

Lincoln County Board of Supervisors

Meeting: June 26, 2012

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N. Sales St., Merrill, WI, in session assembled pursuant to law. Chair Lussow called the meeting to order at 6:00 p.m. Pledge of allegiance followed. Roll was called with the following present: Bailey, Bloomer, Breitenmoser, Caylor, Fox, Giese, Gilk, Lee, Loka, Lussow, Nelson, Pampuch, Pike, Plant, Rankin, Rusch, Saal, Vander Sanden, Woller, and Zeitz (20). Excused: Alber and Weaver.

4. a. Announcements – None.
- b. Service Recognitions for June 2012:
 - 10 Years – Jessi Rumsey, Social Services
 - 15 Years – Daniel Miller, Solid Waste
 - 25 Years – Barbara Francl, Pine Crest Nursing Home
Marjorie Salisbury, Pine Crest Nursing Home
Laura Zaucha, Pine Crest Nursing Home
 - 30 Years – Natalie Wegner, Circuit Court
- c. Appointments & Re-Appointments:
 1. Re-Appoint Barb Adams and Kim Brixius to the Zoning Board of Adjustment – Terms to Expire 6/30/15.
M/S Zeitz/Caylor to approve the appointments as presented. Motion carried on a voice vote.
 2. Re-Appoint Frank Saal, Jr. as Lake District Representative.
M/S Nelson/Bailey to approve the appointment as presented. Motion carried on a voice vote.
 3. Appoint Kathy Rankin, Tomahawk Chamber representative to the Loan Review Committee - Term Expires 12/31/13.
M/S Lee/Nelson to approve the appointment as presented. Motion carried on a voice vote.
 4. Appointment to Northwoods Rail Commission – Robert Lussow, Term Expires 4/30/14 and Donald Nelson, Term Expires 4/30/13.
M/S Plant/Caylor to approve the appointments as presented. Motion carried on a voice vote.
 5. Appoint Katherine (Katie) Breitenmoser to the TB Scott Free Library Board – Term 7/1/12 – 6/30/15.
M/S Gilk/Woller to approve the appointment as presented. Motion carried on a voice vote.
 6. Appoint Robert Lee to NEWCOM (North East Wisconsin Public Safety Communication) Committee.
M/S Nelson/Bailey to approve the appointment as presented. Motion carried on a voice vote.
5. Approval of Journal – M/S Caylor/Woller to approve the minutes of May 15, 2012 as printed. Motion carried on a voice vote.
6. Letters, Petitions and Memorials
 - a. Letters, Petitions – In packet.
 - b. Memorials – None
7. Reports of Standing & Special Committees:
 - a. 2012 Year-To-Date Budget Report – Laid over to August meeting.
 - b. 2013 Budget Update – Laid over to August meeting.
 - c. Administrative Coordinator's Written Report - May - Randy Scholz - In packet.
 - d. Up-Date of Highway Operations – Highway Commissioner
 - e. 2012 Spring Timber Sale – Forestry Administrator
8. Resolutions and Ordinances for Board Action
 1. a. Resolution 2012-06-26

Approving Request for 2012 Aquatic Invasive Species Control Grant, in cooperation with Langlade and Forest Counties and Lumberjack Resource Conservation and Development Council, Inc. to fund an Aquatic Invasive Coordinator

WHEREAS, Lincoln, Langlade and Forest Counties have a wealth of water resources, used by the public for recreation and enjoyment of natural beauty; and WHEREAS, public use and enjoyment of the lakes, rivers and streams is best served by protecting these water bodies from infestation of aquatic invasive species; and WHEREAS, Lincoln, Langlade and Forest Counties recognize the need to provide information and/or education about water quality and aquatic invasive species, and WHEREAS, Lincoln County in cooperation with Langlade and Forest Counties and Lumberjack Resource Conservation and Development Council, Inc. (RC&D) is qualified to carry out the responsibilities of an aquatic invasive species control project.

NOW, THEREFORE BE IT RESOLVED THAT, Lincoln County requests grant funding and assistance available from the Wisconsin Department of Natural Resources under the "Aquatic Invasive Species Control Grant Program" and hereby authorizes Diane Hanson, Land Services Administrator to act on behalf of Lincoln County to:

- > Submit an application to the State of Wisconsin for financial aid for aquatic invasive species control purposes;
- > Sign documents;
- > Take necessary action to undertake, direct and complete an approved aquatic invasive species control grant; and
- > Submit reimbursement claims along with necessary supporting documentation within six months of project completion date.

