



## MARATHON COUNTY FORESTRY/RECREATION COMMITTEE AGENDA

**Date and Time of Meeting:** Tuesday, October 5, 2021 at 1:30pm

**Meeting Location:** Conference Room #5, 212 River Drive, Wausau WI 54403

MEMBERS: Arnold Schlei (Chairman), Rick Seefeldt (Vice-Chairman), Tom Rosenberg

***Marathon County Mission Statement:*** *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business.*

***Parks, Recreation and Forestry Department Mission Statement:*** *Adaptively manage our park and forest lands for natural resource sustainability while providing healthy recreational opportunities and unique experiences making Marathon County the preferred place to live, work, and play.*

The meeting site identified above will be open to the public. However, due to the COVID-19 pandemic and associated public health directives, Marathon County encourages Committee members and the public to attend this meeting remotely. To this end, instead of attendance in person, Committee members and the public may attend this meeting by telephone conference. If Committee members or members of the public cannot attend remotely, Marathon County requests that appropriate safety measures, including adequate social distancing, be utilized by all in-person attendees.

Persons wishing to attend the meeting by phone may call into the telephone conference beginning five (5) minutes prior to the start time indicated above using the following number:

Phone Number: 1-408-418-9388

Access Code: 2494 496 3998

If Required, the Password is 1234

Please Note: If you are prompted to provide an "Attendee Identification Number" enter the # sign. No other number is required to participate in the telephone conference.

**When you enter the telephone conference, PLEASE PUT YOUR PHONE ON MUTE!**

### **Agenda Items:**

- 1. Call to Order**
- 2. Public Comment – Not to Exceed 15 Minutes – Any Person Who Wishes to Address the Committee Must Provide, Name, Address and the Topic to the Chair of the Committee No Later than Five Minutes Before the Start of the Meeting.**
- 3. Approval of the Minutes of the Tuesday, August 31, 2021 Committee Meeting**
- 4. Operational Functions Required by Statute, Ordinance or Resolution:**
  - A. Discussion and Possible Action by Committee
    1. Consider Timber Bids and Award Contracts
    2. 2022 Budget Update - Jamie
  - B. Discussion and Possible Action by Committee to Forward to the Environmental Resource Committee for its Consideration – None
- 5. Policy Issues for Discussion and Committee Determination for Consideration by Environmental Resources Committee – None**

**6. Educational Presentations/Outcome Monitoring Reports**

- A. DNR/County Partnership Meeting Minutes
- B. Review Timber Sale Extension Policy and Discussion on Fall 2021 Requests
- C. Department of Natural Resources Liaison Forester Position Recruitment Update
- D. Update on Wisconsin County Forests Association Fall Meeting
- E. 2021 Ragnar Trail Wisconsin Update

**7. Next Meeting Date, Time, Location: Tuesday, November 2, 2021 at 1:30pm at 212 River Dr., Wausau, WI 54403, Room 5 or via Webex**

- A. Announcements/Requests/Correspondence
- B. Future Agenda Items: Consider Timber Bids and Award Contracts

**8. Adjournment**

**SIGNED /s/ Thomas Lovlien  
PRESIDING OFFICER OR DESIGNEE**

ANY PERSON PLANNING TO ATTEND THIS MEETING WHO NEEDS SOME TYPE OF SPECIAL ACCOMMODATION IN ORDER TO PARTICIPATE SHOULD CALL THE COUNTY CLERK'S OFFICE AT 261-1500 OR E-MAIL [COUNTYCLERK@CO.MARATHON.WI.US](mailto:COUNTYCLERK@CO.MARATHON.WI.US) ONE BUSINESS DAY BEFORE THE MEETING.

FAXED TO: Daily Herald and other News Media Groups  
 FAXED BY: Jodi Luebbe  
 FAX DATE/TIME: September 28, 2021 11:45 a.m.

NOTICE POSTED AT COURTHOUSE:  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Time: \_\_\_\_\_ a.m/p.m.

