dispute resolution process enacted by Washington County.

Roger Strohm asked if Ozaukee County should poll the cities, towns, and villages to determine if those entities were interested in incorporating a dispute resolution process into the Intergovernmental Cooperation Element Chapter. Deb Sielski noted that committee members had met with each local government in Washington County to describe the dispute resolution process and experienced a high level of interest from the local governments. Dave Belfus requested a copy of the “script” that Deb had prepared for these meetings. Deb Sielski said that she would provide the “script” to Andrew Struck to distribute to all the members of the CAC.

Katie Smith noted the importance of conducting an annual update of the dispute resolution process. Lou Hefle inquired about how changes to local government plans would be addressed in the County comprehensive plan. Andrew Struck responded that any additional changes made to local plans after adoption would have to be processed as amendments to the County plan.

Pat Marchese asked if CAC members would support including the Washington County dispute resolution process in the Intergovernmental Cooperation Element Chapter of the County comprehensive plan. Andrew Struck noted that the dispute resolution process was not an action item, but if the CAC had consensus, it could direct staff to include a process similar to the Washington County model in the Ozaukee County Intergovernmental Cooperation Element Chapter. There was a general consensus to include the Washington County model in the Ozaukee County Intergovernmental Cooperation Element Chapter.

UPDATE, DISCUSSION AND POSSIBLE ACTION ON THE MULTI-JURISDICTIONAL COMPREHENSIVE PLANNING PROCESS, WDOA COMPREHENSIVE PLANNING GRANT, AND THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR OZAUKEE COUNTY: 2035

▪ **DISCUSSION ON THE OZAUKEE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AMENDMENT PROCESS**

Andrew Struck noted that SEWRPC's recommendation for incorporating city and village plans for their extraterritorial areas into the County land use plan map was included in the packet. Nancy Anderson briefly reviewed the handout, which recommends that city and village plans for the areas within their existing city or village limits be included in the county land use plan map. City and village extraterritorial areas would only be included if the city or village and adjacent town had adopted extraterritorial zoning regulations for an area outside city or village limits. This recommendation is based on the unit of government that has zoning authority for a given area. Therefore, the Town land use plan map would be incorporated into the County land use plan map for those areas outside of city/village zoning authority. Andrew Struck noted that the Corporation Council had reviewed and approved the SEWRPC recommendation.

Andrew noted the comprehensive plan amendment process used by Waukesha County was included in the packet. Nancy distributed a description of the plan amendment process from the Town of Hartford land use plan and the Village of Paddock Lake and Brown County comprehensive plans. Nancy Anderson and Andrew Struck explained each of the handouts. There was a general consensus amongst CAC members to proceed with the amendment process described in the handouts, primarily that the process be described, that a public participation plan be developed for use for all amendments to the County plan, and that the plan include criteria for evaluating plan amendments. The CAC also discussed and favored the concept of any proposed amendments to the County plan being initiated by a local government or the County Board or a County committee, rather than being initiated by a private property owner. The CAC felt that private property owners should first contact the city, town, or village to amend the local plan, and the city, town, or village would then contact the County staff to incorporate the amendment into the County plan. The CAC, by consensus, directed staff to address these issues as noted in the Element Chapter for approval.

▪ **UPDATE ON THE PRIORITIZATION OF PROGRAMS FOR CHAPTERS VII, VIII, X AND XI OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR OZAUKEE COUNTY: 2035.**

Andrew Struck emphasized the need for a quorum for the prioritizations for each of the Element Chapters. He also stressed the importance of fully completing each of the questionnaires and submitting them before the deadline. CAC members received prioritization worksheets for the Land Use Element, Transportation Element, and Utilities and Community Facilities Element. The deadline for submitting all three of these worksheets is January 18, 2008, so that they can be summarized by staff and presented at the next CAC meeting on January 22, 2008.

▪ **REVIEW AND DISCUSSION ON THE REVISED MEETING SCHEDULE FOR THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR OZAUKEE COUNTY: 2035.**

Andrew Struck noted that the revised meeting schedule was included in the Committee packet. Andrew Struck noted the changes, specifically the locations and dates of the public informational meetings. Andrew Struck also noted the outline for the comprehensive plan report included in the Committee packet.

