

County waives fee for snowmobile alliance

By Amy Smith Union staff writer | Posted: Tuesday, February 3, 2015 9:21 am

JEFFERSON — The Jefferson County Parks Committee on Monday approved a motion to waive administrative fees in lieu of workers' compensation costs for the Jefferson County Snowmobile Alliance.

Committee members were asked whether the county should continue to require the alliance to provide workers' compensation and who should cover the cost. Workers' compensation is a form of insurance providing wage replacement and medical benefits to employees injured in the course of employment in exchange for mandatory relinquishment of the employee's right to sue his or her employer for the tort of negligence.

The snowmobile alliance currently grooms and maintains all snowmobile trails throughout the county through a group of volunteers. A portion of the costs to maintain the trails is covered by a state grant, which is funded from snowmobile licensure fees. Each county snowmobile alliance throughout the state is eligible for about \$46,875 in grant money to be used for fuel, insurance and other costs associated with maintaining county trails.

The Jefferson County Snowmobile Alliance previously had paid about \$900 for worker's compensation insurance, which alliance President Bob Bennett said the alliance opposes because the members maintaining the trails are volunteers and not employees of the county.

However, the law is muddy in regard to what is considered an employee because compensation is considered more than paid wages. Though the volunteers are not being paid wages for their services, they technically still are compensated through the grant money collected through the county. The volunteers keep track of expenses and hours worked, which are submitted to Jefferson County Parks Department, and then are provided with funds from the grant to cover those expenses.

Because the distinction between employee and volunteer is not clear cut, Jefferson County corporation counsel Blair Ward recommended the committee err on the side of caution.

"I don't see why we would want to put the county at risk," Ward added. "I don't think \$900 is excessive or unfair.

"If someone was injured, a judge could rule a so-called volunteer as a county employee and then the county would be required to pay disability of said person for the remainder of that person's life," he said.

Ward also noted that the alliance already has liability insurance that protects it from the risk of potential lawsuits, so workers' compensation is a logical act of further protection.

The Jefferson County Snowmobile Alliance members, however, feel that the insurance coverage is just another \$900 unneeded expense.

"We've talked to several counties, and they don't require it," Bennett said.

The committee voted 4-1 that the snowmobile alliance be required to continue purchasing worker's compensation insurance, with Supervisor Mike Kelly dissenting.

How the insurance coverage is paid for will, however, be altered.

Technically, the snowmobile alliance still will pay for the worker's compensation insurance, but now, thanks to the waiving of an administrative fee, it will have a little more than \$1,000 extra in its budget to pay for it.

Previously, the Jefferson County Parks Department awarded itself a portion of the grant funds to cover administrative fees related to the snowmobile alliance. The county board had approved a fee of up to 5 percent, but over the years, Parks department director Joe Nehmer said, the department has averaged a fee of about \$1,100.

Nehmer noted that of the \$1.4 million the snowmobile alliance has been awarded since its conception, the parks department has taken about \$4,000 for administrative fees.

The committee ultimately agreed that the benefits the snowmobile alliance provide for the county outweigh the loss of a few-hundred dollars.

"We are really fortunate to have the snowmobile alliance we have, and I think we should support them any way we can," Kelly said. "It is a great economic benefit to the county to have a strong alliance."

In other business, the committee:

- Discussed a request to plow the Glacial Area Heritage Trail.
- Denied a request to rent the Mason Log Home in Dorothy Carnes County Park.

The building was never intended to be used publically for meetings or gatherings, but, rather, as a historical museum.

- Received an update on the handicapped-accessible fishing wharf on Blackhawk Island. The wharf will be installed in early spring, weather permitting.