THE VOICE OF THE TIMBER INDUSTRY

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THE VOICE OF THE TIMBER INDUSTRY

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A stand of pine trees in Aitkin County after a December snow.

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MLEP and LogSafe Training • A

s I write this article the snow is falling outside and the winter logging season is in full swing. Where did our fall go?

With the end of fall comes the fall timber auction calendar which seems to be a little

President's Column



confusing

with the

DNR's

new

helpful.

The economy for the timber industry seems to be getting worse with the shutdown of the Ainsworth plant in Bemidji. We can only hope things will improve soon.

Hopefully this winter's fuel problems will be less of an issue since the TPA got an exemption so we will not have to run biofuel in our woods equipment.

With that being said, have a great Christmas holiday season and remember to always be safe.

Mulael Ruge

Sincerely,

After studying logger education in Minnesota, a multi-agency task force on continuing education for forestry professionals is recommending that one entity provide most of the logger training now handled by MLEP and LogSafe.

Task Force Recommends Integrating

The study was conducted by the 14-member Forest and Natural Resource Continuing Education Capacity Building Project, sponsored under the Blandin Foundation's Vital Forests/Vital Communities Initiative. The task force recommends retaining both MLEP and LogSafe as separate entities and interests but revises the manner in which their continuing education functions are coordinated.

Among the major recommendations of the task force:

- LogSafe should continue to provide on-site consultation services and should contract with MLEP to handle other logger safety training.

 LogSafe's on-site consulting function should be retained within the Minnesota Department of Labor & Industry.
- Required training (LogSafe and MLEP combined) for loggers

- should be reduced from 32 hours to 24 hours every two years
- LogSafe should continue its logger rebate program

The report suggests these changes take place by April 2009. Both MLEP and the Department of Labor and Industry endorse the recommendations.

The task force was charged with reviewing current practices and devising a strategic plan of action for the delivery of ongoing education and training services for Minnesota professionals in the fields of forest management, forestry, timber harvesting, and natural resource management.

Among those serving on the 14-member task force were MLEP Executive Director Dave Chura, and Michael Houliston of the Minnesota Department of Labor and Industry, which oversees LogSafe, as well as representatives from the Minnesota DNR, the University of Minnesota, Minnesota Forest Industries, the U.S. Forest Service, and the Minnesota Forest Resources Council.

The entire report can be found at: http://www.mlep.org/Documents/VFVCFinalReport110408.pdf

ne of the things that we've been hearing around the woods lately is why do we need public wood so much with the industry in the doldrums. It's a question that needs answering.

Before the recession when all of the mills were still running flat out there was a significant shortage of wood on the market in our state. This resulted in several things happening as the marketplace

President's supply. Column Minnes increase

sought supply. Imports of wood into Minnesota increased dramatically.



For a period of time we were importing over six hundred thousand cords of wood, primarily aspen, from Ontario.

Additional imports were coming from other states and provinces.

We also saw stumpage prices increase dramatically. These unsustainable prices brought a lot of private wood to the market.

Today and for more than a year the imports from Canada have dried up. This is the result of currency fluctuations and market conditions in Canada.

Wood being brought to market by private landowners has also decreased significantly. Many landowners still think that aspen should sell for fifty dollars a cord or more on the stump and are waiting to see if those prices return. Some harvested their mature stands already.

So imports have dried up and private wood decreased significantly. These two factors alone make up more than the supply for mills that have shut down or scaled back. That's why we need public timber now more than ever.

If public timber sales are restricted during this downturn we will return to the unsustainable uneconomic stumpage prices that we had several years ago. If this happens our timber industry recession could turn into a long term depression.



A giant was stilled with the

passing of Irv Anderson. He served our region and state in the House of Representatives for parts of five different decades including stints as chair of several committees, as Majority Leader and as the Speaker of the House.

I always got along well with Irv though he was a complex person. He was a fighter for our region and way of life here in northern Minnesota even though he sometimes clashed with his friends.

I will always recall an incident late one session when Irv was Speaker. Our top three issues were still hanging fire in the final days. I spoke with one of his chief lieutenants just off of the House Floor. As I was expressing my concern about the status of our issues he handed me a note card from his pocket. The card listed five issues. His lieutenant said that these were the five issues that would pass before Irv allowed the session to adjourn. All three of our issues were on the list of five. And, they all passed and became law.

When Irv was your friend and supporter there was no one better.



In the last issue of the *Timber* Bulletin I wrote about safety in our personal lives. I should have sent the magazine to my mother because she fell and broke her ankle recently. It does cause me to wonder if she would have been more careful if I had visited with her about this. Mom is otherwise healthy and bright, believe me you don't want to debate her as I've lost more than I've ever won with her. But, a broken ankle or a broken hip can be devastating at age 83. She's on the mend now and we hope for the best.

Don't be like me wishing you'd had that talk with your crew about safety. As we head into the peak winter season take the time to have regular safety meetings. You don't want to be in the position of regretting not having done so.



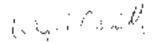
Steve Earley has retired from his position as Woodlands Manager at Boise. He has been a rock for this industry during my years here. Steve was always a big supporter

of TPA. He never meddled but always wanted to make sure the organization was doing well and always asked if there were things that he could do to help TPA. I've appreciated his advice, counsel and friendship for twenty years. Steve decided that he didn't want his young family to grow without knowing him or him knowing them. It's the kind of decision that many talk about but few are willing to act on. I wish him the best.



As the year draws to a close it is always a good time to reflect on things. 2008 was very difficult for many economically and for some of us personally. It is easy to get down in these times but it is better to think about our blessings and look forward. For me, I have a great family – kids who are on their way and doing well; a job that I love, working for great people on issues that I care deeply about; dedicated, fun and hard working people in our office and business relationships; in TPA an organization that has stood the test of time. While 2009 will present strong challenges for all of us I know that we will strive to overcome them and thrive. We will deal with the challenges while not letting them consume us. We will make time for the people and things that are important to us and make our lives whole.