Members present: Tom Rosenberg, Arnie Schlei(c), Rick Seefeldt

Also present: Tom Lovlien-Forest Administrator, Jamie Polley-Director, Joe Tucker-County Forester, Chad Keranen  
– DNR Liaison

1. Call Meeting to Order – The meeting was called to order by Chairman Schlei at 1:30pm, Rm. 5, 212 River Dr., Wausau. Official notice and the agenda for the meeting was posted publicly in accordance with State statutes.
2. Public Comment – none brought forward
3. Approve Minutes – **Motion** / second by Rosenberg / Seefeldt to approve the minutes from the August 3, 2021 regular Forestry/Recreation Committee meeting. Motion **carried** by voice vote, vote reflected as 3-0.
4. Operational Functions Required by Statute, Ordinance or Resolution
  - A. Discussion and Possible Action by Committee
    1. Consider Approving Fall 2021 Timber Sale Package – The fall timber sale package had been distributed to Committee for review. The sale offers 378 acres of timber on five tracts with an estimated volume of 17,950 tons and 295.0 thousand board feet. Joe Tucker, County Forester discussed all the sales. The sales will be advertised and the bid opening is October 4, 2021. Questions were answered. **Motion** / second by Schlei / Rosenberg to approve the fall 2021 Timber Sale Package. Motion **carried** by voice vote, vote reflected as 3-0.
    2. Consider Amending the Marathon County Timber Sale Contract 2.A. on Extensions – Lovlien explained that the penalties for extensions had been set in the contract a long time ago when there were not any problems with getting the contracts cut. Lovlien is recommending the percentages for extensions on two or two and a half year contracts be reduced from 20% to 10% and a three year contract from 25% to 15%. This would be more in line with what other Counties and the State are doing. The hope is to get past COVID plus the poor markets and follow the contract with more realistic stumpage increases unless there are extenuating circumstances. At an upcoming meeting the Committee will be asked to extend 6-8 contracts. Most Counties/State have been giving one-year extensions with zero percent increases for the last two years. Discussion followed on whether language should be changed in the contract to reflect the allowance for zero percent increases for extenuating circumstances and the possible ramifications of changing the language. **Motion** / second by Rosenberg / Seefeldt to change the percentages from 20% to 10% and 25% to 15% percent. Motion carried by voice vote, vote reflected as 3-0.
    3. 2022 County Conservation Aids Project – Lovlien explained that last year’s project was for archery range improvements at the Duane L. Corbin Shooting Range Park. The project included elevated platforms and the purchase of archery targets. Department staff has found the project entails more rebuild of the platforms and archery targets so that the project can be completed. Lovlien recommends that the 2022 project monies be used to add on to the project at the range. **Motion** / second Rosenberg / Schlei that the 2022 County Conservation Aids Project grant monies be applied for and used for addition to the 2021 project at the shooting range. Motion **carried** by voice vote, vote reflected as 3-0.
  - B. Discussion and Possible Action by Committee to Forward to the Environmental Resource Committee for its Consideration - None
5. Policy Issues for Discussion and Committee Determination for Consideration by Environmental Resources Committee – None
6. Educational Presentations/Outcome Monitoring Reports
  - A. Preliminary Results of the 2021 Forest Certification Audit - Lovlien reported that the audit took place in August in Eau Claire, Clark, Chippewa, and Polk counties. Under the SFI system that Marathon County is certified there was only one Opportunity For Improvement which concerned the DNR specifically, not the counties. There were a couple FSC Minor Corrective Action Requests that were specific to the Forest Stewardship Council. There may be some pushback from the DNR and Counties concerning the audit. Lovlien will bring the final report back to Committee.

B. WCFA Annual Meeting – September 22 – 23 Hayward, WI - Lovlien asked that any members interested in attending this meeting notify him.

7. Next Meeting Date, Time, Location: October 5, 2021, 1:30pm, Rm. 5 and webex, 212 River Dr., Wausau WI 54403

A. Announcements/Requests/Correspondence – Keranen announced he has accepted a job with Vilas County and will be leaving his position with the DNR. Lovlien and the Committee thanked Chad for over 15 years of work on the Marathon County Forest.

B. Future Agenda Items: Consider Timber Bids and Award Contracts, 2022 Budget Update

8. Adjourn – Motion / second by Seefeldt / Rosenberg to adjourn the meeting at 2:15 pm. Motion **carried** by voice vote, vote reflected as 3-0.



