

**FORESTRY, LAND, & OUTDOOR RECREATION COMMITTEE**  
**MINUTES OF MEETING # 9-2010**

DATE: **August 4, 2010**

TIME: 9:00 a.m.

PLACE: Committee Room # 1, 2<sup>nd</sup> Floor, Court House, Rhinelander, WI

PRESENT: Chair Baier; Committee Members Thompson (excused at 11:30 am); Martinson, Berard, Rudolph. Forestry Staff: Bilogan; Fiene.

OTHERS: Ray Briggs (excused at 10:30 am); Manny Oradei (arrived at 10:30 am); Les Felbab; Bill Welsh; Bob England; Jim Cheshire; Charlie Evenhouse; Members of the Oneida County Biking and Walking Trails Council; Corporation Counsel Brian Desmond.

**CALL MEETING TO ORDER**—At 9:00 a.m. Chair Baier called the meeting to order, noting that it had been properly posted in accordance with the procedures set forth by the Wisconsin Open Meeting Law.

**APPROVE CURRENT AGENDA WITH THE ORDER OF AGENDA ITEMS AT CHAIR'S DISCRETION**—It was moved by Rudolph, seconded by Thompson, to approve the current agenda with the order of agenda items at Chair's discretion. Motion carried.

**APPROVE MINUTES OF THE JULY 7, 2010 FORESTRY COMMITTEE MEETING**—It was moved by Martinson, seconded by Thompson, to approve the minutes of the July 7, 2010 meeting. Motion carried.

**FOREST MANAGEMENT:**

**A. YEAR-TO-DATE TIMBER STUMPAGE REVENUE REPORT**--County Forester Paul Fiene distributed the monthly stumpage summary showing July receipts of \$64,806.83 and year to date receipts of \$539,910.87.

**B. TIMBER SALES FOR DISPOSITION**--The following timber sale contract was acted upon in the following way, on a motion by Rudolph, second by Thompson:  
Contract #1493 held by **David Kleinschmidt** was closed as satisfactorily completed and to return full letter of credit in the amount of \$3,754.25. Motion Carried.

**RESOLUTION TRAILS COUNCIL 5 YEAR RECREATION PLAN AMENDMENT**--Bilogan distributed copies of the revised Oneida County County-wide Biking & Walking Routes & Trails Plan, and reviewed the history of this plan. The Trails Council is looking to have this plan approved and amended into the Oneida County 5 Year Recreation Plan. Bilogan highlighted the revised part of the plan where wording was inserted under the McNaughton to Woodruff trail segment (Map ID 8) to allow for alternate use of this segment if such use surfaced prior to development of this segment. Discussion included the Oneida County ATV Trails Club's desire to have the statement regarding alternate uses of trail segments not currently being developed be applied to all trail segments, not just segment #8. The Trails Council does not feel this blanket statement is appropriate for the entire document. The ATV club feels the inclusion of trails in this document will preclude their use as ATV trails if needed. The Trails Council explained that the majority of these trails are on existing roads and / or within the right-of-way of roads and thus could not be used as ATV trails.

Upon hearing the discussion, it was moved by Rudolph and seconded by Berard to approve the resolution to amend the Oneida County 5 Year Recreation Plan to include the Oneida County Countywide Biking and Walking Routes and Trails plan, and to forward it to the County Board. Motion carried.

**CELL TOWER LEASE AGREEMENT RIGHT OF FIRST REFUSAL--**Jim Cheshire, representing Cellcom, was present to explain the need for the lease revision to include the right of first refusal. This would give Cellcom the opportunity to match any offer made to the County to buy the 100 ft x100 ft parcel of land on which Cellcom's tower sits in the event a predatory company made an offer to buy the land. It would also give them the opportunity to match any offer to re-assign the cell tower lease if that issue arose. Corporation Counsel Brian Desmond was on hand to give his opinion on encumbering the land with the right of first refusal clause. It is his opinion that it is not in the best interest of the County to encumber County land with such a clause; however, this is a policy decision that can be made by the Committee. After hearing the discussion regarding this matter it was moved by Martinson, seconded by Baier, to approve the revision of the Cellcom cell tower lease to include the clause giving Cellcom the right of first refusal and to forward this on to the County Board. Motion carried.