BE IT FURTHER RESOLVED THAT Lincoln, Langlade and Forest Counties and the Lumberjack RC&D, Inc. will meet the obligations of the aquatic invasive species control project including timely publication of the results and meet the financial obligations of an aquatic invasive species grant, including prompt payment of our 25% financial or in-kind commitment to aquatic invasive species control project costs.

Dated this 26th day of June, 2012

Introduced by: Land Information, Conservation and University Extension Committee

Committee Action: Land Information, Conservation and University Extension Committee, June 6, 2012. Passed 4-0 Fiscal Impact: In Kind match of staff and volunteer hours.

M/S Saal/Plant to adopt. Following discussion, motion carried on a voice vote.

b. Resolution 2012-06-27

To Approve the Appointment of Adrian Debroux to the Position of Lincoln County Maintenance Director

WHEREAS, the Public Property Committee recommends the appointment of Adrian Debroux as the Lincoln County Maintenance Director

NOW, THEREFORE BE IT RESOLVED, this 26th day of June 2012 that the Lincoln County Board of Supervisors approves the appointment of Adrian Debroux to the Position of Lincoln County Maintenance Director effective June 27, 2012

BE IT FURTHER RESOLVED, that this appointee will be placed at Step Minimum (\$49,088.00), Grade 12 on the salary plan.

Dated this 26th day of June, 2012

Introduced by: Public Property Committee Date Passed: May 22, 2012 Committee Vote: 4-0

M/S Pike/Pampuch to adopt. Following discussion, motion carried on a voice vote.

c. Resolution 2012-06-28

Approve Filling Authorized Position in Sheriff Office – E911 Telecommunicator

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and

WHEREAS the Lincoln County Sheriff has recommended filling a vacant position, and

WHEREAS the Lincoln County Law Enforcement Committee and Personnel Committee approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Law enforcement Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact: Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 26th day of June, 2012

Introduced by: Law Enforcement Committee Date Passed: June 13, 2012 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: June 7, 2012 Committee Vote: 4-0

M/S Lee/Caylor to adopt. Following discussion, motion carried on a voice vote.

d. Resolution 2012-06-29

Lincoln County Agrees to Cooperate in the Implementation of the Community Development Block Grant Consortium with Langlade County as the Lead County

WHEREAS, the Department of Administration - Division of Housing (DOH) is changing the method of distribution for Community Development Block Grant (CDBG) housing funds to require the formation of regional Housing Consortia comprised of county governments; and

WHEREAS, the DOH anticipates that the average regional CDBG award will range between \$850,000 to \$1 million annually; and

WHEREAS, the DOH has requested that counties who wish to form a regional CDBG Consortium submit resolutions agreeing to participate in a consortium no later than July 30, 2012; and

WHEREAS, each regional Consortium will select a lead county to assume the responsibilities of administering the CDBG housing funds; and

WHEREAS, Langlade County is willing to serve as the Lead County as part of a CDBG Consortium which also includes the Counties of Menominee, Florence, Forest, Lincoln, Oconto, Oneida, Shawano, Taylor and Vilas Counties collectively referred to as the Northwoods Consortium; and

WHEREAS, by agreeing to participate as a member of the Northwoods Consortium, the member counties understand that Langlade County will act as the applicant and will have the responsibility to assume all obligations under the terms of the grant, including assuring compliance with all applicable laws, program regulations and performance of all work in accordance with the grant contract; and

WHEREAS, a CDBG Housing Consortium Agreement, adopted pursuant to sec. 66.0301, Wis. Stats., must be filed by with the DOH by October 31, 2012 as a condition for receipt of CDBG housing funds; and

WHEREAS, the CDBG Housing Consortium Agreement must be approved by this body, but will include representation from each member county on a Consortium Housing Committee; and

WHEREAS, the City of Merrill Housing Authority Director, Shari Wicke, will represent Lincoln County on the Consortium Housing Committee until further action by this body; and

WHEREAS, it is understood that the Agreement to form a regional CDBG Housing Consortium shall not deprive any municipality served by the Consortium of any power, zoning authority, development control or other lawful authority which it presently possesses.