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tony Evers, Governor  
Preston D. Cole, Secretary

Wisconsin Department of Natural Resources  
225051 Rib Mountain Drive  
Wausau, WI 54401  
Telephone 715-571-7139

Date: August 30, 2021  
To: Doug Brown - County Forest Specialist  
From: Chad Keranen - Marathon County Forest Liaison  
Subject: Annual County Forest - DNR Partnership Meeting

The annual Marathon County Forest - DNR Partnership Meeting was held on July 22, 2021. The meeting was at the Wausau DNR Service Center with Marathon County Forest Administrator Tom Lovlien, Marathon County Forester Joe Tucker, Wausau Forestry Team Leader Shelley Wrzochalski, Woodruff Area Forestry Leader Joe Schwantes, DNR Wildlife Biologist Brandon Stefanski, and DNR Liaison Forester Chad Keranen in attendance. Below are the minutes from the meeting and the agenda.

### County Forest Time Standards

#### Fiscal Year 2021

During Fiscal Year 2021 total DNR hours contributed to Marathon County were 648.5 out of an agreed commitment of 644 hours. The liaison forester accounted for 516 of these hours. The breakdown of the liaison forester's hours were split up across the 24 areas of the time standards worksheet as follows.

<u>Core Work Areas</u>	<u>Liaison hours worked</u>	<u>Time standard worksheet goals</u>
Timber Sale Est./Admin./Closeouts	394 hours	391 hours
Administer County Forest Law	88 hours	118 hours
Reconnaissance	26 hours	40 hours
Regen/Invasives/Site Prep/Disease	<u>9 hours</u>	115 hours
	516 hours	

This worksheet is referenced at the end of each fiscal year to measure actual hours worked against what is planned for in the worksheet to see if the worksheet is an accurate assessment of hours worked in a particular category. The actual hours worked match up favorably in most areas to the agreed upon time standard commitment. The past few years the sale establishment hours have been within six hours each year, confirming that this line on the worksheet is a good indicator of the actual need. The majority of the liaison hours were on timber sale establishment in the field and associated office paperwork and planning, which remains fairly consistent each year. During the fiscal year, the county forest 15 year plan was revised however the county forest administrator handled the majority of the revision. Discussion occurred that if specific needs arose, extra hours worked in any one particular area will not be an issue as long as productive work is being accomplished.

Non-liaison assistance for FY'20 totaled 132 hours. These are most non-liaison hours worked on the forest in the 15 years the liaison forester has been here. Reasons for this are the liaison's workload each year outside of the county forest. The DNR liaison also runs the private forestry program in Marathon County as well as helps with stateland timber sales and a small amount of fire suppression duties. To fill in some of these hours the Wausau DNR forestry technician assists the county staff with timber sale establishment as well as dozer work that is needed each year on the county forest. The forestry technician contributed the most of these hours to timber sale establishment. His work assistance to the county and

his overall professional growth were both praised by the county forester and the county forest administrator.

### Fiscal Year 2022

The time standard commitment to the county forest will remain at 644 hours for this fiscal year. The liaison forester will be responsible for 600 hours, with the forestry technician work planned for 50 hours. Timber sale establishment is already complete for the spring 2022 sales. Current sale establishment will be for the fall 2022 sale package. The county forest administrator would still like to see timber sale establishment as the primary goal from the DNR this fiscal year. Site preparation for oak regeneration will occur this fall with work from the local DNR forestry technicians. It is anticipated this workload will be around 50-70 hours counting towards the time standard.

A prescribed burn at the Hoffman Farm is planned for and depending on the amount of DNR forestry personnel, the hours are estimated to be around 35-55 counting towards the time standard.

A good working relationship exists between both parties so there are no anticipated issues in the upcoming fiscal year with the current workload expectation.