**MOTORIZED GRANT APPLICATION UPDATE:**

**a) Snowmobile**—Bilogan explained that the County has been awarded a grant in the amount of \$293,000.00 for the Rainbow Flowage bridge and mandatory reroute project. Bilogan asked if the Department could seek professional engineering to design the bridge and oversee the construction. It was moved by Thompson, seconded by Martinson, to approve seeking professional engineering for the bridge project. Motion carried.

**b) ATV**—Bilogan explained that the county has also been awarded grants for the Burrows Lake ATV trail reroute and associated boardwalk wetland crossings in the amount of \$178,590.00, and the Enterprise Bowman – Hildebrandt (new) ATV trail in the amount of \$10,891.00.

**2011 PERSONNEL BUDGET ISSUES:**

**a) Forestry Labor**—Bilogan explained the 3 recurring LTE positions employed by the FLORD, those being:

**Summer Maintenance LTE:** previously was a 600 hr/year position but we are requesting only 500 hours for 2011. It was moved by Rudolph, seconded by Thompson, to approve the Summer Maintenance LTE position for 2011 and forward request to LRES committee. Motion carried.

**Winter Maintenance LTE:** previously was a 600 hr/year position but we are requesting only 450 hours for 2011. It was moved by Rudolph, seconded by Thompson, to approve the Winter Maintenance LTE position for 2011 and forward request to LRES committee. Motion carried.

**Ranger LTE Positions (2 @ 400 hrs/year each):** Hours will remain the same as 2010 at 800 total hours. It was moved by Rudolph, seconded Thompson, to approve the 2 Ranger LTE positions for 2011 and to forward request to LRES committee. Motion carried.

**Half Time Permanent Forester Position:** Bilogan explained that with an increase in the allowable cut acres over the next 10 years the current staffing level will not allow the department to keep up with timber sale establishment at the rate the allowable harvest acres are increasing. This new position would cost the County approximately \$35,000.00 / year including fringe benefits and theoretically will return revenues of \$100,000.00 or more in increased stumpage. Rudolph also added that if we don't keep up with the allowable harvest we stand to lose even more revenue through mortality of the timber

not being harvested in a timely manner and through loss of quality, and thus value, due to timber being over mature. Thompson believes asking for additional employees during this economic downturn is not appropriate. After looking over the justification Bilogan presented, it was moved by Rudolph, seconded by Berard, to approve the Half Time Permanent Forester Position and to forward the request along with the justification documents to the LRES committee and Finance committee. Motion carried on a 3-2 vote with Rudolph, Martinson and Berard voting Aye and Baier and Thompson voting Naye.

**b) Overtime**—Bilogan explained the request from the cross country skiers to have the Washburn ski trails groomed on weekends when it snows. This issue was brought up in late 2009 and the request was made to Finance to increase the budget to pay for overtime. The Finance Committee denied the request as it had not been put in the budget. Bilogan further explained he estimates 4 – 6 times a season would the trails need to be groomed on a weekend due to snow on Friday or Saturday following normal grooming. This would result in an increase to the budget of approximately \$1000 - \$1750 / yr to cover overtime pay. Issues such as the uncertain nature of when an employee would have to work on a weekend and the fact that the County has never groomed on weekends were discussed. Union issues and possible grievances were also discussed. After hearing all discussion it was moved by Martinson, seconded by Berard, to deny the request to put overtime for weekend ski trail grooming in the 2011 budget. Motion carried.

**FOREST BLOCK MAPS**—As requested by Martinson, smaller maps showing the County Forest Blocks and access trails / roads were provided.

**TREE SERVICE CONTRACT**—Bilogan presented the tree service contract for work to be performed at Almon Park for Chair Baier to sign. This contract was approved at the July 7, 2010 FLORC meeting.