Happy holidays to each of you.



Member Feature...



Left to right: Dean Haley, Jeff Haley, and David Haley of Haley Logging at their job site just south of Side Lake.

Carrying the Torch

Brothers in Haley Logging Co. Continue their Family's Tradition

by Ray Higgins

t's a legacy they cherish, that of third generation loggers in Northern Minnesota. There have been other opportunities; the three Haley brothers all went off to college, looking to do something other than follow their father into the logging business. They all came back home.

Take Jeff Haley, age 42. He went out east to college, but after two years he returned to his hometown of Bigfork. He wasn't just homesick. "Woods-sick," he joked.

Brothers Dean and David know the feeling. Dean, age 34, completed one year of school at Bemidji State before coming back to Bigfork. David (36) earned a degree from Bemidji State in physics with an engineering emphasis. His goal was to go to

work at Polaris and make snowmobiles, but he never pursued it and came back, too.

"I realized my family was more important than moving away. I wanted to stay close to my family," David said.

So together they work – David in the buncher, Dean in the limber, and Jeff in the slasher – in Haley Logging Company, continuing the family tradition started back in 1924.

That's when their father's uncle started working and living in the logging camps. Their grandfather was in it too, and along came their father Red, even working alongside German prisoners of war during World War II who were sent here to help in the camps.

Red's father and uncle eventually left the business in the early 1960s.

Having earned an accounting/business management degree at Bemidji State, Red went into business on his own, buying his first skidder.

"When he first started off on his own," Dean says, "it was just him, my mom, my sister, and Jeff and they lived in this little shack and he just towed it from job to job. Then when it was time for the kids to start school, they bought the house just north of town."

But Haley Logging thrived. When the boys were old enough, they helped out in the woods. Eventually they all came to realize that's where they belonged. All three are married and are raising families in the area. Jeff and Dean are still in Bigfork (Dean's right across the road from his parents' place) and David lives with his wife and kids in Grand Rapids.

"I think we all love the woods," David says. "We'd rather sit and look at this rather than buildings or walls. Our office changes every day."

"The other thing is, it affords us the lifestyle of living in this part of the state," Dean says.

Over the past few years, the brothers have taken more prominent roles in the company while Red has reduced his. At age 67, Red helps out whenever asked with slashing, Cat work, and paperwork. Janice helps out with bookkeeping. Otherwise, Jeff, David, and Dean are equal

(continued on page 10)



Red and Janice Haley have reduced their roles in Haley Logging, but still keep an eye on the business and help their sons in any way they can.



Dean Haley operates the John Deere 2054 de-limber with a Limmit 2000C. The Haleys also have a Limmit on a John Deere 690.



This Timberjack 460 skidder is operated by Bryan Hoyt, a Haley nephew. Myk Hagblom also skids for the Haleys in a Timberjack 460C.

(continued from page 8) partners, bouncing ideas off one another, coming to a consensus as decisions are made.

"We pick Dad's brain and then we do it to each other," David says. "There are four heads, not one, so that's kind of nice. Not all the pressure's on one person. We can share responsibility."

"Dad still has a tremendous amount of influence here," Dean says. "There are so many years of knowledge and experience between his ears that he can save us a lot of money and a lot of struggle.

All of that wisdom is a valuable asset that has come in handy time and time again.

"Three or four years ago," Dean says, "when the price of stumpage really started to go crazy, Dad was saying, 'don't get tangled up in that. The industry can't support it.' Thank God we didn't get into it too

badly. We had a couple of sales we had to turn back, but not as bad as some guys. And after it was all said and done, we realized we were smart to have listened to him.

"It's teamwork," he says. "That's not to say it goes without disagreements and some headbutting every once in a while, but overall, you get over it."

In fact, spend some time with the brothers and you'll see they get along great, giving each other the needle, making each other laugh.

"We like to have fun," David says. "We like to play jokes, pick on each other. You have to be able to laugh."

That's a valuable trait in today's economic conditions. Tightened markets are affecting everyone in one form or another. A big issue is finding good help.

That's not to say the folks working for them now aren't excellent. Bryan Hoyt (he's a Haley nephew) and Myk Hagblom run skidders, and Mike Francisco, Gene Autio, and Mike Westphal do the hauling. But the Haleys have a cutto-length operation (a Timberjack 1270D harvester and a Fabtek forwarder) and a conventional operation sitting idle because they don't have the markets. Even if they did, it would be difficult to find qualified people to run it.

"What we're doing is we're running our best conventional equipment full-bore," David says, "and the other stuff can just sit until things change. Margins are a lot tighter right now. It's definitely been a lot more difficult the last couple of years, but I think it'll get better."

Fortunately, the Haleys have enough wood to cut. Eighty percent of their wood goes to Blandin – Haley Logging is one of the mill's longest-tenured contractors – and what doesn't go



David Haley runs one of two feller-bunchers owned by Haley Logging, a Timbco 425 EXL, in an aspen stand. The Haleys also have a John Deere 653 buncher.



Jeff Haley operates the Serco 300 loader/slasher.

there ends up at Sappi, Potlatch, Boise, or Futurewood.

"We're proud of our association with Blandin," David says. "They have tough standards, but I think it just makes us better at what we do."

The Haleys' current job site is typical. It's a state sale just south of Side Lake with 750 cords of aspen, 230 cords of pine, and some balsam, spruce, and birch. Everything but the pine is going to Blandin, and the pine will head to the Potlatch mill in Bemidji. They're trying to get wrapped up here because with the Minnesota firearms deer season in full swing, they want to take some time off before those 60-hour weeks kick in after Thanksgiving. Diesel prices have dropped and stumpage prices are down, too, leaving the Haleys optimistic as the winter logging season begins.

"You have to work hard," Jeff says when asked for keys to the company's success, "and work smart."

"You have to keep your costs down," Dean says. "Try and be as efficient as possible."

"And have a good team," David adds.



Mike Francisco loads aspen, birch, and pine to be transported to the mill. Gene Autio and Mike Westphal also drive truck for Haley Logging.