### 2021 County Forest Workplan

The 2021 workplan was briefly reviewed as it is each year during the meeting. The purpose of the review was to ensure that all items identified on the workplan are complete or on track to be completed by the end of the year. The administrator went over the workplan and discussed some highlights. Most, if not all the items identified on the annual work plan are complete or will be completed before the end of the year. Both the liaison forester and administrator have copies of the work plan and it's available to view upon request. The county workplan and annual report is also available for the public to view on the county's internet webpage at

<http://www.co.marathon.wi.us/Departments/ParksRecreationForestry/PlanningandDevelopment>

### 2021 Wildlife Update

Wildlife biologist Brandon Stefanski gave an update of wildlife accomplishments the past year on the county forest and the tasks that will be accomplished by the end of the calendar year.

Routine work accomplished the past year was dike mowing, trail seeding, wildlife opening maintenance and wild rice seeding. No alder management was done but this continues to be priority work on the county forest. Each winter areas are selected on the forest to be maintained by shearing the mature alder and letting it resprout back.

Some of the wildlife work is paid for by the nickel an acre grant the county receives each year. The wildlife biologist frequently utilizes other sources of funding such as Turkey Stamp dollars and Drummer Fund dollars to do work on the county forest versus using nickel an acre money since the annual allotment is only around \$1400.00 per year.

Both the wildlife biologist and wildlife technician positions were filled at the same time all of last year which hasn't happened in a while. With DNR staff allowed to do field work all of last fiscal year with the pandemic restrictions eased, a lot of field work was completed on the forest. The wildlife technician is on the forest 1-2 days each work getting the bulk of the workload accomplished. Currently, the technician also has an LTE to help out as well.

Future priority work will be the scheduled prescribed burn at the Hoffman Farms if it's approved and the weather cooperates. It has to be very dry to burn this unit and when these conditions occur, the county is typically at a very high fire danger and burning is a challenge.

In December each year the wildlife workplan is attached to the county forest workplan and will list in detail the accomplishments the past year as well as planned work for calendar year 2022.

### County Conservation Aids Project Updates

CCA Project #CC-20-37FM – Duane Corbin Shooting Range

The Duane Corbin Shooting Range continues to have improvements done. The last project completed was the construction of 22 concrete shooting tables at the rifle range for users to sight their rifles in. This project will continue to improve the range with a focus on the archery range. The Duane Corbin Shooting Range is one of the premier ranges in the state and this project fit very well with the CCA program.

#### CCA Project #CC-18-37FM - DC Everest Park

This project is on Lake Wausau at DC Everest County Park in the City of Wausau. The project is for new boat landing planks and asphalt repair. This project will replace both and improve the boat launch at the park. No work has been done on the project yet due to high water levels the past two years. The project has been extended again in order to complete these improvements.

#### CCA project proposals for 2021 - 2022

No firm project is on the table for application currently, however discussion occurred on additional shooting range improvements such as replacing some barrier walls and also on potential beaver management issues the county forest is having. The past few years have seen record beavers being trapped from the county forest. This workload is increasing in cost and a discussion was had about possibly using some CCA money for this. Nothing was decided upon but in the next month a viable project proposal will be submitted through channels.

#### **Forest Certification**

Early August 2020 the county forest audit took place. Marathon County was one of the counties that was audited. Results from the certification audit showed no Corrective Action Requests or Opportunities for Improvement. This was the second year in a row where nothing was found that needed to be addressed. In fact, the county received very favorable reviews for its overall program and especially dealing with all of the user groups. The August 2021 audit did not take place as the partnership meeting was in July of this year so the certification discussion was brief. Discussion still occurred on some of the findings from previous audits, one being timely recon updates. Marathon County Forest has 3000 acres of recon 20 years or older. Of this 3000 acres, only 146 acres are either hardwood, pine, or oak. Half of this acreage is a bottomland hardwood stand in the Wisconsin River Unit that will be looked at this year. 2800 of these acres are aspen stands. The liaison forester and county forester do not work plan to specifically update young aspen stands. However, if they are working in an area and there is aspen that could use a walk through, then some of these younger stands are being updated. Prioritizing aspen that is 30 years and older occurs annually as some of these more upland stands are available for harvest to try and even out the age class distribution of aspen.