NOW THEREFORE, BE IT RESOLVED, subject to approval of a CDBG Housing Consortium Agreement, that the Lincoln County Board of Supervisors does hereby endorse forming a Northwoods Consortium with Menominee, Florence, Forest, Langlade, Oconto, Oneida, Shawano, Taylor and Vilas Counties to cooperate in the implementation of a Regional Community Development Block Grant Consortium with Langlade County serving as the Lead County. Fiscal impact: Unknown who will pay for public hearings or attending meetings Dated this 26th day of June, 2012 Introduced by: Finance Committee Date Passed: June 8, 2012 Committee Vote: 5-0 M/S Caylor/Lee to adopt. Following discussion, motion carried on a voice vote.

e. Resolution 2012-06-30

Approving a Memorandum of Agreement with the Department of Natural Resources Division of Forestry to Participate in the Knowles-Nelson Stewardship Land Acquisition Grant Program WHEREAS, Lincoln County has lands enrolled as County Forest pursuant to s. 28.11 of the Wisconsin statutes, and; WHEREAS, the Lincoln County Board of Supervisors on October 18, 2005, adopted resolution #2005-10-57 approving the Lincoln County Forest Comprehensive land Use Plan for a period of 15 years, and; WHEREAS, the Lincoln County Board has the authority to acquire properties for the purpose of establishing County Forest land pursuant to ss. 28.10, Wis. Stats and as outlined in Chapter 400 of the Lincoln County Forest Comprehensive Land Use Plan.; and WHEREAS, acquisition of said properties would perpetually provide forest products to our local economy, revenues to the County, outdoor recreation opportunities to the public, and improve property administration on the County Forest; and WHEREAS, Lincoln County is eligible to participate and make application to the Knowles-Nelson Stewardship Land Acquisition Grant program for land acquisition consistent with said Plan; and WHEREAS, grant funding may provide funding up to 50% of the acquisition price; and WHEREAS, participation in the grant program requires a county to enter into a Memorandum of Agreement (MOA) with the Department of Natural Resources Division of Forestry (as required by NR 51.963 Wis. Adm. Code) to define the criteria for participating in the grant program; and NOW, THEREFORE, BE IT RESOLVED that the Lincoln County Board of Supervisors approves the MOA with the Department of Natural Resources Division of Forestry; and BE IT FURTHER RESOLVED that any potential County Forest land acquisitions eligible for Knowles-Nelson Land Acquisition Stewardship grant funding will be brought before the Lincoln County Board for approval prior to making application; BE IT FURTHER ORDAINED AND RESOLVED that the Lincoln County Forestry, Land and Parks Committee is directed to forward this signed MOA to the Wisconsin Department of Natural Resources. BE IT FURTHER RESOLVED that Lincoln County recognizes and acknowledges that if financial assistance is made available by the Wisconsin Department of Natural Resources, and the County accepts the financial assistance, the County will comply with State rules for the program and meet the financial obligations under the grant; BE IT FURTHER RESOLVED that the Lincoln County Board will be notified if grant funding becomes available and then will consider authorization for the acquisition. BE IT FURTHER RESOLVED that the appropriate County officials are authorized to sign the necessary papers to approve the MOA. Dated: this 26th day of June, 2012 Introduced by: Forestry, Land and Parks Committee Passed 5-0 on June 11, 2012 Fiscal Impact: Eligibility for Stewardship Land Acquisition Funding M/S Bailey/Glik to adopt. Following discussion, motion carried on a voice vote.

f. Resolution 2012-06-31

To Authorize the Grant of a Hiawatha Trail Easement for Two ATV Crossings (to Nokomis ATV Club, Inc.)