"There are a lot of things that are dictating what's happening in the market right now that we have no control over," Dean says.

"You have to adjust to it," David says.

says.

"The main thing," he says jokingly, "is to find a father who builds a business for you. It helps."

The brothers share a laugh, acknowledging this might be the biggest key to why Haley Logging continues to thrive.

"Dad was successful," David says, "and we're trying to follow his lead."

"We're just carrying the torch," Dean says.

TPA Loggers Participate in Log-A-Load Harvest

Cohasset – TPA loggers, in association with Minnesota Power and other timber industry partners, took part in a harvest through the Log-A-Load for Kids program, which helps children with developmental disorders like cerebral palsy and spina bifida.

The timber was harvested from a five-acre site at Minnesota Power's Blackwater Environmental Learning Area near Cohasset. The thinning produced 90 cords of pine, jack pine, and white spruce. Among the TPA member logging companies who took part were Scheff Logging and Trucking Inc., Knaeble Timber Inc., Filipiak Logging LLC, Jerry Demenge Trucking, Dobbs Logging, and Hasbargen Logging. These companies donated various services, including harvesting and hauling the wood, as well as moving all of the necessary equipment free of charge. In addition, Minnesota Power

donated 100 cords of wood. UPM Blandin, Boise, NewPage and Potlatch all purchased the products from the harvest, and Davis Petroleum and Rainy Lake Oil donated fuel for the harvesting and hauling of the wood.

The total proceeds from the harvested timber will provide approximately a \$10,000 donation to Minnesota Log-A-Load For Kids.

"We are excited to see so many timber products partners come together for this great cause," said Matthew Radzak, Minnesota Power land manager and Log-A-Load advisory board member. "This is an important service for children in our region and we're glad to be a part of it."

The harvest was also an educational opportunity for area students. More than 100 sixth-graders studying forestry were bused, along with their teachers, to the site to view the harvest. Foresters and land management

staff from Minnesota Power and UPM-Blandin Paper broke the students up into small groups for the educational sessions.

Log-A-Load for Kids, a nonprofit group supporting Children's Miracle Network, donated all proceeds from the harvest to Gillette Children's Specialty Healthcare in St. Paul, Minn. Donations to Gillette help support Mobile Outreach Clinics, which bring specialized medical care within easy reach of hundreds of children living with cerebral palsy, spina bifida and other developmental disorders in Itasca and St. Louis counties. By bringing Gillette services directly to the community, Mobile Outreach Clinics save northern Minnesota families mileage, gas money and countless hours of travel time.

Roughly 40 area families currently use services through Gillette.



Sixth-graders from Robert J. Elkington Middle School in Grand Rapids with a trailer full of wood on the back of a Demenge Trucking and Forest Products Truck at the Log-A-Load for Kids harvest.

Pittack Named Regional Logger of the Year

he Forest Resources Association's Lake States Region and Stihl Incorporated has recognized Scott Pittack of Bovey as the region's 2008 Outstanding Logger. Stihl Incorporated presented the award to Scott during FRA's Lake States Region Awards ceremony in Escanaba, Michigan on Oct. 21. Pittack becomes a nominee for FRA's National Outstanding Logger recognition.

In April, Pittack was named Minnesota Logger of the Year by the Minnesota Sustainable Forestry Initiative® Program Implementation Committee.

Scott is the third generation of the Pittack family that has been involved with logging, and with his son Joe working with him it is now a fourth generation family business. In fact, the whole family is involved in the business. In addition to his son, both of Scott's parents, Lowell and Judy, and his wife, Lisa, are involved in running Pittack Logging. Scott also has three full-time employees to complete his crew.

Pittack serves on TPA's board of directors and is secretary of the TPA Executive Committee, as well as chair of the TPA Public Relations Committee. Pittack Logging is also a member of Minnesota Logger Education Program, and Log Safe.

FRA's Outstanding Logger Award program is designed to recognize outstanding independent logging contractor performance, raise the visibility of professional logging contractors, encourage other loggers to adopt the performance of the award winners, and improve forester-loggerlandowner relations by publicly recognizing outstanding logging performance as an essential element of every planned timber

Nominated logging companies are judged on whether safety is a major part of the individual's business practices and programs and how much the individual or company is involved in community and industry activities, as well as the company's professionalism, business management, and forest



Scott Pittack (C) and wife, Lisa, receive a Stihl chainsaw as part of Pittack Logging's Great Lakes Region Outstanding Logger award. Making the presentation is Eric DuChateau of the Stihl Corporation.

management practices.

The Forest Resources Association Inc. is a nonprofit trade association concerned with the safe, efficient,

and sustainable harvest of forest products and their transport from woods to mill. FRA represents (continued on page 14) (continued from page 13) wood consumers, independent logging contractors, and wood dealers, as well as businesses providing products and services to the forest resource-based industries.

North Star Expo Returns to Grand Rapids in 2009

Ifter two successful years in Bemidji, the North Star Expo is returning to Grand Rapids next

The 56th Annual Expo will be held at the Itasca County Fairgrounds in Grand Rapids on Fri. and Sat., Sept. 18 and 19.

"We're excited to be bringing the Expo back to Grand Rapids, said TPA Expo committee chair Joan Pomp. "Bemidji did a wonderful job embracing our event, and we'll be back there someday. But now it's Grand Rapids' turn to host our event. The Itasca County community has always welcomed us with open arms and we're looking forward to being back there in 2009."

TPA members and Expo vendors were surveyed as to whether the Expo should continue to be held in September, and whether other days of the week were preferred. Both members and vendors preferred the Friday-Saturday dates in September, similar to what has transpired in recent years.

Mark Your Calendar

ere are some of the events in the coming months you'll want to make sure are on your calendar:

April 7 & 8 – Tower Logger Conferences, Fortune Bay Lodge and Casino

April 14 & 15 – Walker Logger Conferences, Northern Lights

Sept. 18 & 19 – North Star Expo at Îtasca County Fairgrounds în Grand Rapids

For more information on any of these events, call the TPA office at 218-722-5013.