#### **Miscellaneous Items**

The liaison and county forest administrator have weekly contact and stay on top of all issues concerning the county forest. Mainly for documentation purposes and for others that do not have the daily involvement of the liaison forester, miscellaneous items were discussed such as land use issues, forest health, forest road projects, and invasive species.

#### **Land Use Issues**

##### Acquisitions

One 40 acre parcel of land was added in the Hewitt-Harrison Unit off of Avery Road. This parcel has been a priority acquisition for the county for quite a while. The county traded a parcel of land in the Town of Easton for this parcel. Due to the higher value of the county parcel in Easton, they also received fair market value for the land that was in excess of the value of the private 40 acre parcel.

Going forward on additional acquisitions, the county forest administrator has county board approval to actively seek out additional lands to purchase and add to the county forest each year.

It is worth noting that over the past decade, 917.5 acres have been added to the Marathon County Forest under seven separate acquisitions. The Knowles-Nelson Stewardship Grant Program funded \$924,600 for these acquisitions.

### Forest Road Projects

The county has a very extensive network of interior county roads and money is annually spent to maintain these roads. With such an extensive network of four season roads, the county is able to reap the benefit of higher stumpage prices. Resurfacing and adding material to existing roads is on a cycle. Last year 2300 yards of gravel was placed on Trail 1 in the Burma Unit. Bids are currently out for two county forest road resurfacing projects. Both are in the Town of Harrison, County Forest Road 112 and 201. A small parking lot off Zygota Road adjacent to the Kronenwetter Unit was constructed in the fall of 2020. This will give the public better access and parking on the west side of the Kronenwetter Unit.

### Forest Health

#### Cultural

The county received a sustainable forestry grant in the amount of \$31,200 to treat the understory competition in sawtimber red oak stands. The woods are maturing on the county forest and are nearing or already at rotation age where the process to regenerate them is starting. In order to have the best chance of success, the understory competition needs to be controlled first. Sites in Kronenwetter and Leathercamp Units have been treated and additional sites are identified to be treated with this grant money to ensure long term success of oak regeneration on the forest. Follow up treatments occurred on these sites and the grant money for this project is complete. Spot treatments may need to occur but will be monitored.

Another oak scarification project will take place in the fall of 2021 in the Kronenwetter Unit. This project is almost identical in scope with the previous ones where understory competition will be blade scarified with DNR dozers to prepare these sites for successful red oak regeneration. The current site is established for a timber sale and will be advertised in the Spring of 2022.

The county has an extensive history of treating pockets of oak wilt via the girdle and herbicide method. In 2019 two trees were confirmed with oak wilt by DNR Forest Health Staff. These trees were girdled and treated with herbicide as soon as they were found. Instead of setting up a perimeter of trees to treat, this method of "rapid response" of only treating the wilting tree was done. In 2020 there was no underground spread of oak wilt. Mid-July 2021 oak wilt was present adjacent to these gridled trees and the original oak wilt treatment protocol was undertaken. A pocket of trees were girdled and treated in late July. These trees will stay on the stump to slowly die and kill the root system. The hope is to have a contractor harvest and utilize this pocket of saw log red oak trees by April 2022.

#### Deer Impacts

Discussion occurred on the impact deer are having on recruiting successful regeneration in oak and hardwood stands. The county forester and liaison forester are now doing browse surveys and documenting the deer browse on the county forest. Impacts of the browse are very evident for forestry professionals, but hopefully the browse surveys will help educate others on the impacts of high deer populations. If it's determined that browse is inhibiting regeneration in areas, the county may explore the option of applying for public land damage permits to harvest more deer on the county forest. The liaison forester is also on the Marathon County Deer Advisory Council and conducts walkthroughs in the summer with the local wildlife biologist on DMAP entries, so he is well equipped with field level knowledge of deer browse and regeneration issues.

The liaison forester presented the new Forest Regeneration Metric to the CDAC at their spring meeting. After three years of forest regeneration data, this is the DNR's first summary of browse in each county of the state where monitoring occurred. This data showed what the liaison and county staff have been



saying about the extent of deer browse. Remeasuring of the initial plots from 2018, as well as new plots will occur all summer long. With more regeneration plots each year, and the remeasuring of the initial round of plots, this FRM data will be further refined each year.