**UPDATE ON LAND PURCHASE TO SATISFY LANDFILL WITHDRAWAL**—Bilogan explained that 5 follow up letters had been sent to landowners who showed an interest in selling their property to the County. Of the 5 letters sent, 3 replies were received: one said their current assessed value is too low for them to consider selling at; one asked nearly double their assessed value for a selling price; and one agreed to sell at assessed value. Discussion was had regarding why we are being forced to purchase more property when the County is in economic hardship at this time and the land purchase money would be better served going back to the general fund to lower taxes. It was also noted that a letter from the DNR was sent to the committee members stating that the withdrawal was approved and completed. Charlie Evenhouse, Solid Waste Director of the Landfill, was asked if this is holding up his work on the expansion. He stated that as soon as he got the letter stating the withdrawal was complete that he began work on the expansion, both monetary outlay and physical ground work. Rudolph says Oradei stated we should not be using the previously purchased 40 to satisfy this replacement unless no other land is available. Rudolph also stated that we have the money segregated in the land purchase account; therefore, there will be no increase in the levy. Baier would like Corporation Counsel to review the documents sent by the DNR stating the withdrawal is complete and give an opinion as to whether the DNR has any recourse if the County does not buy additional land to satisfy the withdrawal. It was moved by Martinson, seconded by Baier, to not pursue purchasing of additional land for the purpose of replacing the landfill withdrawal. Discussion ensued and Martinson made a motion, seconded by Thompson, to amend the original motion to include requesting an opinion

from Corporation Counsel as to whether any wording in the documents provided by the DNR will force the County to purchase additional property. Motion carried.

A vote was taken on the amended motion which was to not pursue purchasing additional land for the purpose of replacing the landfill withdrawal pending the opinion of Corporation Counsel as to whether any wording in the documents provided by the DNR will force the county to purchase additional property. Motion carried on a 4-1 vote with Baier, Thompson, Berard and Martinson voting Aye and Rudolph voting Naye.

**VOUCHERS, BLANKET PURCHASE ORDERS, AND LINE ITEM TRANSFERS (IF NECESSARY)**—It was moved by Rudolph, seconded by Martinson, to approve the following vouchers and blanket purchase orders for payment: John Bilogan (expense voucher) \$50.00; CIB (Battery) \$94.88; Arnott Trucking (Townline Toilet Building Demolition) \$3,7500.00; Burnett County Forest & Parks (WCFA Registration) \$350.00; Bob’s Power Center (chains) \$39.95; Culligan Water Conditioning \$78.75; Lakeland Hardware \$46.27; Frontier \$42.00; Oneida County Solid Waste Dept. \$65.10; Oneida County Highway Commission (fuel, park projects) \$17,149.62; Airgas \$21.42; Fastenal Co. \$27.21; Wisconsin Public Service (shop) \$126.87; Wisconsin Public Service (Perch Lake) \$24.69. There were no line item transfers.

**AGENDA ITEMS FOR FUTURE FORESTRY COMMITTEE MEETING(S)**—2011 Budget; Forest County ATV Trail Request for support; approve minutes of July 28 and August 4 FLORC meetings.

**PUBLIC COMMENTS**—DNR Liaison Forester Manny Oradei was present and explained that the land purchase to replace the landfill withdrawal was not mandatory at this time. The withdrawal has gone through and is approved. The stipulation to purchase land would have been mandatory had the County not had the recently purchased 40 acre parcel which had not been entered into the County Forest Law program at the time of the withdrawal approval. However, since that parcel was purchased prior to the withdrawal and was never intended to be a replacement for the landfill withdrawal it was the request of the DNR that an attempt be made by the County to purchase property specifically for the purpose of replacing the withdrawn land. Oradei also stated that the fact the Committee has voted not to pursue purchasing additional land, this may reflect negatively on future requests for land withdrawals. In light of this information, it was decided Corporation Counsel’s opinion regarding this matter is not needed.

**ADJOURNMENT**—With business completed, it was moved by Rudolph, seconded by Martinson, to adjourn the meeting at 11:55 a.m. Motion carried.

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GARY BAIER  
CHAIR

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PAUL FIENE  
ACTING RECORDING SECRETARY