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Early Loggers in Minnesota

VOL 14 VOL. (V by J. C. Ryan First-hand recollections by storycoller

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DNR Plants Billionth Seedling

n an historic event at General Andrews Nursery in Willow River, Minnesota DNR Commissioner Mark Holsten used a tractor to hoist a bed of seedlings – including the onebillionth seedling grown at the state forest nurseries – and put it into cold storage for overwintering.

Timber Talk

The billionth seedling will then be planted in a ceremony to be held in spring 2009.

"This event highlights an 80-year

commitment to the sustainable management of Minnesota's forest resources," Holsten said. "Seedlings like the ones we put in cold storage today will be part of the solution in meeting the conservation challenges of the coming decades."

He added that Minnesota's forests and brushlands will be a significant tool in not only removing excess carbon from our atmosphere, but in providing habitat for wildlife and a renewable energy resource for the future

Although the event happened at a state forest nursery, Minnesota's public and private nurseries work hand in hand in producing and planting tree seedlings for conservation purposes. The seedlings have been used to create windbreaks, establish erosion control, reforest riverbanks and streambanks, reestablish wildlife habitat and support the state's strong wood fiber industry.

State forest nurseries are operated by the DNR's Division of Forestry and include General Andrews Nursery at Willow River and Badoura Nursery at Akeley. They have been producing seedlings since the early 1930s.

LUA Leadership Changes

shering in a new era of corporate leadership, Lumbermen's Underwriting Alliance has announced the following changes.

Jan Carlsson has been promoted to the position of chief executive officer of the company, succeeding Christine



DNR Commissioner Mark Holsten (L) and Division of Forestry Director Dave Epperly assisted with the one billionth seedling grown at state forest nurseries

E. Lynn, who will remain active as chairman of the board. Carlsson brings a high level of analytical skills and progressive thinking to the position, and takes great pride in surrounding himself with competent and willing individuals focused on the success of the organization.

Aiding in these efforts is Michael E. North, who has been promoted to president and chief operating officer. Mike succeeds Ed Mosher who announced his retirement earlier this month following 30 years of dedicated service to the company. Recognized for his foresight and strong management capabilities over the past two decades with the company, North looks forward to the added challenges that accompany his new position, as well as the opportunity to enhance LUA's value-added partnerships with its subscribers.

Market-Related Contract Term Addition and Emergency Rate Redetermination

he 3rd quarter (July-September) 2008 was another qualifying quarter for Market-Related Contract Term Addition (MRCTA) for contracts using both the Hardoowd Lumber Index and the Softwood Lumber Index. Starting with the third quarter of 2005, this is the 13th consecutive

qualifying quarter for the Softwood Lumber Index, and it's the third consecutive quarter for the Hardwood Lumber Index, starting with first quarter of this year.

Pursuant to the 2008 Farm Bill, the maximum amount of MRCTA time that a contract awarded prior to Jan. 1, 2007, may be eligible to receive is further limited to a total of four years but may not result in the total contract length exceeding 10 years. Alternatively, pursuant to the Sept. 10, 2008, finding of Substantial Overriding Public Interest the maximum amount of MRCTA time that a contract may be eligible to receive is limited to a total of four years, the total contract length may exceed 10 years, provided the adjusted termination date is not set past Dec. 31, 2013. Both the 2008 Farm Bill and the Sept. 10, 2008, finding of SOPI contain other restrictions and conditions for MRCTA time in excess of amounts stated in the contract. Contracting Officers must address the specific restrictions and conditions when processing requests for additional contract time under those authorities.

Contracting officers should also adjust periodic payment dates that have not been reached when authorizing MRCTA. If a periodic payment date stated in the contract was reached prior to Oct. 1, 2008, the periodic payment is due and cannot

(continued on page 18)

On the Markets

The Timber Bulletin publishes information regarding results of a sampling of recent timber sales and other market indicators, as well as other market-related news items.

Recent Timber Sales Average prices, as reported by each agency

ote: On state sales, the DNR does not calculate price per cord on individual auctions. Price per cord information on these sales is done by TPA staff. This average is for "trembling aspen" and "aspen species" combined, unless otherwise noted.

Average prices are for the combined regular and intermediate auctions.

Cass County

October 30 - Sealed Bid

<u>Species</u>	Avg. Price
Aspen	\$30.44
Birch	\$21.29
Red Oak	\$31.71
Maple	\$17.27

Koochiching County

November 12 – Oral Auction

<u>Species</u>	Avg. Price
Aspen Pulp/Bolts	\$29.02
Spruce Pulp/Bolts	\$20.15
Balsam Pulp/Bolts	\$16.43
Balm Pulp/bolts	\$23.49

St. Louis County

November 20 - Sealed Bid

Overinger to beared	DIG
<u>Species</u>	Avg. Price
Aspen Pulpwood	\$28.59
Birch Pulpwood	\$12.11
Black Spruce	
Pulpwood	\$23.78
Balsam Fir Pulpwood	d \$19.86

Cass County

November 26 – Sealed Bid

<u>Species</u>	Avg. Price
Aspen	\$29.96
Birch	\$21.04
Maple	\$14.60

Itasca County

November 25 – Oral Auction

<u>Species</u>	Avg. Price
Aspen	\$27.42
Balsam	\$25.42
Black Spruce	\$29.97

Paper Birch \$ 9.57 Red Pine \$66.03

DNR - Littlefork Area

December 1 – Oral Auction

Species	Avg. Price
Aspen	\$24.44

Clearwater County

December 2 – Oral Auction

Species	Avg. Price
Aspen	\$28.67
Basswood	\$ 2.00
Oak	\$ 7.44
Jack Pine	\$23.48

October Housing Starts **Lowest Since 1959**

.S. housing starts were at a seasonally adjusted annual rate of 791,000 units according to figures released by the U.S. Census Bureau. That's the lowest rate since the government began keeping records in 1959. The October rate was down 4.5% from September, and 38.0% below the October 2007 estimate.