### **Forest Management**

Miscellaneous forest management topics were briefly discussed. Liaison forester shared 2021 harvest establishment summary for the spring and fall timber sales. All fall sales are complete and the bid package will be mailed out for a late September bid opening. All field work is complete on the Spring 2022 sale package. The goal is to try and be ahead on sale establishment for one year in case an unforeseen absence occurs or additional work duties pull county staff from timber sale establishment.

It was a good year on the county forest for field work with a late winter arrival, minimal snow cover, and pandemic restrictions eased for the majority of the fiscal year. Marathon county staff was pleased with the Department's assistance this past year.

# 2021 Marathon County/DNR Annual Partnership Meeting

When: Thursday July 22<sup>nd</sup>, 2021 12:30 PM  
Location: Wausau DNR Service Center

## AGENDA

### Wildlife Update – Brandon Stefanski

- Previous year accomplishment reporting
- Current year progress
- Nickel an acre projects – available funds
- CDAC/DMAP update
- Forest Regeneration Metrics
- Prescribed Fire

### County Conservation Aids Projects

- Closed projects in the past year
- Current year open projects
- 2021 - 2022 project proposals

### County Forest Time Standards

- Fiscal Year 2021 final hours
  - DNR Liaison hours
  - Other hours
  - Distribution of hours relative to time standards worksheet.
- Fiscal Year 2022 hours
  - High priority workload - summer 2021 through early 2022.
  - Liaison and non-liaison hours
  - Annual adjustment hours
  - 15 year plan
  - Critical needs being met
  - Annual adjustment hours

### Forest Certification

- 2020 Sustainable Forestry Initiative Audit Results
  - Corrective Action Requests (CAR's)
  - Opportunities for Improvement (OFI's)

### Recreation

- Nine Mile Recreation Area
- ATV/UTV trails

### Land Use Issues

- County Forest acquisitions
  - Previous year
  - Future purchases
- Forest road projects

### Forest Management

- Timber sale establishment summary
- Annual harvest goals
- TSI and Site Prep
- Recon
- Reforestation

### Forest Health

- Invasives
- Oak Wilt
- Emerald ash borer
- Environmental

OLD SALES  
PRIOR TO 2021

GENERAL TERMS

- 1. **CONTRACT PERIOD.** Purchaser will completely perform his obligations under this contract by the 31<sup>st</sup> of December, 2023.
- 2. **CONTRACT EXTENSIONS.** If extensions of this contract are deemed reasonable by the County, the stumpage price agreed upon herein shall be adjusted as follows:
  - A. First one-year extension
    - 1. 3 year contract.....25%
    - 2. 2.5 year contract.....20%
    - 3. 2 year contract.....15%
  - B. Additional one-year extensions.....10%
  - C. Other applicable charges or fees: NONE

The maximum time duration of a timber sale contract, including extensions, will be four years. Extension beyond this period of time will be considered by the County only in the event of special justification. Special stumpage rate adjustments may be made.

- 3. **CHANGE ORDERS.** The scope of the services to be performed under this contract may be amended or supplemented by mutual written agreement between the parties to the contract.
- 4. **PERFORMANCE; PERFORMANCE BOND; LIQUIDATED OR ACTUAL DAMAGES; FUTURE CONTRACTS.**
  - A. Notice to Begin. Purchaser shall contact the County representative in writing both prior to commencing logging operations from contract site and upon final completion of the Timber Sale Contract. The Purchaser must also contact the County representative in writing if work is to cease at the contract site for more than one month. At the end of this period of time, the Purchaser must then inform the County representative in writing that work is to begin again.
  - B. Contract Oversight. Cutting and removal of timber purchased under this contract shall be conducted in conformance with this contract and in a good and workmanlike manner with reasonable diligence to assure completion of all performance within the contract period specified in par. 1.
  - C. Performance Bond. A performance bond in Marathon County's favor in the amount of \$9,361.88 in cash, by surety bond, or in other form accepted by the County, shall be submitted by the Purchaser no later than November 30, 2020 to be retained by the County to assure full and complete performance of the contract by the Purchaser to the County's satisfaction. Failure to submit the bond will be considered a breach of this contract and subject the Purchaser to liability for damages. The Purchaser agrees that the bond shall be forfeited to the County as liquidated damages upon the County's determination a condition or term of this contract has been breached by the Purchaser, unless the County chooses and can reasonably determine the actual damages suffered as a result of the breach of the contract. Damages assessed under this contract are the responsibility of the Purchaser and may be deducted from this performance bond and otherwise collected by the County.
  - D. The Purchaser agrees that the performance bond may be retained by the County until all performance under this contract has been completed to the County's satisfaction and the County determines the performance has been so completed. In the event the Purchaser provided written notice of sale completion to the County, the County shall have sixty (60) days to determine that performance has been completed as required under this contract.
  - E. If timber or other forest products not specifically described in this contract or designated by the County for cutting are cut, damaged or removed by the Purchaser, the County may pursue any and all remedies for the unlawful use of the County's property and the cutting, damage or removal of property without consent, including the seeking of criminal or civil charges for theft, timber theft or criminal damage to property in addition to its contract remedies for breach.

