

FORESTRY, LAND, & OUTDOOR RECREATION COMMITTEE
MINUTES OF MEETING # 12-2010

DATE: **November 3, 2010**

TIME: 9:00 a.m.

PLACE: Committee Room # 1 (moved to County Board Room),
2nd Floor, Court House, Rhinelander, WI

PRESENT: Chair Baier; Committee Members Rudolph; Thompson;
Forestry Staff: Bilogan; Fiene; Rady; Eckardt.

EXCUSED: Jack Martinson; Greg Berard.

OTHERS: Manny Oradei; Guy Hansen; Les Felbab; Bill Welsh;
Tom Wiensch; Brian Desmond.

CALL MEETING TO ORDER—At 9:03 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 OCTOBER 6, 2010 FORESTRY COMMITTEE MEETINGS—It was moved by Thompson, seconded by Rudolph, to approve the minutes of the October 6, 2010 Forestry Committee meeting. Motion carried.

SNOWMOBILE TRAILS:

a) Wachovia Snowmobile Trail Land Use Agreement. Bilogan recapped the Wachovia Snowmobile Trail Land Use Agreement and that Wachovia (a/k/a RMK) required \$5,000,000.00 Liability Insurance certificate. Bilogan went on to explain that this amount of Liability Insurance is a very high financial burden to the snowmobile clubs. Brian Desmond, Corporation Counsel, and Tom Wiensch, Assistant Corporation Counsel, were in attendance to further explain the County's position on the Land Use Agreement (LUA). Assistant Corporation Counsel Tom Wiensch stated that Consolidated Papers once were the land owners over which the snowmobile trails passed, and that they were a good corporate citizen, allowing the snowmobile trails to cross their lands. Currently, Wachovia (which is part of a 5 bank conglomerate) purchased the lands from Consolidated Papers, and that the land is now more fragmented. Assistant Corporation Counsel Tom Wiensch's suggested the following changes to the LUA:

1. Have the LUA reviewed by the County's Risk Manager.
2. The indemnity provision is too broad that the County would have to pay should something happen on the trails.
3. The insurance provision is also too broad.
4. No trail maintenance without prior approval is an unsafe issue and Mr. Wiensch suggests that trail maintenance be allowed without prior approval should an emergency situation (i.e. tree in trail) arise.
5. If trail changes / closes, signs should go with the snowmobile club or county, and the agreement would end when the trail changes or closes.

Other LUA language issues that Mr. Wiensch suggested were: corporate resolution from Wachovia; under seal; and note Wisconsin Open Meeting / Records Law.

According to the County's Risk Manager, both sides need Liability Insurance. The County's insurance prohibits County covering other companies on county insurance policy. Consider some type of Umbrella Policy, or suggest that the three snowmobile club get an insurance policy together to meet the \$5,000,000.00 Liability Insurance requirement. Mr. Wiensch will also check the amount of liability insurance required as per the County's Risk Manager. Bilogan made mention that there are at least 3 snowmobile bridges on the land now owned by Wachovia and on trails listed in the LUA agreement. Bilogan questioned if our ownership of the bridges would change if the County signs the LUA as is. It was moved by Baier, seconded by Thompson, to have the County pay for Wachovia legal fees, if necessary, in order for the Forestry, Land, & Outdoor Recreation Committee to move forward and have Forestry Committee Chair Baier and Oneida County Board Chair Ted Cushing sign the Wachovia Snowmobile Trail Land Use Agreement. Roll Call Vote: Thompson—aye; Baier—aye; Rudolph—naye. Motion carried (2-1).

Committee Member Tom Rudolph didn't support the motion as he felt that the county could sit down with County Corporation Counsel and Wachovia's legal counsel to work out contract (LUA) details.

b) Rainbow Flowage Snowmobile Bridge.

1) Budget: Bilogan explained that a grant for \$313,000.00 would be available for this bridge, with the load upgrade estimate. This bridge is on American Legion State Forest land.

2) Bridge engineering request for proposals: Bilogan had checked with the Oneida County Highway Dept. and Buildings & Grounds Dept., as well as local MSA, concerning engineering firms in the area. It was moved by Rudolph, seconded by Thompson, to proceed with sending out the bridge engineering request for proposals. Motion carried.

3) Bridge load upgrade expense: Bilogan explained the reason for the difference of the load upgrade from 12,000 pounds to 19,000 pounds. Bilogan distributed a sheet that showed the bridge load upgrade cost for a project

completed in 2005 that is very similar to the bridge currently being considered. Depending upon the type of construction, the cost of the load upgrade for the bridge built in 2005 ranged from \$7,000.00 to \$20,000.00. Bilogan had checked with Finance Director Margie Sorenson and she suggested obtaining \$10,000.00 from the snowmobile club before the bridge is erected. The idea being the \$10,000.00 would hopefully cover most if not all of the upgrade. That was the Finance Director's recommendation only. Chair Baier asked if grants were available for this upgrade cost; for example, from gas tax funds. Bilogan answered no. Another suggestion was to check with the DNR if there are grants available for a fishing pier, which the Rainbow Flowage Bridge could also be used for. Chair Bair suggested using county timber stumpage money to pay for the upgrade cost and / or money in the land purchase account. Chair Baier recommended moving forward with the bridge without the club having to pay the upgrade cost, using timber stumpage money via County Board Resolution, if necessary.

c) Snowmobile Council request to revise bridge development guidelines: The Oneida County Snowmobile Council requested to employ engineering services to look at snowmobile trail bridges during and upon completion by a contractor, including frequent on-site visits. Frank Bennett stated that it's important for an engineer's "stamp of approval" on the plan. The bridge should be inspected after completion. Chair Baier stated that money should be put in the budget for engineering plans. It was also agreed that the county, the club, and the contractor should meet together during and upon bridge completion. Committee Member Tom Rudolph felt that this issue should be tabled until the December 8, 2010 Forestry Committee meeting.