Building Confidence Plummets in November

he National Association of Home Builders/Wells Fargo Housing Market Index that measures builder confidence in the market for new single-family homes fell to its lowest point since the index was created in 1985. The index sank five points to a reading of 9, as worsening problems in financial markets, job market weakness, and overwhelming uncertainty about the economy continued to negatively affect consumer behavior, according to index publishers.

Consumer Confidence Rises in November

hanks to falling gas prices, the U.S. Index of Consumer Confidence rose nearly 16% in November from the previous month. The monthly index, compiled by the Conference Board, was at a record low of 38.8 in October, but rose to 44.9 for the month of November. The "present situation" portion of the index fell slightly from the previous month, but the "expectations" component of the index was up thanks to lower gas prices, accounting for most of the gain.

DNR Participates on U of M Study on Sealed Bid Auctions

ith the sealed bid auctions in the Northwest and Northeast Regions, the DNR required all bids to be submitted as "paired bids" as part of a with the University of Minnesota and the Minnesota Forest Resources Council to evaluate state timber sale policies.

Roughly half the tracts were offered with both 2-year and 5-year permit durations and the remaining tracts had two different base prices: one "normal base and one with a 50% reduction. On each tract, the interested bidder had to submit separate sealed bids addressing each scenario. After the bid submission deadline, the scenario for that tract (either permit duration or base price) was to be randomly determined. The bids for the selected scenario were opened with the tract awarded to the

(continued on page 18)

Timber Talk

(continued from page 15)

be extended under the 3rd quarter CY 2008 adjustment. All MRCTA is subject to limitations stated in the applicable MRCTA provision in each contract unless superseded by the 2008 Farm Bill or the Sept. 10, 2008, finding of SOPI. Contracting officers must promptly notify purchasers who have contracts eligible to receive a MRCTA and advise them of the procedures for requesting the adjustment.

The instructions above pertaining to the 2008 Farm Bill and the Sept. 10, 2008, finding of SOPI apply to sales using the Hardwood Lumber index. In addition, Contracting Officers should review the instructions in the July 17, 2008, MRCTA letter for contracts using the Hardwood Lumber index that were awarded prior to Sept. 30, 2005.

The third quarter of CY 2008 was not a qualifying quarter for contracts using the Wood Chips Index PCU3211135.

The September 2008 Bureau of Labor Statistics data did not trigger any new qualifying months for emergency rate redetermination. Please contact your timber sale administrator to determine whether or not any contracts you are holding may qualify for additional MRCTA.

Man Indicted for Allegedly Starting BWCA Fire

he U.S. Attorney's office announced that a 64-year-old man from Washington, D.C., Stephen Posniak, has been indicted for allegedly starting the Ham Lake Fire that burned in the BWCA and Superior National Forest in 2007.

By the time it was contained, the fire had burned 36,443 acres in the United States, and when land in Canada is included, more than 75,000 acres in total. That makes it the largest forest fire in the region in at least a century.

The indictment alleges that Posniak started a fire within the Superior National Forest, that he left without totally extinguishing, and that he allowed the fire to burn out of his control and burn unattended.

It also alleges that Posniak gave

false information to the U.S. Forest Service, by saying he encountered the out of control fire already burning.

Superior National Forest supervisor Jim Sanders says he is happy to have an outcome of the investigation, and they look forward to the next phases.

"Hopefully this brings some closure to the folks on the Gunflint, and we appreciate all of the work done by the U.S. Department of Justice and the staff at the Forest Service," Sanders said.

On the Markets

(continued from page 16)

individual submitting the highest eligible bid for the permit duration selected. The bids for the scenario not selected were discarded.

The study and the resulting auction procedures are the result of a recommendation from the 2006 report by the Governor's Task Force on the Competitiveness of Minnesota's Primary Forest Products Industry to research stumpage prices and timber sale pricing in the state. The study results are expected to be released in June 2009.

Liquidated Damages Schedule Developed

he 2006 Minnesota Legislature authorized the DNR to develop a schedule for liquidated damage charges for minor contract violations. Previously, these minor contract violations were covered by more stringent timber trespass statutes, which included such penalties as permit suspension and

halting operations, as well as prosecution under trespass statutes. Those penalties will continue to be used for more serious violations or where a pattern of violations develops.

According to the DNR, apparent contract violations will be thoroughly investigated by the timber sale administrator and

reviewed by the Region Timber Program forester prior to issuing a liquidated damage charge. As with any permit dispute, a liquidated damage charge may be appealed through the Area Forest Supervisor.

The liquidated damages schedule is printed below, and can also be found at www.dnr.state.mn.us/ forestry/timbersales.



Minnesota Department of Natural Resources

Division of Forestry

Liquidated Damage Schedule

MS 90.151 Subd. 15. Liquidated damages. The permit may include a schedule of liquidated damage charges for breach of permit terms by the permit holder. The damage charges shall be limited to amounts that are reasonable in light of the anticipated or actual harm caused by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of otherwise obtaining an adequate remedy.

Violation Type	Minimum Charge	Notes
90.151 (2) Failure to post landing	\$25	Waive if landing was vandalized
90.151 (6) Failure to give notice, receive approval to start operations, or attend presale meeting	\$250	\$500 for subsequent incidents
90.151 (6) Failure to obtain prior approval of road or landing locations	\$250	\$500 for subsequent incidents
90.151 (4,7) Damage to residual timber	\$25/tree	Bark is removed from over 10 percent of stem circumference or crown damage exceeds 30 percent of live crown, on 5 percent of the desirable crop reserve trees
90.151 (8) Non-compliance with slash requirements	\$100	
90.151 (8) Violation of Rutting Metric	\$250	
90.151 (2) Unmarked load	\$250	
90.151 (2) Failure to deposit load ticket in lock box	\$50	If all other scale requirements are met. \$100 on second offense, trespass on third
90.252 Hauling to mill not listed on state's consumer scale agreement	\$250	If all other scale requirements are met
90.252 Failure to return unused load tickets and/or books	\$50 flat rate	
90.145 1(d) Absence of site supervisor	\$200	When absent more than two days; objective is effective supervision
90.145 (2) Providing false registration information	\$200	Warning to be included on registration form Emphasize need for correct tax identification and number of employees
Ignoring foresters directive regarding cutting or skidding restrictions	\$200	