NEW SALES  
2021 And Beyond

GENERAL TERMS

1. **CONTRACT PERIOD.** Purchaser will completely perform his obligations under this contract by the \_\_\_\_\_
2. **CONTRACT EXTENSIONS.** If extensions of this contract are deemed reasonable by the County, the stumpage price agreed upon herein shall be adjusted as follows:
  - A. First one-year extension
    1. 2 or 2.5 year contract..... 10%
    2. 3 year contract..... 15%
  - B. Additional one-year extensions..... 10%
  - C. Other applicable charges or fees: NONE

The maximum time duration of a timber sale contract, including extensions, will be four years. Extension beyond this period of time will be considered by the County only in the event of special justification. Special stumpage rate adjustments may be made.

3. **CHANGE ORDERS.** The scope of the services to be performed under this contract may be amended or supplemented by mutual written agreement between the parties to the contract.
4. **PERFORMANCE; PERFORMANCE BOND; LIQUIDATED OR ACTUAL DAMAGES; FUTURE CONTRACTS.**
  - A. Notice to Begin. Purchaser shall contact the County representative in writing both prior to commencing logging operations from contract site and upon final completion of the Timber Sale Contract. The Purchaser must also contact the County representative in writing if work is to cease at the contract site for more than one month. At the end of this period of time, the Purchaser must then inform the County representative in writing that work is to begin again.
  - B. Contract Oversight. Cutting and removal of timber purchased under this contract shall be conducted in conformance with this contract and in a good and workmanlike manner with reasonable diligence to assure completion of all performance within the contract period specified in par. 1.
  - C. Performance Bond. A performance bond in Marathon County's favor in the amount of \$ \_\_\_\_\_ in cash, by surety bond, or in other form accepted by the County, shall be submitted by the Purchaser no later than \_\_\_\_\_ to be retained by the County to assure full and complete performance of the contract by the Purchaser to the County's satisfaction. Failure to submit the bond will be considered a breach of this contract and subject the Purchaser to liability for damages. The Purchaser agrees that the bond shall be forfeited to the County as liquidated damages upon the County's determination a condition or term of this contract has been breached by the Purchaser, unless the County chooses and can reasonably determine the actual damages suffered as a result of the breach of the contract. Damages assessed under this contract are the responsibility of the Purchaser and may be deducted from this performance bond and otherwise collected by the County.
  - D. The Purchaser agrees that the performance bond may be retained by the County until all performance under this contract has been completed to the County's satisfaction and the County determines the performance has been so completed. In the event the Purchaser provided written notice of sale completion to the County, the County shall have sixty (60) days to determine that performance has been completed as required under this contract.
  - E. If timber or other forest products not specifically described in this contract or designated by the County for cutting are cut, damaged or removed by the Purchaser, the County may pursue any and all remedies for the unlawful use of the County's property and the cutting, damage or removal of property without consent, including the seeking of criminal or civil charges for theft, timber theft or criminal damage to property in addition to its contract remedies for breach.