FOREST MANAGEMENT:

a. YEAR-TO-DATE TIMBER STUMPAGE REVENUE REPORT.

County Forester Paul Fiene distributed the Year-to-Date 2010 Timber Stumpage Revenue Report, noting the amount of \$104,265.04 for October 2010, and year to date total of \$894,802.70.

b. TIMBER SALES FOR DISPOSITION. It was moved by Thompson, seconded by Rudolph, to act on the following timber sale contracts as follows:

Contract # 1486 held by **Bob Smith Logging close** as satisfactorily completed and return full letter of credit deposit (\$17,077.00).

Contract # 1464 held by **New Page Corp close** as satisfactorily completed and return full cash deposit (\$3,782.13).

Contract # 1524 held by **New Page Corp close** as satisfactorily completed and return full cash deposit (\$6,971.22).

Contract # 1468 held by **New Page Corp extend** for one year with a 15 % rate increase.

Motion carried.

PICKUP TRUCK BID SPECIFICATIONS. Bilogan distributed a copy of the pickup truck bid specifications to be bid out. It was then moved by Thompson, seconded by Rudolph, to approve the pickup truck bid specifications to be bid out. Motion carried.

2011 FORESTRY DEPARTMENT WORK PLAN & ASSOCIATED RESOLUTION. Bilogan explained this yearly resolution. It was then moved by Rudolph, seconded by Thompson, to approve the 2011 Forestry Department Work Plan & associated resolution, and to forward it on to Corporation Counsel for review / approval for the November County Board meeting. Motion carried.

LRES COMMITTEE MEETING UPDATE PERTAINING TO FORESTRY DEPARTMENT REORGANIZATION. Bilogan explained that the LRES Committee meeting suggested less time be spent on recreation and more time be spent on forestry, utilizing the 3 Forestry Dept. foresters to administer the increased allowable cut of timber. Bilogan mentioned that he had requested a 50% LTE Forester, but that was defeated and Finance did not approve of this position request. Chair Baier felt that the use of volunteers should be implemented. Bilogan also stated problems with help with the administration of the snowmobile program and was not in favor of giving those duties to another department. The LRES Committee suggested perhaps giving the work associated with snowmobile bridges to the County Highway Dept. or the Buildings & Grounds Dept., such as park maintenance. The Forestry, Land, & Outdoor Recreation Committee felt that there should be a reorganization meeting with just the Forestry, Land, & Outdoor Recreation Committee and Forestry Department staff. Committee Member Tom Rudolph felt that this issue should be tabled until the December 8, 2010 Forestry Committee meeting, and that a proposal be prepared as to the reorganization of Forestry Department duties, etc. Committee Member Dennis Thompson felt that the Forestry Committee should move forward with the reorganization.

LAND APPRAISAL UPDATE FOR SESW SEC.5-T35N-R9E & NENW SEC.8-T35N-R9E. Bilogan explained that he had checked with appraisers and that Sorenson Appraisal could prepare the appraisal within 6-8 weeks, at a cost of \$325.00 a "40". The appraisal would be ready for the December 8, 2010 Forestry Committee meeting.

TOWN OF LYNNE PAVILION GRANT REQUEST & ASSOCIATED RESOLUTION. A copy of the Town of Lynne grant request for a pavilion was distributed. Chair Baier felt that the word "grant" should be struck out of the resolution, and to attach a copy of the Town of Lynne's request letter. It was

then moved by Baier, seconded by Thompson, to approve the resolution and forward on to Corporation Counsel for review and approval, for the November County Board. Roll Call Vote: Thompson—aye; Baier—aye; Rudolph—abstain. Motion carried. 2 ayes. 1 abstained.

VOUCHERS, BLANKET PURCHASE ORDERS, & LINE ITEM TRANSFERS (IF NECESSARY)—It was moved by Thompson, seconded by Baier, to approve the following vouchers and blanket purchase orders for payment: New Page Corp \$3,782.13 + \$6,971.22; WDNR \$898.69; McKenzie Supplies & Equipment \$243.10; Frontier \$42.00; Verizon Wireless \$59.32; Oneida Co. Solid Waste \$39.50; Fastenal Co. \$32.57; Airgas \$21.42; Wisconsin Public Service \$203.48 + \$30.17. Motion carried.

No Line Item Transfers were necessary.

DATE OF NEXT FORESTRY COMMITTEE MEETING—
December 8, 2010 at 1:00 p.m.

AGENDA ITEMS FOR FUTURE FORESTRY COMMITTEE MEETING(S).
Land Appraisal Update, and direction; LRES Reorganization Update; Weekend ski trail grooming over time proposal.

PUBLIC COMMENTS. Manny Oradei stated that he felt downsizing would be very detrimental to the Forestry Department.

ADJOURNMENT—With business completed, it was moved by Rudolph, seconded by Thompson, to adjourn the meeting at 11:53 a.m. Motion Carried.

GARY BAIER
CHAIR

CINDY ECKARDT
RECORDING SECRETARY