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3 **Sub. No. 1 2018 OA-1**

4 AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
5 AMENDING BOARD RULES

6 The County Board of Supervisors of the County of Dane does ordain as follows:
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8 ARTICLE 1. Unless otherwise expressly stated herein, all references to section
9 and chapter numbers are to those of the Dane County Code of Ordinances.
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11 ARTICLE 2. Section 7.03(2) is amended to read as follows:

12 **(2)** The chairperson shall appoint each supervisor to only one standing
13 committee of the board, other than the executive committee, and shall also
14 appoint members to other committees or commissions as directed by the board.
15 In accordance with s. 7.11(10), the chairperson shall consider the recom-
16 mendations of the UW Extension Committee in the appointment of youth
17 members to standing committees, except for the executive committee, as well as
18 to boards and commissions as authorized by Chapter 15.
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20 ARTICLE 3. Section 7.04(2) is amended to read as follows:

21 **(2)** When the chairperson is absent from a board meeting, temporarily vacates
22 the chair or is otherwise unable to preside, one of the following, in order and as
23 able, shall preside: first vice-chairperson; second vice-chairperson. In the event
24 of ~~absence~~unavailability or other incapacity of all of these, a chairperson pro tem
25 shall be elected. If the chair is unavailable, the first vice-chair can take
26 provisional action until the chair is available.
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28 ARTICLE 4. Section 7.11(10) is amended to read as follows:

29 **(10)** Except for the executive committee, the chairperson, with consideration of
30 the recommendations of the UW Extension Committee, shall appoint twelve to
31 eighteen youth members to standing committees for a one-year term from June
32 to May.

33 **(a)** Youth members must be Dane County residents in grades 910 - 12 and
34 make application to serve through the Dane County Extension Department.

35 **(b)** Youth members shall have a non-binding advisory vote on standing
36 committees, and boards and commissions as authorized by Chapter 15, and
37 committee minutes should record their votes separately as advisory. Youth
38 members shall be given the same opportunities for committee participation and
39 involvement as elected county supervisors.

40 **(c)** Committee closed sessions may not include youth members.

41 **(d)** Youth members shall not be counted for purpose of quorum.
42

43 ARTICLE 5. Section 7.12 is amended to read as follows:

44 **(intro.)** The zoning & land regulation committee shall have the duty and
45 responsibility to:
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- 47 | **(1)** Act as the supervisory committee for the land information office and the
48 | planning and development department, including survey, zoning, tax description
49 | and plat review functions.
- 50 | **(2)** Act as the policy oversight committee for the register of deeds and the Dane
51 | County Board of Adjustment.
- 52 | **(4)** Fulfill the zoning and subdivision control powers and duties enumerated in
53 | chapters 10, 74, 75 and 76, D.C. Ords.
- 54 | **(5)** Advise the county board on all matters relating to zoning, land use and land
55 | regulation, and recommend policy and planning initiatives to the board and the
56 | planning director.
- 57 | **(6)** Report to the county board regarding all proposed cemetery maps and plats
58 | in accordance with sec. 157.07, Wis. Stats.
- 59 | **(7)** Review proposed amendments to the Dane County Comprehensive Plan,
60 | including amendments to town plans, and make recommendations to the County
61 | Board on amendments to Subchapter II of Chapter 82 of the Dane County Code
62 | of Ordinances.
- 63 | **(8)** Act as the county's liaison to, and cooperate with, regional planning bodies.

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65 | ARTICLE 6. Section 7.14(19) is amended to read as follows:

66 | **(19)** The committee shall review and periodically make recommendations to the
67 | county board on information technology ~~ies~~ needs and shall provide an updated
68 | information technology strategic plan to the county board annually by June 1st.

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70 | ARTICLE 7. Section 7.15(2) is amended to read as follows:

71 | **(2)** Act as the policy oversight committee for the Dane County Housing
72 | Authority, the commission on sensitive crimes, the specialized transportation
73 | commission, and the Dane County Humane Society; ~~and act as the budget~~
74 | ~~review committee for the Board of Health for Madison and Dane County.~~

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76 | ARTICLE 8. Section 7.18(1) and (2) are amended to read as follows:

77 | **(1)** Act as the supervisory committee for the department of public works,
78 | highway and transportation, the Dane County Parking Ramp, ~~the facilities~~
79 | ~~management division,~~ and the Alliant Energy Center of Dane County.

80 | **(2)** Act as the policy oversight committee for the Dane County Regional Airport
81 | Commission, the solid waste and recycling ~~commission~~ ad hoc subcommittee, the
82 | Dane County Zoo Commission, all regional transportation planning, and all rail
83 | transit commissions to which the county is a party. The committee may create an
84 | ad hoc subcommittee, including both standing committee members and citizen
85 | members, with appointments by the chair.

86 |
87 | ARTICLE 9. Section 7.19(4)(d) is rescinded:

88 | ~~(d) Recommend policy and planning initiatives to the board and the planning~~
89 | ~~director.~~

90 |
91 | ARTICLE 10. Section 7.19(7) is rescinded:

92 | ~~(7) Act as the county's liaison to, and cooperate with, regional planning bodies.~~

93 ARTICLE 11. Section 7.20(2) is amended to read as follows:

94 **(2)** Land Conservation Committee. The land conservation committee shall be
95 composed of the same supervisor members appointed by the county board
96 chairperson to the Environment, Agriculture, Natural Resources Committee, and
97 one additional supervisor, at least five (5), but no more than seven (7), supervisor
98 members appointed by the county board chairperson. Together with the chair-
99 person of the farm services agency county committee or his or her designee,
100 ~~†~~The committee shall function as the land conservation committee in accordance
101 with chapter 92, Wis. Stats. The committee shall have the powers set forth in
102 sec. 92.07, Wis. Stats., and shall coordinate all matters relating to agriculture and
103 soil and water use and conservation in the county, in cooperation with any
104 interested governmental agency.