DATE: March 1, 2021

TO: Division of Forestry District Forestry Leaders, Area Leaders, Team Leaders

FROM: James K. Warren, Forestry Field Operations Bureau Director

SUBJECT: Modification to DNR Timber Sale Extension Policy for March 1, 2021 to July 1, 2022 contracts

The Department of Natural Resources is committed to working with the forest products industry in these uncertain times. Timber contractors working in partnership with the Division to carry out timber sales on state lands are currently facing significant hardships as a result of the Verso mill closures in 2020 and continued impacts to the industry from COVID-19. These events have dramatically affected the forest products marketplace, making it difficult for contractors to market their timber, and creating an excess of available raw materials at other pulp/paper mills in the region. In order to help accommodate these challenging conditions, the Division of Forestry will be modifying our timber sale contract extension policy.

- 1) For DNR (including GNA) timber sale contracts: At the request of the contractor (email, phone call, in-person contact, letter, etc.), DNR timber sale contracts within the original contract period, 1<sup>st</sup> extension or 2<sup>nd</sup> extension (which includes 2020 0% contract extension policy) may be extended to provide one additional year in which to complete harvest operations without a stumpage price increase, even if one was scheduled as an original condition of the contract. This policy only applies to DNR timber sale contracts that will be expiring between March 1, 2021 and July 1, 2022 and that have not been completed, in whole or in part. **\*\*Contractors must be in good financial standings (no outstanding stumpage or damages owed to state) to be eligible for this extension\*\***

The property manager must be notified and approve of any timber sale contract amendment and is authorized to sign contract amendments. This temporary policy should be communicated by forestry field staff (email, phone call, in-person contact, or letter) to affected timber sale contractors locally in order to help with the planning and scheduling of their work.

Timber sale contracts amended pursuant to this temporary policy shall be completed following the standard contract amendment procedures outlined in Timber Sale Handbook. **Ensure that the Letter of Credit gets extended accordingly and the timber sale information is updated in WisFIRS.** In the case of a contract extension exceeding four years in total contract length, the District Forestry Leader shall also sign the Timber Sale Contract Amendment Approval Form.

Questions on the implementation of this policy can be directed to Doug Brown at (715) 966-0157 or [Douglas.brown@wisconsin.gov](mailto:Douglas.brown@wisconsin.gov).

Cc: SLT  
Keith Warnke- FWP  
Aaron Buchholz- FWP  
Kristin Lambert  
Forestry Property Managers  
Doug Brown  
Teague Prichard

**TIMBER SALE EXTENSION REQUESTS****DECEMBER 2021**1. Sales that are 2.5 years old on December 30, 2021 - (1<sup>st</sup> Extension Request)

<u>Contract #</u>	<u>Purchaser</u>	<u>% Completed</u>	<u>Season</u>
#678-19	Schreiber Logging	60%	Dry Fall / Winter

2. Sales that are 3 years old on December 30, 2021 - (1<sup>st</sup> Extension Request)

<u>Contract #</u>	<u>Purchaser</u>	<u>% Completed</u>	<u>Season</u>
#673-18	Verso Corporation	25%	Dry Fall / Winter

3. Sales that are 3 or 3.5 years old on December 30, 2021 - (2<sup>nd</sup> Extension Request)

<u>Contract #</u>	<u>Purchaser</u>	<u>% Completed</u>	<u>Season</u>
#671-18	Javorek Logging	30%	Dry Fall / Winter
#668-18	Bell Timber	0%	Dry Fall / Winter
#665-18	John Denfeld Logging	0%	Dry Fall / Winter
#666-18	Jacobs Logging	0%	Summer/ Fall / Winter

4. Sales that are 4 years old on December 30, 2021 - (2<sup>nd</sup> Extension Request)

<u>Contract #</u>	<u>Purchaser</u>	<u>% Completed</u>	<u>Season</u>
#660-17	Tigerton Lumber Inc.	95%	Winter Only

5. Sales that are 6 years old on December 30, 2021 - (4<sup>th</sup> Extension Request)

<u>Contract #</u>	<u>Purchaser</u>	<u>% Completed</u>	<u>Season</u>
#644-15	Central WI Lumber	15%	Winter Only