

CHAPTER 14

COUNTY FORESTS

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14.01 AUTHORITY. This chapter is enacted to prescribe rules and regulations for the administration of County powers and duties as provided in Chs. 26, 28, 29, 59, 75 and 77, Wis. Stats., under which the County Board is granted specific powers relative to the establishment, protection, development and management of County lands and forests to provide sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic values and fish and game resources; all in cooperation with the Department of Natural Resources. All references to Wisconsin Statutes shall include any amendment thereof.

14.02 DESIGNATION OF THE COUNTY FOREST. All County owned lands now held and entered under 28.11 Wis. Stats., and which are located within the following areas are established and designated as County forests. Such land shall be shown on the official County forest map on file in the office of the Forestry and Parks Department.

- (1) For identification purposes, the County Forest shall be divided into five units, designated and named as follows:
 - (a) North Alma Unit shall include sections 1, 2, 3, 11, 12, 13, 14, 24, 25, and 36, all in Township 23 North, Range 4 West, Town of Alma; section 2, Township 22 North, Range 3 West, Town of Komensky, and section 3, Township 22 North, Range 3 West, Town of Adams.
 - (b) The Brockway Unit shall consist all of the Township of Brockway, Township 24 North, Range 4 West, except sections 1 and 31, sections 1, 12, 13, and 24 of the Town of Brockway, Township 21 North, Range 4 West, and sections 18 and 19, of the Town of Millston, Township 21 North, Range 2 West.
 - (c) The Oak Ridge Unit shall include all of the Town of Manchester, Township 20 North, Range 3 West, except section 31, and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, and 24 of the Town of Manchester, Township 20 North, Range 4 West.

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- (d) The Saddle Mound Unit shall consist of all of the Town of Komensky, Township 22 North, Range 2 West, except sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32; all of the Town of City Point, Township 22 North, Range 1 West; all of the Town of City Point, Township 22 North, Range 3 East, except Section 36, and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, and 18 of the Town of City Point, Township 21 North, Range 1 East.
 - (e) The McKenna Unit shall include all of the Town of Knapp, Township 21 North, Range 1 West; sections 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, and 34 of the Town of Bear Bluff, Township 21 North, Range 1 East; sections 4, 5, 6, 7, 8, and 9 of the Town of Bear Bluff, Township 20 North, Range 1 East; and sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 19, 22, 23, 30, 31, and 32 of the Town of Knapp, Township 20 North, Range 1 West.
- (2) All lands now held and not entered under the provisions of the County Forest Law, or all lands hereinafter acquired in the above described areas shall be eligible for entry under the County Forest Law.
 - (3) This chapter shall pertain to all County land within the County Forest boundaries, whether or not it is entered under the County Forest Law. No portion of this chapter shall be construed to pertain to any privately owned land within the County forest boundaries.

14.03 COMMITTEE APPOINTMENTS. The County Board hereby assigns administration of the County Forest, the Parks and Trails to the committee of the Board known as the Forestry and Parks Committee, composed as set forth in Section 2.01(7)(e) and hereinafter referred to as the Committee.

14.04 RESPONSIBILITIES AND POWERS OF COMMITTEE.

- (1) As soon as practical after January 1 of each year, the Committee shall present to the Board for its consideration an annual report of their activities for the preceding year, along with the work plan which was the basis of the annual budget.
- (2) Annually, at the budget meeting of the County Board the Committee shall present to the Board for its consideration a detailed recommended budget in a form prescribed by the Executive and Finance Committee of the County Board which budget shall be based on a work plan for the ensuing calendar year, as prepared by the County Forest Administrator and approved by the Committee. The work plan which serves as the basis for this budget shall be available to the Board for review if requested. The budget adopted by the County Board at this meeting shall serve as a directive to the Committee and shall establish the limits as well as the purpose for which expenditures may be made.