WHEREAS, Lincoln County Board of Supervisors, by Resolution No. 29-88, did authorize the jurisdictional transfer and purchase of the railroad right-of-way between Tomahawk and Heafford Junction; and WHEREAS, by its decision in Docket No. AB-343 (Sub.-No. 1X), the Interstate Commerce Commission granted an Abandonment Exemption subject to interim trails use under the National Trails System Act, 16 U.S.C. 1247(d); and WHEREAS, the abandoned line, now known as the Hiawatha Trail, has been developed for recreational use subject to the limitations of this federal law; and WHEREAS, Nokomis ATV Club, Inc. (a non-stock corporation) has a need for this easement; and WHEREAS, this easement will enhance ATV access to the Nokomis area for Lincoln County residents and tourists. NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby authorize the grant of an easement under the terms and conditions set forth therein and as attached hereto in exchange for Thirty Dollars Recording Fees (\$30.00). Dated this 26th day of June, 2012. Introduced by: Forestry, Land and Parks Committee Committee Action: Forestry, Land and Parks Committee Passed 5 - 0 on May 14, 2012 Fiscal Impact: \$30-Recording Fees

CORPORATION
CONVEYANCE OF
EASEMENT

RECORDING DATA

RETURN TO: Forestry, Land & Parks Dept.
801 N. Sales Street
Merrill, WI 54452

THIS EASEMENT, made as of the ____ day of _____, 2012, by Lincoln County, a political subdivision of the State of Wisconsin, hereinafter Grantor, to Nokomis ATV Club, Inc. (a non-stock corporation), hereinafter Grantee: WITNESSETH, that Grantor and Grantee have agreed that Grantor will grant to Grantee the right to maintain trail crossings at the locations as described in Attachment A. Grantee shall not, however, make any modifications to the existing trail, trail easement or in this easement area without the advance, written permission of the Forestry, Land & Parks Administrator. NOW, THEREFORE, for Thirty Dollars (\$30.00) and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, Grantor by these presents does hereby grant and convey to Grantee, a non-exclusive EASEMENT for the purposes as outlined above, as shown and in the locations shown in Attachment A attached hereto and by this reference made a part hereof. SUBJECT TO and RESERVING unto the Grantor, its successors and assigns, and for those whom it may elect, the following: a. The foregoing grants are made without covenant of title or for quiet enjoyment and without warranty of title express or implied, and are subject and subordinate to all outstanding or superior rights, including but not limited to those conferred by § 85.09, Wis. Stats., and Sec. 49 USC 10905, et seq. Grantee specifically acknowledges that a return to rail service may necessitate alterations in the terms hereof and waives any recourse against Grantor for any loss or liability occasioned thereby; b. The foregoing grants are also subject and subordinate to the prior and continuing right of Grantor to the use of its entire property, on, upon, along, over, under, across and through any or all parts of Grantor's property, and to permit others to do so, all or any of which may be freely done at any time or times by Grantor or others with Grantor's permission without liability to Grantee or to any other party for compensation or damages; c. The foregoing grants are non-exclusive and Grantor reserves the right to agree to other non-exclusive occupations of the easement area by one or more other person(s); provided, however, that any such subsequent occupancies or agreements for such occupancies shall be subordinate to the rights granted herein to Grantee if Grantee has not relocated therefrom; d. Grantee shall minimize damage and disruption to the easement area, including the easement trail surface, brush or trees. Before commencing any work in the easement area, Grantee shall obtain written approval from the Forestry, Land and Parks Administrator. e. Grantee shall provide and maintain signage in the easement area and along the existing trail to insure safe and enjoyable use by all users according to standards set forth in state statutes and administrative code. f. Grantee shall save and hold the Grantor, its officers, employees, agents, and all private and governmental contractors and subcontractors harmless from actions of any nature whatsoever (including any by Grantee itself) which arise out of, or are connected with, or are claimed to arise out of or be connected with any of the work done by Grantee or the use of the crossings pursuant to this easement including without limiting the generality of the foregoing, all liability, damages, loss, expenses, claims, demands and actions on account of personal injury, death or property loss to the Grantor, its officers, employees, agents, contractors, subcontractors, users, to the Grantee, its employees, agents, contractors, subcontractors, or any other persons, whether based upon, or claimed to be based upon statutory, contractual, tort, or whether or not caused or claimed to have been caused by active or inactive negligence or other breach of duty by the Grantor, its officers, employees, agents, contractors, subcontractors or users, Grantee, its employees, agents, contractors, subcontractors, or any other person. Without limiting the generality of the foregoing, the liability, damage, loss, expense, claims, demands and actions indemnified against shall include all liability, damage, loss expense, claims, demands and actions for damage to any person or property. The Grantee shall at its own expense investigate all such claims and demands, attend to their settlement or other disposition, defend all actions based thereon and pay all charges of attorneys and all other costs and expenses of any kind arising from any such liability, damage, loss, claims, demands and actions. g. This easement may not be assigned without Grantor's written consent. IN WITNESS WHEREOF, the Grantor and Grantee have caused these presents to be signed in its' corporate name by its' proper officers duly authorized to bind their respective organizations as of the day and year first herein written.

