

City of Edna Bay - Emergency Meeting

1 — Meeting Date, Place and Call to order:

This Emergency meeting was held on Thursday, May 21st, 2015 at Edna Bay School. Mayor Richter called the meeting to order at 9:30 PM.

2 — Roll Call:

Heather Richter	- Mayor / Presiding Officer	(Present)
Karen Williams	- Vice Mayor / City Council	(Present)
Tyler Poelstra	- Clerk / City Council	(Present)
Myla Poelstra	- Treasurer / City Council	(Present)
Carleigh Fairchild	- City Council	(Present)
Doris Greif	- City Council	(Present)
Paul Haag	- City Council	(Present)

2.1 — Public Participants:

Russ Bartels	Charleen Bartels	Fran Wright	John Wright	Sharon Wargi
Joe Wargi	Lee Greif	John Dodson	Sue Crew	Ben Crew
Pat Richter				

3 — Consent Agenda:

A: Approval of Meeting Agenda:

The current agenda was read by Councilor (Mr.) Poelstra.

Consensus of the public attendants was taken in favor, and no objections were noted.

Motion:

Councilor Fairchild moved to pass the consent agenda as read.

- *Seconded by Councilor Greif*
- **Approved by unanimous vote of the council**

3.1 — Business:

Emergency Business:

- a: *City of Edna Bay and USFS Road Project Agreement discussion, decision and resolution.*

4 — **Emergency Business**

Item A – City of Edna Bay and USFS Road Project discussion, decision and resolution:

Mayor Richter introduced the item and described the purpose of the different documents provided by the USFS to the City to be accepted in order for the USFS to apply funds obtained for repairing the bridges and roads in the City.

She explained that the documents were designed for DNR to accept, however DNR has now indicated at the end of the USFS funding window that the proper entity for the USFS to enter into a coop with is the City of Edna Bay because they are the local road authority.

The documents are as follows:

1. Cooperative Forest Road Agreement
2. Road Project Agreement
3. Exhibit A for the Cooperative Forest Road Agreement
4. Exhibit A for the Road Project Agreement
5. Schedule A
6. Map detailing the identified roads

Mayor Richter said the documents expire in approximately 4 years, and there may be road maintenance agreements that need to be implemented in the future with the USFS. She made it clear that DNR would not issue an easement to the USFS, giving them control of the road, and the City cannot offer the USFS an easement as the road authority. Some language in the agreements was noted as not applicable to the City.

Mayor Richter had requested information regarding modifying the agreement, and the USFS denied the request to modify the document templates.

Mayor Richter indicated that the City could request that a new Exhibit be added to any of the agreements that outlined specific items and terms the City would accept if the agreement is signed. After discussion it was agreed that a new exhibit should be requested that states that the City cannot provide easement for the USFS, and has no power to do so, and clarify that right of way ownership cannot be obtained by the City for the purpose of this agreement.

Mayor Richter read back each document to the council and public in attendance. She noted that the City is not obligated to any cost sharing with the USFS for the activities outlined in the agreement. However, there is a \$1735 in-like-kind that may be necessary.

After further discussion, it was suggested that if the USFS is able to obtain an easement, they may be in a position to charge fees for commercial use of the road. It was agreed to request that the new exhibit being requested by the City also include terms that indicate the USGS is not to enact any permitting or usage fees for use of the roads outlined in the agreements. It was noted that the USFS may not be willing to implement the new exhibit, and discussion continued on whether or not the public and council would still be acceptant of an enacting the agreement even if they do not accept the requested terms proposed by the City.

Mayor Richter noted that there is no time to hold another meeting to discuss accepting these agreements, and that a decision must be made at this meeting.

Consensus of the public attendants was taken in favor of signing the agreements and returning them to the USFS; one participant was noted in objection.

Motion:

Mayor Richter moved that the City of Edna Bay agrees to enter into a cooperative Forest Road Agreement and a Road Project Agreement with the USFS including the requested exhibit additions as discussed, if approved by the USFS.

- *Seconded by Councilor Greif*
- **Heather Richter** - **Yea**
- Tyler Poelstra** - **Yea**
- Doris Greif** - **Yea**
- Myla Poelstra** - **Yea**
- Carleigh Fairchild** - **Yea**
- Karen Williams** - **Yea**
- Paul Haag** - **Nay**

5 – Persons to be Heard:

Councilor (Mr.) Poelstra and Councilor Fairchild noted they will not be present for the June 8th Regular Council meeting.

Councilor Haag noted his position on the road agreement and wanted it noted for the record that he is not comfortable with entering into this agreement without knowing more specific terms of their requirements on the City.

Adjournment

Councilor Fairchild moved that the meeting be adjourned.

Motion seconded by Councilor (Mrs.) Poelstra

Meeting adjourned at 10:45 PM.