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- (3) Subject to budget limitations and the statutory jurisdiction the Department of Natural Resources, the Committee is hereby assigned the responsibilities and powers detailed in the following:
- (a) The Committee shall direct and supervise the County Forestry and Parks Department. Subject to the approval of the County Board, it shall employ a County Forest Administrator as its agent and such other competent personnel as the Board may authorize to direct, perform and enforce the administrative and management functions of this chapter.
 - (b) The Committee shall establish and maintain forest headquarters for office space and the housing of machinery, tools, equipment and supplies needed in conducting forestry operations.
 - (c) In conformity with procedures established by the County Board, the Committee with due regard to bidding and other requirements of Wisconsin Statutes may acquire, sell, trade or dispose of instruments, tools, equipment and supplies required for the operation of the Department.
 - (d) The Committee is empowered to negotiate and contract for the acquisition of lands within County forest boundaries by purchase, gift or bequest for the purpose of blocking the forest for better administration. recreational or forestry purposes. Each such proposed acquisition must be presented to the Executive and Finance Committee, and subsequently to the County Board for its ratification before it can be consummated. If the acquisition is by exchange of County owned land outside forest boundaries it must be presented to the Tax Deed and Land Committee before going to Executive and Finance. Town Board shall, as a matter of courtesy, receive written notices for the Committee prior to any such action. In the event the County agrees to an exchange of County owned land the exchange shall in each case be at a ratio of 3 acres of private held land per 1 acre of County owned land and must, in all circumstances be of equal or greater value than the land exchanged by the County. The value of land in all cases shall be established by MAI appraisal. The appraiser shall be selected by the County and the person requesting the exchange shall be responsible for all cost and appraisal. The cost of appraisal must be tendered prior to the exchange taking place and shall be due and owing whether the contemplated exchange is consummated. "The foregoing notwithstanding, this subsection shall not prohibit the County from acquiring, exchanging or disposing of lands where disputed issues of title or possessory rights are implicated. In such events, the County may take such measures as are deemed necessary to resolve the issue in question." Transactions at less than 3:1 land/value ratio can be considered, but only when there is exceptional advantages to the County in terms of land value, blocking, etc.

- (e) The Committee is empowered to make applications for lands which should be entered under the provisions of the County Forest Law.
- (f) The Committee shall do all things necessary for the protection of the forest, whether from fire, insects, disease, trespass or from damage by animals or other causes, in cooperation with the Department of Natural Resources.
- (g) The Committee, in cooperation with the Department of Natural Resources, will regulate the disposal of slash.
- (h) The Committee is empowered to locate survey lines and appropriately monument corners of County forest lands in cooperation with the County Surveyor.
- (i) The Committee may construct, improve and maintain a system of forest roads, trails and fire breaks and purchase or secure easements for access-ways and recreational trails needed to cross privately owned lands. Purchase of easements shall be referred to the Board for action.
- (j) The Committee may issue such permits for private access roads across County forest land with safeguards to protect the public interest.(915.5 Private Access-Land Use Lease/Permit and Agreement)
- (k) The Committee may, by any method not prohibited by law or by County ordinance, conduct any forest improvement work including, but not limited to, reforestation, release cutting, thinning, pruning, weeding, aerial and ground based applications of chemicals approved for such purposes, and prescribed burning.
- (l) The Committee shall cooperate with the Department of Natural Resources in the determination of the annual allowable cut by establishment of a comprehensive forest management plan.

- (m) The Committee may sell timber stumpage and all other cut products in accordance with a County forest management plan and according to statutory limitation of the Department of Natural Resources.
- (n) The Committee may in accordance with plans approved by the Board and in cooperation with the Department of Natural Resources establish, construct and maintain wherever desirable within the forest, picnic grounds, waysides, camps and campsites, public access roads and boat landings, scenic areas, nature trails, multiple use trails and other recreational facilities and designate, mark and preserve places of natural or historic interest and significance.
- (o) The Committee shall cooperate with the Department of Natural Resources on matters relating to fish and game management.
- (p) The Committee is authorized to enter into agreement with the United States Forest Service, the Department of Natural Resources and the University of Wisconsin system for the use of tracts of County forest land, labor, materials and equipment for conducting forest research with due regard to the restrictions imposed by par. (m).
- (q) Under the provisions of the County Forest Law, and with Board approval, the Committee may grant permits to prospect for ore and mineral upon County Forest land.
- (r) The Committee is given the authority to govern the establishment of any and all signs located on County forest lands where not preempted by other County, State or Federal law.
- (s) The Committee shall assist the Board in the issuance of easements on County forest land for utility lines, town roads, and other developments which may be beneficial to the public in general, with safeguards to protect the public interest.

