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## County board votes to transfer strip of Hwy. NN to tribe

DNR official says county is 'disingenuous'

by Terrell Boettcher  
 News Editor

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Defying the advice of the state Department of Natural Resources, the Sawyer County Board voted July 15 to transfer ownership of a 300-foot-long strip of County Highway NN to the Lac Courte Oreilles Tribe. The strip contains twin culverts through which Osprey Creek passes on its way from Osprey Lake to Lac Courte Oreilles.

Pending the approval of the LCO Tribal Governing Board, the transfer would take effect on Aug. 1.

The highway section extends from the junction of Worlds End Road 300 feet northwest (.057 mile). It is part of the Round Lake drainage system. The culverts have been a focal point of controversy for several years between the DNR, the county and Round Lake shoreowners. The culverts were installed by the county without obtaining state permits 12 years ago. The bottoms of the culverts are perched 1.4 feet above the stream bed, thereby acting as a dam, according to the DNR.

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Two years ago, the DNR issued a permit to the county to re-install the culverts at the lower elevation, but the county has done nothing with the culverts, citing opposition from the LCO Tribe and the county's wishes to continue to cooperate with LCO.

At the July 9 county Conservation and Zoning Committee meeting, DNR water regulations specialist Dave Kafura said the 1854 treaty between the United States and Lac Courte Oreilles Band specifically exempts transportation corridors.

"It's disingenuous for the county to pass off the responsibility for addressing this issue," he said. "It's out of compliance." He urged the county to "step up to the plate and address the issues" that were discussed by the Round Lake Task Force over several years. The task force included representatives of shore owners, the county, LCO Tribe, DNR and Great Lakes Indian Fish & Wildlife Commission.

Tom Aartila, DNR Upper Chippewa Basin water regulations supervisor, said the culverts were "raised without permits. It's still a county issue."

Kafura said that as an outcome of the Round Lake Task Force recommendations, the county hired SEH to do a "full-blown (engineering) study" of Round Lake issues, one of which involved the NN culverts.

"The results showed that you have backup of water all the way to the Little Round Lake dam. SEH put together a proposal for the correction of those culverts. The DNR's responsibility at that point is consultation" with the tribe and Voigt Intertribal Task Force.

"It's your culverts and your roadbed," Kafura said. "It's been ongoing for years. It needs to be fixed." One controlling factor for water is an old beaver dam in the stream channel, but Kafura warned that a major storm could change that.

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Round Lake shoreowner Jim Hausman asked, "Where do we, the property owners upstream, come into this situation? Where is our rights? We're paying 100 times more in real estate taxes than the tribe is putting into the road. I saw the destruction (to Round Lake shoreline from high water) in 2002. Why the tribe would want that to continue is beyond imagination."

Fred Zietlow said, "This is not a fee title highway, but a prescriptive easement."

#### Highway funding

In other action last Thursday, the county board referred back to the highway committee a proposal to place an advisory referendum on the November ballot. The proposal would ask voters to approve a constitutional amendment to protect Wisconsin user-paid transportation funds from being "raided" by the governor or Legislature to make up for budget deficits in non-highway accounts.

"I'm tired of funds being transferred. Wisconsin roads are slowly getting worse," said Jim Bassett.

County Clerk Kris Mayberry cautioned that a referendum would cost the county at least \$3,000 to \$4,000.

Several board members spoke against passing a constitutional amendment.

"It's a feel-good move," said Kathy McCoy. "Writing your legislators is a lot cheaper and probably just as effective, if not more. It's not the answer to the actual problem."

"I'm opposed to amending the Constitution to repair a temporary condition," said Chuck Gunderson.

"It (raiding the transportation fund) has gone on too long," said Ken Maki. "The governor and his cohorts have taken \$1.2 billion from the state gas tax fund and only returned \$800 million."

#### Budget concerns

The board reviewed a letter which the finance committee is sending to county department heads as guidance when they prepare their proposed 2011 budgets in August.

The departments are being asked not to add salary increases; to add a 14 percent increase for health insurance; to justify amounts requested for each line item; and to prioritize the services their department provides relative to the expenses.

Each department is directed to "identify a minimum of five areas of your budget that could be eliminated, decreased and/or areas in which your department could collaborate with other departments to reduce costs."

Committee chairman Warren Johnson said budget proposals will go to the full board in September, which may have a special meeting before publishing the proposed budget in October. The public hearing and budget adoption will take place on Nov. 9.

#### Other actions

In other action, the board:

- Adjusted the 2010 county health and human services budget to reflect an additional \$448,512 received in federal stimulus funding for transit services. Health and Human Services Director Pete Sanders said the department has purchased buses with the money.
- Confirmed Chairman Hal Helwig's appointment of Mark Olson to the Sawyer County Zoning Board of Appeals to serve the unexpired term of Howard Brossard. Olson chairs the Town of Bass Lake's Comprehensive Planning Committee.
- Agreed to form a land information council, newly required under state law as part of the change in recording fees. The council consists of at least eight people including the register of deeds, treasurer, real property lister or designees and others appointed by the county board. The county already has a land information group.

The board also approved a grant agreement with the Wisconsin Department of Administration for records modernization. The county has received \$16,056 this year, which will be used for digital parcel mapping.

- Approved \$500 in membership dues to the Northwest Recreational Trails Association, which meets to coordinate motorized trail connections between the counties.
- Approved the county's participation in the Experience Works program, which places persons 55 years or older in jobs up to 20 hours per week. One position will be providing administrative support in the county ambulance service/emergency government office for up to 30 weeks.
- Ken Maki reported that "We are not giving up" on the county's efforts to have the DNR maintain seedling production at the Hayward State Tree Nursery. He said he it at the August Natural Resources Board meeting in

Superior.

CEP speaker

Steve Terry, executive director of the Northwest Concentrated Employment Program (CEP), explained the services the agency offers to people seeking employment and job training. It's funded by the state Department of Workforce Development through the U.S. Department of Labor.

CEP's job center in Hayward is located on Windrose Lane, next to the WITC Learning Center near Pamida. In the year ended June 30, 2,200 people visited the local job center.

Last year, the center brought \$297,955 in training and employment services into Sawyer County, providing training to 255 individuals. The center helps Huber-eligible inmates, but does not offer programs inside the jail.

Job Clubs allow people who've lost their jobs to network with others, Terry added. In Sawyer County, the unemployment rate in May was 8.9 percent, an improvement from 10.6 percent the previous month.

Terry said the Job Center will host an open house Sept. 1.

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