GRANTOR:

LINCOLN COUNTY, a Political Subdivision of the State of Wisconsin

By: _____

Robert Lussow

Title: County Board Chair

ATTEST:

By: _____

Sheila Pudelko, County Clerk

GRANTEE:

NOKOMIS ATV CLUB, INC.

By: _____

Title: _____

STATE OF WISCONSIN)
) SS.
COUNTY OF LINCOLN)

Personally came before me this _____ day of _____, 2012, duly authorized officer, to me known to be the person who executed the foregoing instrument and acknowledged same.

Notary Public, State of Wisconsin
My Commission (is)(expires) _____

Drafted By:
N.L. Bergstrom,
Lincoln County Corporation Counsel
Appendix A

Commencing at the Northeast Corner of Section 3, Township 35 North, Range 6 East; thence Easterly 62'+- to the Easterly Right-of-Way of the Hiawatha Trail; thence Southerly along said Easterly Right-of-Way 1188'+- to the center of the snowmobile trail also being the Point of Beginning; thence Westerly along the center of snowmobile trail to the Westerly Right-of-Way of the Hiawatha Trail.

Commencing at the Southeast Corner of Section 3, Township 35 North, Range 6 East; thence Westerly 880'+- to the intersection of the Northerly Right-of-Way of Roberts Road and the center of the ATV Trail being the Point of Beginning; thence Northerly along said ATV Trail and the Easterly Right-of-Way of the Hiawatha Trail 1245'+-; thence continuing along said ATV Trail North 29° West, 90'+-; thence continuing along said trail North 17° West to the Westerly Right-of-Way of said Hiawatha Trail.

M/S Nelson/Vander Sanden to adopt. Following discussion, motion carried on a voice vote.
g. Resolution 2012-06-32

To Allow Overflow Parking for the 2012 Fair on the Pine Crest Nursing Home Grounds

WHEREAS, the Public Property Committee requests the Lincoln County Board allow overflow parking for the 2012 Fair; and WHEREAS, the Pine Crest Administrator will work with the Fair Association to determine the location of the parking, necessary safeguards (fencing, signage, monitoring, etc.), clean-up and remedial work necessary after the fair to safeguard the nursing home grounds and minimize disruption to the residents of the nursing home.

NOW, THEREFORE BE IT RESOLVED, this 26th day of June 2012 that the Lincoln County Board of Supervisors approves allowing overflow parking for the 2012 Fair at the Pine Crest Nursing Home grounds.

Fiscal impact: None
Dated this 26th day of June, 2012

Introduced by: Public Property Committee Date Passed: June 7, 2012 Committee Vote: 4-0
This issue was resolved through committee action, so this resolution was withdrawn.

2. a. ORDINANCE 2012-06-590
Chapter 16 Regulation of County Forest Roads and Trails - revisions

An Ordinance Amending the General Code of the County of Lincoln (repealing and recreating sections 16.08(2), (3), (4) and creating 16.08(5), (6), (7) The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

16.08 - REGULATION OF COUNTY FOREST ROADS, ROUTES TRAILS AND LAKES.

(2) GENERAL RESTRICTIONS (ALL USES) ON ROADS, ROUTES, TRAILS AND LAKES.

(a) No unauthorized person shall ride a horse, bike or drive a motorized vehicle on any secondary road under the jurisdiction of the Lincoln County Forestry, Land and Parks Department between the dates of March 31 and May 1 or when posted closed.

(b) No person can gain access to or remove forest products from private land over County property without first obtaining a permit for said use.

(c) No person shall cause destruction to any natural growth (unless authorized), cause erosion, rutting, damage a stream, lake bed or wetland or do any other type of environmental degradation.

(d) No person shall operate an all-terrain vehicle or UTV with tire chains or studded tires on any approved snowmobile trail, all-terrain vehicle trail, or any land administered by the Forestry, Land and Parks Department unless authorized by the County Forest Administrator or the Forestry, Land and Parks Committee.