- (t) The Committee shall have the authority to designate areas and issue permits to other units of government, or to public utilities, for the removal of dirt, sand, gravel and rock, for development and improvement projects which will benefit the public in general, where not prohibited by State or federal regulations.
 - (u) The Committee is authorized to establish aesthetic zones under the provisions of the County Forest Law for the purpose of preserving natural and scenic beauty of the County forest.
 - (v) The Committee may designate the gating or blocking of forest roads with gates, rails, posts, earthen embankments, or other material and shall sign them appropriately. The enforcement of this provision is specified in 13.05(7).
 - (w) The Committee shall establish policies and procedures for regulating all products other than cut forest products on County forest land, except where preempted or superseded by State or federal law.
 - (x) The Committee shall, establish timbers sale policy and procedure according to the provisions of Wis. Stat. 28.11, in cooperation with the Department of Natural Resources.
 - (y) The Committee shall establish policies for the use of the County forest land by the public. The Committee shall make recommendations to the Board with regard to the enforcement thereof.
 - (z) The Committee may enter agreements with private contractors for the removal of rock, crushed rock, mine tailings and other mining residual from the Wazee Lake Recreation Area and other suitable sites on the County Forest, consistent with management goals established for the property and all applicable ordinances, laws, rules and regulations which may apply.
- (4) The above listed power shall not be deemed exclusive as it is the expressed purpose of this chapter to provide the Committee with the necessary powers to provide for the general administration and supervision of the County forest.
- (5) The Committee is empowered to designate any or all regular full time employees of the Jackson County Forestry and Parks Department to enforce the provisions of Chapter 14 of the Jackson County Code of Ordinances contained herein. It is understood that the enforcement of Chapter 14 by the designated employees will be limited to the issuance of citations and that the authority to arrest for violations of Chapter 14 is limited to sworn law enforcement officers which have been deputized by the Sheriff of Jackson County.

lands shall be made in the manner prescribed by Wisconsin Statutes and any amendment thereof.

14.06 FOREST FINANCES.

- (1) All allotments from the Department of Natural Resources to the County under Wisconsin Statutes or any amendment thereof, for the purchase, development, preservation and maintenance of the County forest lands shall be deposited in the County Forestry Aid Fund. If any lands purchased from such funds are sold, the County shall restore the purchase price to the County Forestry Aid Fund.
- (2) All money received from the sale of timber stumpage, cut forest products, mossier, seedling sales, fees and use permits, sale of building materials, sale of surplus materials and equipment, fire or other damage collections, or other revenue, generated directly from the operations and management of County Forest lands and received by the Committee except income specified in sub. (1) shall be deposited in the County Forest Fund, or with Board approval, a portion of this income may be deposited in the Parks and Trails Fund, or the Recreation Development Fund. Severance taxes incurred as a result of such sales shall be budgeted and paid as required by statute.
- (3) All money received directly from the operation of County parks, County campgrounds, and County recreational trails, including but not limited to fees and use permits, firewood sales, soda sales, ice sales, sale of building materials, sale of surplus materials and equipment, fire or other damage collections, or other revenue received by the Committee, except income specified in sub. (4) shall be deposited in the Parks and Trails Fund. With Board approval, a portion of this income may be deposited in the County Forest Fund. All monies received directly from the operation of the County Parks, including but not limited to fees and use permits, firewood sales, soda sales, ice sales, sale of timber stumpage, cut forest products, sale of building materials, sale of surplus materials and equipment, fire or other damage collections, or other revenue received by the Committee shall be deposited in the Parks and Trails Fund. With approval, a portion of this income may be deposited in the County Forest Fund, or the Parks and Trails Fund.

- (4) All monies received from the State of Wisconsin, Department of Natural Resources as wildlife habitat development grants shall be deposited in the Wildlife Management Fund

and shall be used for habitat projects which are identified in the County Fifteen Year Comprehensive Land Use Plan, and which benefit wildlife and its native plant and animal communities.

14.07 COUNTY FOREST USE REGULATIONS.

- (1) RECREATION. It is the desire of the County Board to promote, encourage, coordinate and implement a comprehensive long-range plan to acquire, maintain and develop for public use those areas of the County best adapted to the development of a comprehensive system of County recreation facilities and services.

Facilities and services include, without limitation because of enumeration, parks, forests, camping grounds, fishing and hunting grounds, related historical sites, highway scenic easements and other recreation programs, except spectator sports. The Committee will facilitate and encourage the use of these facilities and services by the public, with due regard for the protection of the natural resources of the County Forest and of overall environmental quality.

- (2) TIMBER CUTTING. Timber cutting regulations of the County forest shall be according to the provisions of Wisconsin Statutes and policy established by the Committee under such Wisconsin Statutes.