▪ **UPDATE ON PLANNED LAND USE MAPS FROM PARTICIPATING LOCAL GOVERNMENTS FOR DEVELOPMENT OF THE PLANNED LAND USE MAP FOR THE LOCAL GOVERNMENT AND THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR OZAUKEE COUNTY: 2035.**

Andrew Struck and Nancy Anderson referenced the land use plan map status document in the CAC packet and updated the CAC on the status of the planned land use maps in each of the communities. Kit Keller asked if there would be public meetings held for each of the local government plans. Al Schlecht asked if a community could adopt the plan on the same night as the public meeting. Andrew Struck answered that each local government is required to hold a public hearing for its plan. It is highly unlikely that the plan would be adopted at the public hearing because all comments at the public hearing must be recorded and addressed.

UPDATE, DISCUSSION AND POSSIBLE ACTION ON IMPLEMENTING PUBLIC PARTICIPATION PLANS (PPP) FOR OZAUKEE COUNTY AND PARTICIPATING LOCAL GOVERNMENTS

▪ **SUMMARY OF THE JOINT IMPLEMENTATION WORKSHOP**

Andrew Struck mentioned that the evaluation results for the Implementation Workshop were included in the CAC packet. He further noted that the evaluations and comments for the workshop overall were very positive.

▪ **SUMMARY OF THE FIRST FRIDAY'S FORUM ON COMPREHENSIVE PLANNING**

Andrew Struck stated that the First Friday's Forum on Comprehensive Planning was very successful. Andrew Struck noted that there were no formal evaluations for the Forum, but attendance for this event was one of the highest recorded for a First Friday Forum and all the comments that he received for the Forum were extremely positive. Nina Look asked if there would be a way to mail out evaluations to the attendees after the fact to get the feedback. Andrew Struck noted that he would work with MATC in accomplishing this evaluation.

▪ **ADVERTISEMENT – COUNTY COMPREHENSIVE PLAN PUBLIC INFORMATIONAL MEETINGS**

Andrew Struck reported that an advertisement to promote the Ozaukee County Comprehensive Plan and specifically the County Public Informational Meetings will be placed in all of the local newspapers. A draft of the advertisement was passed around for the CAC members to review.

UPDATES FROM PARTICIPATING LOCAL GOVERNMENTS

There was nothing reported.

UPDATE/REPORT OF THE COMPREHENSIVE PLANNING TECHNICAL STAFF WORK GROUP, VARIOUS (PPP, HEDCR, ANR, LUTU & LESA) ELEMENT WORK GROUPS, COUNTY COMPREHENSIVE PLANNING BOARD, ENVIRONMENT AND LAND USE COMMITTEE AND OZAUKEE COUNTY BOARD OF SUPERVISORS

Andrew Struck noted that the minutes from the CPB and LUTU meetings held on November 20, 2007 will be included in the next CAC packet. He also noted that the brainstorming notes from the November 13, 2007 CAC meeting were included in the Committee packet.

PLANNING NEWS/EDUCATIONAL AND OUTREACH RESOURCES

Andrew Struck noted the articles in the CAC packet.

PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

There were no public comments and no written communications reported.

CPB REPORT/LOGIN REPORT/ COMMUNITY EMAIL UPDATES

Andrew Struck reported that the next e-newsletter update will go out in early 2008.

ANY OTHER BUSINESS AS ALLOWED BY LAW

There was nothing reported.

NEXT MEETING DATE: TUESDAY, JANUARY 22, 2008, AND 2008 MEETING SCHEDULE

ADJOURNMENT

A motion was made by Al Schlecht and seconded by Francis Kleckner to adjourn the meeting. All members present voting aye, the motion carried unanimously. The meeting adjourned at 7:30 PM.

*Respectfully recorded and submitted by Nicole Sidoff, Ben McKay, Nancy Anderson and Andrew Struck
as proofed by Ed Beimborn, Chairman.*