Lessons from Losses

Proper Hot Work Procedures Could Have Prevented Fire

o help TPA members avoid accidents resulting in injury or damage to property, the Timber Bulletin, in association with Lumbermen's Underwriting Alliance, will publish details of actual incidents and what can be done to avoid such occurrences n the future. By sharing this information, TPA and LUA hope to make our industry as safe as possible.

by Dave Amundson Lumbermen's Underwriting Alliance

Background: The equipment involved was a Morbark chipper and a Hood loader. The loader unit was equipped with one 10-pound multi-purpose fire extinguisher, and the parts trailer located on the landing had two 10-pound extinguishers. Manual electrical disconnects (master switch) are on all equipment. Maintenance and housekeeping was rated as good. The skidder was recently powerwashed and the rest of the machines were scheduled to be washed at the next move. Most maintenance needs are completed in-house with the exception of large-scale maintenance.

On the day of this incident, the weather was mostly cloudy and dry with temperatures in the low 70s during the mid-morning hours with a light southeast wind. In general, the weather had been very dry for the previous few weeks and the humidity very low. A weather change was just starting to occur later that day, with some wet weather moving into the area.

The job site was located approximately 1½ miles from the nearest city, just off a county blacktop road. The actual landing was only 75 yards from the roadway on a good access roadway.

Operator: The operator (family member) had eight years' logging experience working for another logging company and has been involved with this company for just under two years. This individual is very ambitious with a good work

ethic. He is considered trained in equipment operation and woods work.

Incident: On a Saturday at approximately 9:25 a.m. a fire destroyed the loader and damaged the chipper unit. At this job site they were logging a mixed hardwood stand of aspen, maple, basswood, etc. and were approximately 75% complete with this sale. On this day, the owner and operator were going to complete some maintenance and improve the access door enclosing the chipper head. These two individuals first met at the owner's home/shop area to discuss tools and supplies needed to complete this task. As they were getting ready to go to the logging job site, the owner received a phone call and the operator went ahead and was going to start prepping the job until the owner arrived. They estimated the owner was behind by approximately 20 minutes. When checking what was needed to complete the job, the operator made the decision to start the grinding process on the access door area of this chipper unit. While focusing on the job at hand, sparks

ignited some wood waste beside the chipper unit and the southeast wind blew the fire under the chipper unit. The fire quickly grew, creating a stronger wind which blew the fire squarely into the loader unit. These two units work together, with the hydraulic system on the loader unit supplying power to the chipper unit. The feeder hoses between the loader and the chipper were believed to be the path of the fire. As the operator worked to extinguish the fire with the two extinguishers from the equipment, the fire continued to grow on the other side, spreading quickly to the loader unit. By this time, the operator had called 911 and the fire department responded in approximately 8-10 minutes. This operator continued to fight the fire until the fire department arrived and the fire had grown to a level where hand-held extinguishers were too small. The fire department extinguished the fire using water and foam.

Due to the height of the loader, the heat rise, and direction of the wind, the loader received severe damage. The slasher unit and the loader boom/bucket – both part of

7200 Volts vs Log Truck - Volts Win

his is why you must be careful when working around power lines.

It happened in July in Jackson, Tenn. The driver of what used to be a truck and trailer was attempting to throw the logging cable over the logs to secure them. As you can see, he hooked the electric line instead!

The tires began to fry within seconds, but the driver was a very lucky man. He survived, but could easily have been fried bimself!



All who haul timber should keep this photo in mind and remember to maintain the proper distance away from the power lines.

the loader unit – may have some salvage value. The chipper unit received damage to the hydraulic controls, hoses, etc. The power unit and chipper head may have some salvage value and repair maybe considered. No injuries occurred.

Unsafe Act and/or Condition: Here are some unsafe acts that contributed to this human error mishap.

- Operator didn't use HOT WORK PRACTICES!
- Operator did not move machine to a safe location (with a clean hard work surface, etc.) away from other equipment.
- Operator did not wait for the spark watcher to arrive.
- Operator did not thoroughly clean before the job.
- Operator did not bring the power washer and water supply to wet down before and
- The current dry conditions (low humidity) creating a very dry environment.

The cause of this fire is poor **HOT WORK** practices, and being too aggressive in getting the job done quickly. Sometimes you need to slow down to go faster! The dry conditions worsened this situation. However, **PROPER HOT WORK** PROCEDURES need to be utilitzed every time, all the time.

Preventative Measures:

- 1. Enforcement of safe **HOT WORK PROCEDURES** with all employees and independent welders. Also, review what hot work situations (grinding, use of open flame, welding, etc.) are needed, and which can be completed without being in the field so a fire situation does not occur.
- 2. Complete proper work procedure (emergency response, equipment operation, maintenance, housekeeping, etc.) training and refresher training for all new and existing employees. Being sure your

- employees understand the tasks at hand will complement the safety of both your personnel and equipment.
- 3. Practice fire extinguisher use and discuss the dos and don'ts when using this fire protection. Discussing this topic, including hands-on practice, will help in your preparedness in an
- emergency situation.
- 4. Always utilize the electrical disconnect (master switch) on your mobile equipment during shut down, during maintenance, and in an emergency situation. Refresher training for all employees and temporary operators needs to be reviewed regularly.

MSP Provides Info on Implements of Husbandry

he Minnesota State Patrol provided TPA with the following information regarding the recent changes in statute regarding implements of husbandry.

Minnesota statutes pertaining to implements of husbandry were amended during the 2008 Legislative Session. The intent of the changes was to bring the definition of an implement of husbandry up to date with what is actually happening in the farming and timber industries. In addition to a revised definition, the majority of provisions for the operation of implements of husbandry were compiled into one statute. Previously, the many provisions had been scattered throughout various sections. While many of these provisions are unchanged, they are now in one easy-to-find location.

