

**MINING OVERSIGHT / LOCAL IMPACT COMMITTEE (MO/LIC)  
MEETING MINUTES # 16-2010**

**DATE:** December 3, 2010

**TIME:** 9:00 a.m.

**PLACE:** Committee Room # 2—2<sup>nd</sup> Floor; Oneida County Court House;  
Rhineland, WI

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

**OTHERS PRESENT:** Karl Fate; Bob Berns; Natalene Cummings; Alan & Sharon Van Raalte; William P. Scott.

**CALL MEETING TO ORDER—**Committee Chair Hintz called the meeting to order at 9:01 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 Rudolph, seconded by Wolk, to approve the December 3, 2010 agenda, with the order of agenda items at Chair's discretion. Motion carried.

**APPROVE MINUTES OF NOVEMBER 10, 2010 MO/LIC MEETING—**It was moved by Baier, seconded by Rudolph, to approve the minutes of the November 10, 2010 MO/LIC meeting. Motion carried.

**CLOSED SESSION:** It was moved by Rudolph, seconded by Baier, to enter into Closed Session pursuant to WI Statutes 19.85(1)(e), deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons request a closed session. Topic: Outside Counsel Interviews. Roll Call Vote: Rudolph—aye; Baier—aye; Wolk—aye; Timmons—aye; Hintz—aye. Motion carried.

**RETURN TO OPEN SESSION:** It was moved by Rudolph, seconded by Baier, to return to open session. Roll Call Vote: Rudolph—aye; Baier—aye; Wolk—aye; Timmons—aye; Hintz—aye. Motion carried.

Chair Hintz announced that in closed session the MO/LIC and Corporation Counsel Brian Desmond interviewed three attorneys. It was then moved by Rudolph, seconded by Wolk, to instruct Corporation Counsel Brian Desmond send a letter of engagement to the attorney the MO/LIC decided to hire. Motion carried.

**DISCUSS POTENTIAL MOVEMENT OF METALLIC MINING RESPONSIBILITY FROM FORESTRY DEPARTMENT TO PLANNING & ZONING DEPARTMENT—**Bilogan explained that he had found in past meeting minutes where Planning & Zoning,

UW—Extension, and the County Clerk’s Office had responsibility of metallic mining in their departments, including the secretarial duties. Corporation Counsel Brian Desmond’s recommendation was that a letter should be sent to LRES (John Potters) to discuss and evaluate the reorganization of metallic mining responsibility be moved from Forestry Department to Planning & Zoning Department, in time for the reorganization meeting on December 15, 2010.

UPDATE ON DNR INFO ON COUNTY FOREST LAND WITHDRAWAL PROCESS—Chair Hintz indicated that he had received correspondence from Manny Oradei, in which Manny requested a list of topics from the MO/LIC in order to prepare for a question and answer session at a future meeting. A list of those topics are as follows: time frame to start a land withdrawal process; info need to supply DNR for withdrawal process; time line for process; probability of success of withdrawal.

INPUT FROM GOV. WALKER; TOM TIFFANY; JIM HOLPERIN; TOWN OF LYNNE—Baier had contacted Tom Tiffany and Mr. Tiffany indicated he would try to attend the December 3, 2010 MO/LIC meeting for the interview process. Jim Holperin indicated that he would not be able to attend the December 3, 2010 MO/LIC meeting, but is interested in future meetings. Brian Desmond suggested Joe Handrick be contacted. Gary Baier suggested Dave Mersau be contacted. Chair Hintz asked what approach method should be used to contact these persons and the committee felt that a phone call would be the best approach method.

PUBLIC COMMENTS: Karl Fate (Town of Crescent landowner) stated that Attorneys Kent and Thiel have had experience working with mining issues in Oneida County in the past. However, Mr. Fate stated that he felt Thiel’s previous involvement was a negative experience. Mr. Fate went on to state that any governor would be foolish to reinstate the Mining Impact Fund. Mr. Fate stated that Townships can be very powerful and stated that in the past, when mining was near approval, the townships revolted and were powerful in changing the County Board’s opinion on mining at that time. Mr. Fate reminded the committee that even though they have been getting direction on environmental issues from the DNR and others, the committee has the power to make their own decision. Alan Van Raalte (Town of Little Rice landowner) stated that in the November 10, 2010 MO/LIC meeting minutes, he meant that he was in favor of the procedure of interviewing the attorneys with expertise in mining. Mr. Van Raalte was also concerned about the viability of the mining companies that might be interested in exploring in Oneida County. Baier stated that he felt with the mining expertise attorney the MO/LIC chose in Closed Session that those concerns would be appropriately and thoroughly addressed.

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

**SELECT DATE FOR NEXT MO/LIC MEETING—Friday, January 14, 2011, at 9:30 a.m., in Committee Room # 2, 2<sup>nd</sup> Floor, Court House, Rhinelander, WI**

AGENDA ITEMS FOR FUTURE MEETINGS—DNR “Q & A” Session on the County Forest Land withdrawal process; Re-instatement process on Mining Impact Fund / Board; Update on potential movement of metallic mining responsibility from Forestry Department to Planning & Zoning Department; Input from Gov. Walker; Tom Tiffany; Jim Holperin; Town of Lynne.

**ADJOURN—With business completed, it was moved by Rudolph, seconded by Wolk, to adjourn the meeting at 12:22 p.m. Motion carried.**

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**DAVID HINTZ  
COMMITTEE CHAIR**

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**CINDY ECKARDT  
RECORDING SECRETARY**