

**Lincoln County Highway Committee**  
**Minutes of Thursday, July 3, 2008 – 7:30 a.m.**  
**Commissioners Office - Merrill**

Members Present: Bob Lee, Graham Rankin, Arlene Meyer, Wayne Plant and Richard Berndt

Member Absent:

Visitors: Randy Scholz, Roger Franzen, Kevin Kleinschmidt, Dan Adamec, Jim Dremmler, Robert Byrns, Susan Byrns, Jacob Ineichen, and Mark Mehlos

1. **Call Meeting to Order:**

Meeting was called to order at 7:30 a.m. by Chairman Lee.

2. **Approve Minutes of Previous Meeting(s):**

Motion by Ranken, seconded by Meyer to approve the minutes of the last meeting as printed. All ayes. Motion carried.

3. **Set Future Meetings:**

August 7, 2008, Thursday, 7:30 a.m., Tomahawk City Hall – Tomahawk  
September 4, 2008, Thursday, 7:30 a.m. Commissioner's Office - Merrill

4. **Claims:**

None

5. **Public Comment:**

None

6. **Request to open up CTH H for an ATV Route**

Randy distributed a GIS map for the Committee to use for discussion purposes. Dan Adamec explained that he would like to see the route opened from Birkensee to Cloverbelt as a trail patrol. This would allow year round access to the local businesses. Jim Dremmler added that he would like to see it opened from Stevenson Road to Gerbick Lake Lane; this would connect two existing ATV routes and would also give access to Birkensee and Cloverbelt. Adamec indicated that the club would sign the route like they did for County Road J and X. Randy indicated that the total requested miles would be approximately 2.2. Randy showed a video from Birkensee to Cloverbelt since he wasn't aware that the request was from Stevenson Road to Gerbick Lake Lane. Randy indicated that he talked to John Bailey and there is a State Statute 895.52.2 that gives the County amenity if there are any accidents or problems. He wasn't sure how pothole liability would play into this. He did check in to some court cases which have gone all the way to the Supreme Court and they won all of them but it does cost money even if you're right. Pothole liability is one of Randy's biggest concerns but none of the court cases had anything with pothole liability that he looked at. If the route is approved then it would be added to the ordinance which defines the routes. Kevin Kleinschmidt indicated that an ordinance has to be passed and it has to be filed with law enforcement and DNR. Kleinschmidt said there is some gray areas with that State Statute that if you were on your ATV to purchase a gallon of milk that isn't considered recreation activity and that would have to be interpreted by attorneys if that were to happen. Randy and Kleinschmidt will work on a policy procedures for ATV routes. Motion by Lee, seconded Rankin to authorize CTH H for an ATV route from Stevenson Road to Gerbick Lake Lane for recreational purposes. Also included in the motion that a policy procedure for ATV routes would be written and be brought back to the Committee for review and approval. All ayes. Motion carried.

7. **Requests to Purchase Right of way on CTH L:** Randy indicated that he received 2 requests to purchase Right of ways on CTH L. He distributed maps for the 2 requests. The first request is on CTH L just north of Highway 8 and calculates to approximately 4 acres. The County would maintain the 50 foot right of way off of CTH L and would be done similar to the other right of way purchases in that area. The owner would like to expend his storage unit business. Randy indicated that there is no reason for the County to have a 100 foot right of way since there isn't a safety reason or for any future expansion for that area. Motion by Meyer, seconded by Plant to approve the request from Joe Henrichs to purchase right of way on CTH L just north of Highway 8. All ayes. Motion carried.

The second request is from Jack Sonnatage to purchase right of way just north of the property just discussed near Dereth Road. The County would maintain the 50 foot right of way and calculates to less than an acre. The owner didn't share any future plans with Randy for the land. Motion by Plant, seconded Berndt to approve the request from Jack Sonnatage to purchase right of way on CTH L near Dereth Road. All ayes. Motion carried.

8. **Letter from the Town of Tomahawk:** The letter from the Town of Tomahawk was included with the packet that was mailed out to the Committee. Randy had sent maintenance agreements to the Towns that included maintenance of equipment. These maintenance agreements have been automatically renewed since about 1991 but did not include the county working on equipment. Letters were sent out to every township even if the county does not currently work on their equipment. Randy indicated that the County can only do work for the Town if they sign the maintenance agreement. Randy will be attending the Town of Tomahawk meeting on July 14<sup>th</sup> to discuss their concerns. Randy recommended that the Committee give a deadline date for the Town of Tomahawk to sign the agreements and he would recommend that it be signed by the Towns August meeting. This allows the County to change their plans. The Committee agreed with Randy's recommendation.
9. **Financial Report:** Randy indicated that he didn't have any financial report this month since the accounting period was late in the month and Sarah would have them available for next months meeting.
10. **Replacing Bridge on CTH H and Selection of Consultant Firm:** Randy explained the problem with the bridge. Mel Doering did an inspection on the bridge and it was determined that they it could be opened with only using one lane and placing a ten ton weight restriction on the bridge. Randy indicated that the bridge is scheduled to be replaced in 2012 so this would be placed on a fast track with the plans being approved by February of 2009 and construction would take place in the spring of 2009. Randy doesn't want this pushed through this year with a chance of the bridge being closed all winter since it would be a rushed to get everything done plus the cost would be high with it being rushed. Randy explained the process in order to select a consultant. Randy talked with the local program consultant Cedar C indicated that 3 firms have to be selected in case the first firm isn't available. Randy mentioned that the consulting fees for this year wouldn't be covered and

the fees would be approximately \$8,670 for 2008 which he didn't have budgeted with the possibility of going to contingences to have it covered. Motion by Lee, seconded by Meyer to select a consultant firm to replace CTH H Bridge with Omni Associates being #1, MSA Professional Services being #2, and Ayres & Associates being #3. All ayes. Motion carried.

11. **Reimbursement for Prescription Eye Glasses:** Randy explained that back in 1995 the committee passed that they would pay \$32 per pair of safety glasses and is a one time deal. Since the County has switched to WPS insurance, they offer 35% off glasses which is a better deal than \$32 off per pair. Randy did check with OSHA and the county is not required to supply prescription safety glasses. Randy recommended that the Committee use the insurance since the county is already paying for this coverage instead of the \$32 per pair. This is not part of the contract just Committee approval and needs to be rescinded. Motion by Plant, seconded by Berndt to rescind the March 27, 1995 Highway Committee minutes #13 item regarding prescription eye glasses of paying \$32 per pair and utilizing the WPS insurance coverage which is in affect for all county employees and as long approval is received from John Mulder. All ayes. Motion carried.
12. **Commissioner's Report on Highway Operations:**
  - a. Safety Report – None to report.
  - b. Summer project report – Randy reported that Hwy. 51 is going to be resurfaced from Marathon County to CTH K. It will be rubilized and overlaid for 9.1 million dollars and it will be detoured to one lane. CTH FF is now paved and the only thing left is shouldering and striping. CTH A will begin July 7<sup>th</sup> and chip sealing will start July 9<sup>th</sup> and 10<sup>th</sup>.
13. **Adjourn:**

Motion by Rankin, seconded by Meyer to adjourn at 8:30 a.m. All ayes. Motion carried.