The main premise to keep in mind when operating as an Implement of Husbandry is that all provisions of the statute must be adhered to at all times. If any of these laws are violated, the vehicle and driver would be subject to all pertinent laws. These could include rules and regulations pertaining to registration, insurance, commercial driver's license, driver qualifications, oversize load permits, vehicle equipment, annual inspection, driver's daily inspection, hours of service, and drug and alcohol

The revised statutes are provided for your information.

Minnesota Statutes 2006, section 169.01, subdivision 55, is amended to read:

Subd. 55. **Implement of husbandry.** "Implement of husbandry" means a self-propelled or towed vehicle designed or adapted to be used exclusively for timber-harvesting, agricultural, horticultural, or livestock-raising operations.

169.801 IMPLEMENT OF HUSBANDRY.

Subdivision 1. Exemption from size, weight, load provisions. Except as provided in this section and section 169.82, the

provisions of sections 169.80 to 169.88 that govern size, weight, and load do not apply to an implement of husbandry. Subd. 2. **Weight <u>restrictions</u>**. (a) An implement of husbandry that is not self-propelled and is equipped with pneumatic tires may not be operated on a public highway with a maximum wheel load that exceeds 500 pounds per inch of tire width.

(b) After December 31, 2009, a person operating or towing an implement of husbandry on a bridge must comply with the gross weight limitations provided in section 169.824.

Subd. 3. **Hitches.** A towed implement of husbandry must be equipped with

(1) safety chains that meet the requirements of section 169.82, subdivision 3, paragraph (b);

(2) a regulation fifth wheel and kingpin assembly approved by the commissioner of Public safety; or

(3) a hitch pin or other hitching device with a retainer that prevents accidental unhitching.

Subd. 4. <u>Bridge posting</u>. <u>Despite</u> subdivision 2, a person operating or towing an implement of husbandry must comply with a sign that limits the maximum weight allowed on a bridge. Subd. 5. Height and width. A person operating, towing, or transporting an implement of husbandry that is higher than 13 feet six inches or wider than allowed under section 169.80, subdivision 2, must ensure that the operation or transportation does not damage a highway structure, utility line or structure, or other fixture adjacent to or over a public highway. Subd. 6. **Speed.** No person may operate or tow an implement of husbandry at a speed of more than 30 miles per hour. Subd. 7. **Driving rules.** (a) An implement of husbandry may not be operated or towed on an interstate highway.

(b) An implement of husbandry may be operated or towed to

the left of the center of a roadway only if it is escorted at the front by a vehicle displaying hazard warning lights visible in normal sunlight and the operation does not extend into the left half of the roadway more than is necessary.

Subd. 8. <u>Lights</u>. An implement of husbandry must be equipped with lights that comply with section 169.55, subdivisions 2 and 3.

Subd. 9. <u>Slow moving vehicle</u> <u>emblem</u>. An implement of <u>husbandry must comply with</u> section 169.522.

Subd. 10. Brakes.

Notwithstanding section 169.67:

- (a) A self-propelled implement of husbandry must be equipped with brakes adequate to control its movement and to stop and hold it and any vehicle it is towing.
- (b) A towed implement of husbandry must be equipped with brakes adequate to control its movement and to stop and hold it if:

(1) it has a gross vehicle weight of more than 24,000 pounds and was manufactured and sold after January 1, 1994;

- (2) it has a gross vehicle weight of more than 12,000 pounds and is towed by a vehicle other than a self-propelled implement of husbandry; or
- (3) it has a gross vehicle weight of more than 3,000 pounds and is being towed by a registered passenger automobile other than a pickup truck as defined in section 168.011, subdivision 29.
- (c) If a towed implement of husbandry with a gross vehicle weight of more than 6,000 pounds is required under paragraph (b) to have brakes, it must also have brakes adequate to stop and hold it if it becomes detached from the towing vehicle.

LOGGERS OF THE PAST . . .

"Payrolling the Lumberjack"

by J. C. Ryan

This story is reprinted from an earlier Timber Bulletin-one of the first of "Buzz" Ryan's ever-popular contributions to these pages. The Bulletin will continue to reprint selected stories from the memories he recorded for us.-Editor







Very often when discussing the early logging camps and the lumberjacks of Minnesota, I am asked how much and how often they were paid.

The early lumberjack who went to the woods in the fall and stayed all winter probably was paid only when the camp broke in the spring, and if he stayed on with the driving of the river he probably did not get paid until the logs were at their destination or the drive was over. This may have been late in May or early June. If he did not stay with the log drive, he probably was paid about April 1.

In the very early days of logging on the St. Croix, Rum and Snake Rivers, the camps broke when the snow went off and the logging operations came to an end. A camp foreman then would write out a slip of paper showing the amount of days worked and the rate of pay and the lumberjack would take this to the headquarters of the logging or lumber company and he would either be paid by check or in some cases in cash.

Above: A group of lumberjacks near Kelliher, 1923. Left: A camp clerk at Northern Lumber Co. Camp No. 4; clerks made out the time checks, but in some cases the checks were signed by the camp foreman. Below: A northern Minnesota Lumberjack (piecemaker) about 1924.



This slip given to him by the foreman would also show any supplies such as tobacco or clothing that he might have purchased from the wannigan. This probably would be all the pay he received all winter. However, some married men may have had the foreman send in a slip so the company would send his family a check as needed during the winter.

Some of the larger companies had stores in the headquarters town where the family of a lumberjack who was in camp could purchase groceries and supplies and the bill would be deducted from the lumberjack's pay in the spring.

However, in towns where there was no company store, the company might okay bills for supplies in private stores. Some of the families of lumberjacks lived on farms or homesteads where they did not need any money all winter as they raised their own vegetables and kept farm animals. Most of the early jacks who went to the woods before 1950 were single men and received their pay when they completed their stay in the camps.