(e) No person shall operate any motorized vehicle off from any approved snowmobile or all-terrain vehicle trail or established logging road. This activity, commonly referred to as "cross country travel", is strictly prohibited on any Lincoln County Forest property.

(f) No person shall operate a motorized vehicle at a rate of speed that is unreasonable or improper under the circumstances, in any careless way so as to endanger the person or property of another.

(g) No person shall operate an all-terrain vehicle, UTV, boat or snowmobile which has _____ been mechanically or otherwise altered from the manufacturer's specifications so as to generate additional speed, traction, or noise.

(h) No person shall operate a motorized vehicle on the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for snowmobile or all-terrain vehicle use.

(i) Operation of snowmobiles, all-terrain vehicles and UTVs by operators is restricted and defined in §§350.05 and 23.33(5), Wis. Stats.

(j) No person shall operate a motor vehicle on primary roads in excess of the posted weight limit or if the road is posted closed.

(k) No person shall operate any unregistered or unlicensed motor vehicle on any County Forest road, route, trail or lake.

(l) No person shall deface, destroy or remove any signs placed by the Forestry, Land and Parks Department or its' agents.

(m) No person shall place any unauthorized sign on lands under the jurisdiction of the Lincoln County Forestry, Land and Parks Department.

(n) Notwithstanding other provisions of this chapter, the Forestry, Land and Parks Committee and their agents may, at their discretion, close any and all trails or roads within the County Forest boundaries to protect the trails and roads from damage caused by all forms of motorized or nonmotorized activities.

(o) Exception. This section shall not apply to any employee of Lincoln County or its' agents or representatives conducting County business.

(p) The statutory provisions set forth in Chs 110, 340 through 350, 30.50 – 30.77 and 23.33, Wis. Stats., relating to regulations for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution are adopted by reference and made part of this chapter, including all existing and future amendments made thereto. Forfeitures for violations of the statutes adopted by reference shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variation or increases for subsequent offenses.

(3) TRAIL USE RESTRICTIONS

(a) RESTRICTED USE OF SNOWMOBILES, UTILITY-TERRAIN VEHICLES AND ALL-TERRAIN VEHICLES (ON TRAILS)

1. All official recreational signs and speed limit signs must be obeyed. No person shall drive in excess of 10 miles per hour on any portion of an approved snowmobile or all-terrain vehicle trail that is posted with a yellow sign indicating "slow", "steep hill", "dip", "turn" or other yellow caution sign.

2. An operator of a snowmobile, UTV or all-terrain vehicle on an approved trail must stop at all locations marked with a red sign indicating "Stop".

3. No person shall operate an all-terrain vehicle on any approved snowmobile and winter all-terrain vehicle trail until 7 calendar days have passed after being officially opened for snowmobile use.

4. No person shall operate an all-terrain vehicle on any approved snowmobile trail when the temperature on the trail at a point of 4 feet above the trail surface is 28° Fahrenheit or higher.

5. No person shall operate an all-terrain vehicle, UTV or licensed motorcycle on any approved all-terrain vehicle trail from March 31 to May 1 or if posted "Closed".

6. Street-legal and licensed motorcycles, driven by licensed operators, are allowed on the all-terrain vehicle trails.

(b) RESTRICTED USE OF HORSE, BIKE AND HIKING (ON TRAILS)

1. No person shall operate any unauthorized motor vehicle on the Hiawatha Recreational Trail.

2. No person shall ride a horse or bike off any established logging road, except on designated trails. This activity is referred to as "cross country travel" and is strictly prohibited on lands under the jurisdiction of the Forestry, Land and Parks Department.

3. No person shall operate any unauthorized motor vehicle or ride a horse on the Ice Age Recreational Trail, except when the Ice Age Trail travels concurrently with trails signed for those uses.

(c) RESTRICTED USE OF WINTER TRAILS

1. No person shall operate any type of unapproved motor vehicle, ride a horse or bike on a snowmobile trail, all-terrain vehicle trail or cross country ski trail on Lincoln County Forest lands between the dates of December 1 and March 31, after maintenance activities (dragging) for these trails have commenced.

2. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail or all-terrain vehicle trail after maintenance activities (dragging) have commenced, until officially opened for this use by the County Snowmobile Coordinator or County Forest Administrator.

3. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail, all-terrain vehicle trail or cross country ski trail after such trail is officially closed for this use by the County Snowmobile Coordinator or County Forest Administrator.

4. Landowners who permit snowmobiling on their property shall notify the Snowmobile Coordinator if they intend to travel or allow travel on that portion of the approved snowmobile and all-terrain vehicle trail that traverses their property with a vehicle other than a snowmobile or all-terrain vehicle.

5. Holders of woodcutting permits from the County Forest Administrator shall not be permitted to travel on approved snowmobile, all-terrain vehicle or cross country ski trails after maintenance activities (dragging) for these trails have commenced.

6. No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile, all-terrain vehicle, snowshoe or cross country ski trail.

7. No person shall allow dogs on the cross country ski trail at any time.

(4) ROAD/ROUTE RESTRICTIONS

(a) RESTRICTED USE OF SNOWMOBILES, UTILITY-TERRAIN VEHICLES AND ALL-TERRAIN VEHICLES (ON ROUTES/ROADS)

1. No person shall operate a snowmobile or all-terrain vehicle on primary County Forest roads unless the road is posted open for such use.

2. All snowmobiles, UTV's and ATV's shall be operated on the extreme right side of the road except for left turns.

3. All snowmobiles, UTV's and ATV's shall be operated in single-file and yield the right-of-way to other vehicular traffic and pedestrians.

(5) ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE ROUTES DESIGNATED

(a) The following portions of the County Forest road system (primary roads) are designated as all-terrain and/or utility terrain routes:

1. Year-Round

i) Armstrong Creek Road

ii) Camp Avenue from the junction of Armstrong Creek Road to Newwood Road

iii) Wildwood Avenue

iv) Cinder Road from the Lanlgade County Line approximately 1.15 miles west to the junction where the snowmobile/ATV trail leaves Cinder Road heading north. (The remainder of Cinder Road West to Parish Road is open for winter use only.)

2. Winter (Seasonal) Use

i) Cinder Road West of junction where the snowmobile/ATV trail leaves Cinder Road heading north to Parish Road

ii) Swamp Road from the junction where Corridor 19 enters Swamp Road from the East (approximately 1.1 miles North) to the junction where Corridor 19 leaves Swamp Road heading West.

(6) SNOWMOBILE ROUTES DESIGNATED

(a) The following portions of the County Forest road system (primary roads) are designated as snowmobile trails which are open for use between December 1 and March 31 when officially opened for use by the Lincoln County Snowmobile/ATV Coordinator:

1. Armstrong Creek Road from the junction where Corridor 19 enters Armstrong Creek Road from the South approximately 0.5 miles Southwest to the junction where Corridor 19 leaves Armstrong Creek Road heading West.

2. Cinder Road

3. Swamp Road from the junction where Corridor 19 enters Swamp Road from the East, approximately 3 miles North to the junction where Corridor 19 leaves Swamp Road heading West.

4. Wildwood Avenue

(7) STATE FORFEITURE STATUTES. Forfeitures for violations of the statutes adopted by reference shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent violations.

This ordinance shall take effect following its passage and publication.

Dated this 26th day of June, 2012. Introduced by: Forestry, Land & Parks Committee

Passed 5 - 0 on June 11, 2012 Fiscal Impact: None

M/S Bailey/Nelson to adopt. Following discussion, motion carried on a voice vote.

9. Reports of Claims – None.

10. M/S Caylor/Bailey to approve the mileage and per diem for this meeting. Motion carried on a voice vote.

11. Next County Board Meeting: Tuesday, July 17, 2012, 6:00 p.m., at the William Buedingen Training Center, W6147 State Road 86, Tomahawk, WI.

12. M/S Plant/Zeititz to adjourn. Motion carried on a voice vote. Meeting adjourned at 6:36 p.m.

I, Debbie Rauchle, Deputy County Clerk in and for said Lincoln County, Wisconsin do hereby certify the within and foregoing is a true and accurate recital of all proceedings by and before the Board of Supervisors at their regular meeting, June 26, 2012.

Debbie Rauchle, Deputy County Clerk