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106 ARTICLE 12. Section 7.22(12) is amended to read as follows:

107 **(12)(a)** In order to encourage civic participation, meetings of County Board and
108 committees shall not be scheduled on holidays or on the day of any
109 general statewide or countywide election. If necessary for consideration of time-
110 sensitive matters, committees may meet on the day of an election at the direction
111 of both the committee chair and board chair. The County Board chair shall
112 consider holidays and elections when developing the annual schedule of County
113 Board meetings.

114 **(b)** The Office of Equity and Inclusion shall annually issue a memorandum
115 delineating days and times on which meetings should not be scheduled.

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117 ARTICLE 13. Section 7.22(14) is created to read as follows:

118 **(14)** Committee members may participate in a meeting via telephone or other
119 electronic media but cannot be counted for quorum or vote.

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121 ARTICLE 14. Section 7.225(2)(a) is amended to read as follows:

122 **(a)** If a committee has taken testimony on an item and the same committee
123 considers action on the item at a separate meeting, the public shall not have the
124 opportunity to testify if that same item appears on subsequent agendas of the
125 same committee. Items are not considered to be the same item if a new
126 amendment has been posted and the public has not had the opportunity to testify
127 on the new amendment.

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130 ARTICLE 15. Section 7.23(2)(i) is created to read as follows:

131 **(i)** Attendance shall be reflected in the minutes each time a member arrives or
132 leaves to ensure accuracy in recording of votes.

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134 ARTICLE 16. Section 7.59(4) is amended to read as follows:

135 **(4)** The two seats to the chairperson's left on the center aisle of the fifth row
136 shall be reserved for the county board's staff. Remaining seats in the fifth row to
137 the chairperson's left shall be reserved for the news media. Access to media
138 seating shall not be available to the general public, registered lobbyists, or

139 individuals registered ~~to address and/or speaking before~~ the board in support of
140 or opposition to an item on the board agenda. If members of the media do not
141 use the seats, the seats may be used by staff from county departments and other
142 county officials.

143

144 ARTICLE 17. Section 7.68 is rescinded in its entirety.

145 ~~7.68 COUNTY BOARD MEETINGS; CONDITIONAL USE PERMIT APPEAL~~
146 ~~PROCEDURE.~~

147 ~~(1) For appeals of the grant or denial of a conditional use permit, the county~~
148 ~~board acts in a quasi-judicial capacity and, notwithstanding the provisions of s.~~
149 ~~7.63, shall follow the procedures set forth in this section.~~

150 ~~(2) The county board shall make its decision based on the record.~~

151 ~~(a) The record is composed of the following sources of information:~~

152 ~~1. All evidence submitted to the Zoning and Land Regulation Committee, and~~
153 ~~documents incorporated therein.~~

154 ~~2. Testimony heard by the county board in the hearing on the appeal.~~

155 ~~(b) Evidence or other information in any form, not in the record of the Zoning~~
156 ~~and Land Regulation Committee, which is presented to Supervisors outside the~~
157 ~~hearing proceedings is not part of the record.~~

158 ~~(3) The appellant or applicant shall appear in person or be represented by an~~
159 ~~agent or attorney. In the event that neither the appellant, applicant, or~~
160 ~~representative appears at the public hearing, the Board has the discretion to~~
161 ~~adjudge the matter to a future meeting or dismiss the appeal.~~

162 ~~(4) Order of Business For Conditional Use Permit Appeals. A conditional use~~
163 ~~permit appeal shall follow the following sequence of events:~~

164 ~~(a) Summary by Zoning Administrator. The Zoning Administrator shall~~
165 ~~summarize the conditional use permit application and the decision being~~
166 ~~appealed.~~

167 ~~(b) Appellants case.~~

168 ~~1. The Appellants will be afforded 30 minutes to present their case by~~
169 ~~presentation of testimony by witnesses or other evidence and argument. If there~~
170 ~~is more than one appellant of record, it is the responsibility of appellants to~~
171 ~~allocate the 30 minutes among themselves.~~

172 ~~2. Following the testimony by the appellants, members of the county board~~
173 ~~may ask questions of the appellants and their witnesses.~~

174 ~~(c) Respondent's case.~~

175 ~~1. Respondent (if applicable) will be afforded 30 minutes to present their case~~
176 ~~by presentation of testimony by witnesses or other evidence and argument. If~~
177 ~~there is more than one respondent of record, it is the responsibility of the~~
178 ~~respondents to allocate the 30 minutes among themselves.~~

179 ~~2. Following testimony by the respondent, members of the county board may~~
180 ~~ask questions of the respondent and their witnesses.~~

181 ~~(d) Public testimony.~~

182 ~~1. Members of the public may present testimony for or against the appeal.~~
183 ~~Testimony by non-parties is limited to 5 minutes.~~

184 ~~2. Following testimony by members of the public, members of the county~~
185 ~~board may ask questions of any member of the public who testified or registered~~
186 ~~without indicating a desire to speak.~~
187 ~~(e) Closing Statements. Each party will be afforded 3 minutes to make a closing~~
188 ~~statement.~~
189 ~~(f) Board debate and action. The county board shall debate the merits of the~~
190 ~~appeal and take final action as set forth in these rules.~~

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[EXPLANATION: This amendment revises the Board Rules.]