

**MINING OVERSIGHT / LOCAL IMPACT COMMITTEE (MO/LIC)
MEETING MINUTES # 1-2011**

DATE: January 14, 2011

TIME: 9:00 a.m.

PLACE: Committee Room # 2—2nd Floor; Oneida County Court House;
Rhinelander, WI

PRESENT: Committee Vice Chair Tom Rudolph; Committee Members Gary Baier; Peter Wolk; Mike Timmons; Forest Director John Bilogan; Forestry Secretary Cindy Eckardt; Planning & Zoning Director Karl Jennrich; Corporation Counsel Brian Desmond.

EXCUSED: David Hintz; David Schatzley

OTHERS PRESENT: Karl Fate; Bob Berns; Natalene Cummings; Jeff Barkley (DNR); Manny Oradei (DNR).

CALL MEETING TO ORDER—Committee Vice Chair Rudolph called the meeting to order at 9:30 a.m., noting that the meeting that 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 Wolk, seconded by Timmons, to approve the January 14, 2011 agenda, with the order of agenda items at Chair's discretion. Motion carried.

APPROVE MINUTES OF DECEMBER 3, 2010 MO/LIC MEETING—It was moved by Baier, seconded by Wolk, to approve the minutes of the December 3, 2010 MO/LIC meeting. Motion carried.

LETTER OF AGREEMENT WITH OUTSIDE COUNSEL—Corporation Counsel Brian Desmond informed the Committee that he had a letter of agreement with outside counsel, Attorney Bill Scott, and is awaiting Chair Hintz' signature. A timeline and budget will be forthcoming.

AVAILABILITY OF BUDGETED FUNDS—Bilogan distributed a mining impact account, as current to date from Finance Director, Margie Sorenson, showing \$44,434.00 available to date (1.14.2011). Committee Member Gary Baier stated that he is only in favor of utilizing funds from the Mineral Resources Account.

2011 ACTION PLAN WITH ESTIMATED COSTS—A draft 2011 action plan with time estimate – competitive leasing of metallic minerals was distributed, as per Chair Hintz. Vice Chair Rudolph suggested that the Committee review this action plan and be ready to discuss the plan at the next MO/LIC meeting in February, 2011.

DNR "Q & A" SESSION ON THE COUNTY FOREST LAND WITHDRAWAL PROCESS—Jeff Barkley with the WDNR was present to answer any questions on the County Forest Land Withdrawal Process. Mr. Barkley stated the following: A

mining company would need to file for a permit fee first before the County would start the withdrawal process, which also requires a 2/3 county board approval. An environmental assessment is also combined at the same time the county forest withdrawal and mining permit fee is acquired. Mr. Barkley emphasized that for the county forest withdrawal, a higher and better public use is always considered by the DNR to approve the county forest withdrawal. Environmental assessments, studies, and reports are all considered. Information from the mining company is required up front before county forest withdrawals are approved. Economic analysis is defined as an equivalent “40” for a similar “40”. Mr. Barkley went on to state that a “pros and cons” type of ledger should be looked at. Mr. Barkley also stated that a County Forest Withdrawal is not required for *prospecting*. Once mining company files an Intent to Mine “Permit”, then apply for County Forest Withdrawal. Committee Member Wolk inquired on the length of the withdrawal process. Mr. Barkley stated that with the environmental review, and the Findings of Fact to Chief State Forester, that process usually takes 1-2 weeks.

REINSTATEMENT PROCESS OF MINING IMPACT FUND / BOARD—Vice Chair Rudolph stated that he had contacted Jim Holperin, and will look into contacting Dan Meyers Office Staff and the legislative fiscal bureau. It was suggested that when a Notice of Intent is filed, then the reinstatement of the mining impact fund / board takes place. Corporation Counsel Brian Desmond suggested that Iron County could perhaps be contacted and asked these types of questions since they recently had mining interest in their county.

UPDATE ON POTENTIAL MOVEMENT OF METALLIC MINING RESPONSIBILITY FROM FORESTRY DEPARTMENT TO PLANNING & ZONING DEPARTMENT—Bilogan explained that in the past other departments had taken on the clerical responsibilities (i.e. committee meeting minute taking) of the Mining Oversight Committee, but that because the land in question was within the Oneida County Forest, the Forestry Department was responsible for the mining budget, and so forth. It was moved by Baier, seconded by Wolk, to move the metallic mining responsibility from Forestry Department to Planning & Zoning Department. Vice Chair Rudolph felt that the mining responsibility should stay in the Forestry Department for the present time and to wait until after the reorganization takes place. Roll Call Vote was called for: Wolk—naye; Baier---naye; Timmons—naye; Rudolph—naye. Motion defeated.

INPUT FROM GOV. WALKER; TOM TIFFANY; JIM HOLPERIN; TOWN OF LYNNE—Committee members heard that Tom Tiffany was supportive of the mining issues. Too early to tell with much feedback from Gov. Walker.

PUBLIC COMMENTS: Karl Fate (Town of Crescent landowner) stated that he felt it is a mistake on the part of the politicians to support mining and mining lease and that the politicians should listen to public concerns. Mr. Fate went on to state that the Town of Lynne citizens should protect their own land and water.

BILLS / VOUCHERS / LINE ITEMS TRANSFERS (IF NECESSARY)—None.

SELECT DATE FOR NEXT MO/LIC MEETING—Friday, February 11, 2011, at 9:30 a.m., in Committee Room # 2, 2nd Floor, Court House, Rhinelander, WI

AGENDA ITEMS FOR FUTURE MEETINGS—Review of 2011 Action Plan with estimated costs; Update on potential movement of metallic mining responsibility / clerical duties) from Forestry Department to Planning & Zoning Department; Update from Attorney Scott via phone or computer; Update / Input from Gov. Walker; Tom Tiffany; Jim Holperin; Town of Lynne.

ADJOURN—With business completed, it was moved by Wolk, seconded by Baier, to adjourn the meeting at 10:40 a.m. Motion carried.

**TOM RUDOLPH
COMMITTEE VICE CHAIR**

**CINDY ECKARDT
RECORDING SECRETARY**