Many of the very early camps were small, having less than 50 men, so the payrolling was but a small job. Also, many of the early foremen could not read or write so word had to be passed by mouth to the walking boss as to how many days the man had worked.

However, as the logging moved north, the camps got larger, the camp clerk came into the picture and the payrolling took on a different form.

All the logging companies had a form made up called a time check or statement of time. When the man was leaving camp the clerk would make up one of these time checks showing the days or months worked and a statement of all the supplies purchased from the wannigan and a record of any checks on account that he may have drawn. (Some jacks would have a \$5 or \$10 check on account drawn so they would have a little cash in their pocket to buy a few items that could not be purchased in the wannigan.)

In most cases these time checks were only signed by the camp clerk, although many of the companies required that they be signed by the camp foreman also. The Alger Smith Company, which had camps along their railroad northeast of Knife River, required that the camp foreman sign each time check. The International Lumber Company time checks required the camp clerk's signature and the camp number only. The Crookston Lumber Company, which logged north of Bemidji, required either the camp clerk or camp foreman's signature.

All the logging companies that issued time checks in their camps made arrangements with local banks and also with saloon keepers or hotel owners near the camps to cash these time checks. These small local businesses charged the lumberjack for cashing his check—

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This time check of Alger, Smith & Co. is typical of those used by most logging companies. The Cloquet Tie and Post time check happens to be for fire lighting in a company operation.

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Two typical logging camps—of the Virginia, Rainy Lake Co. in 1918 above and near Bemidji in 1924 below.





Dinner out at an Oliver Mining Co. logging camp.



Loading logs with a steam jammer (above) in Brooks-Scanion Camp No. 17 north of Duluth about 1907. a nice, average, four-horse load of logs near Mizpah in 1917.



usually fifty cents, but if it was a large check sometimes the charge was a dollar.

About once a month these people who cashed time checks presented them all to the logging company and were issued a bank check for the amount. However, there were times when the parties who had cashed time checks had to wait several months before the checks were picked up by the logging company.

In cases where the logger went broke, anyone who had cashed time checks was stuck with them. This was the reason people who cashed time checks made a charge for the cashing.

Many of these time checks were cashed in saloons where the saloon keeper would hold the checks until he went to the bank to deposit them. Some banks split the cashing fee with the saloon keeper or other businessman if he was a customer of the bank. However, there were some saloon or restaurant owners who made a business of cashing the checks and took them directly to the lumber company. Cooks Restaurant in Duluth was one of these places and they would cash time checks of all the logging companies in the Duluth area.

Pete Sarison, a saloon keeper in Mizpah, showed me over \$10,000 worth of time checks he had cashed for Ross and Ross, a logging company in that area that went broke, and he was unable to collect. a cent on them. There were quite a few business people who lost on checks for smaller logging companies that were unable to pay their bills.

Most lumberjacks did not complain about paying a fee to have their time checks cashed as they could get their money right away.

The time check or statement of time was the usual method used to pay the lumberjacks and they were paid as a rule only when they left camp. The Combined Weyerhaeuser Company of Cloquet and the Virginia Rainy Lake Company of Virginia were some of the last large loggers in northeastern Minnesota and both used this time check method to pay the lumber jacks in the camps.

Some men who worked all winter in the camps without drawing any pay took their time checks to the head office of these companies and received a bank check for them, thus saving the cashing fee. A few small contract loggers paid their men with a bank check and some even paid in cash, but this was unusual.

In Wisconsin, some of the larger logging companies like the Connors Company had their own currency and coins to pay their men, and these were good at the company stores.

I know of no Minnesota logging company, however, that had its own currency. It was the time check or statement of time that paid the bulk of the lumber jacks who logged off our vast virgin stands of pine.

Classifieds

To serve our readers better, the Timber Bulletin offers free classified ads of up to 85 words to all members and associate members of the Minnesota Timber Producers Association. All ads must be submitted in writing to the Association office. The MTPA assumes no responsibility for ad contents and accepts free ads on a first-come, first-served basis within space limitations.

WANTED

Barrel stave logs – White Oak and Burr Oak butt cuts 12" diameter and up – random lengths For more information call Robert Staggemeier Staggemeyer Stave Co. Inc. Caledonia, MN 55921 Office: 507-724-3395 Cell: 608-792-7598

EXCESS EQUIPMENT FOR SALE

John Deere with ProPac Delimber 5 Aluminum Log Bunks with end gates 60" Lemco Slasher 2002 John Deere 648G3 PC Call: 218-348-7904 for details

USED EQUIPMENT FOR SALE

FOR SALE

60" Siiro Slasher, has Volvo motor\$6,000 Call 218-787-2264

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FOR SALE

1992 Siiro Delimber Slasher....\$6,500 1984 667 Clark Grapple Skidder......\$20,000 453 Detroit Power Unit\$3,000 12,000-gallon fuel tank......best offer Contact: 218-376-4638

USED EQUIPMENT FOR SALE

USED EQUIPMENT FOR S	ALE
FOR SALE	
CABLE SKIDDERS	
1970 JD 440A	
ГЈ 240	
ТЈ 350	7,000
GRAPPLE SKIDDERS	
1991 TJ 450B, Cummins eng.	18,000
1985 JD 548D, rebuilt trans	21,000
1996 JD 548G	45,000
1998 JD 648GII, S.F.,	
rebuilt tran	
2001 TJ 460 D, S.F	P.O.R
380 TJ	8,500

2004 TJ 560D, D.F.
encl. cab, A/C, new tires115,000
CRAWLERS
1997 D5M LGP65,000
1999 Daewoo DD801, 6-way blade
LGP, EROPS, low hrs33,000
1977 D6D LGP27,000
1987 D4H LGP, 6-way blade,
encl. cab27,000
KNUCKLE BOOM LOADERS
2004 Barko 295ML Magnum,
warranty85,000
2004 Barko 495ML Carrier,
Circle clasher pkg 63 000
Circle slasher pkg63,000 2000 170A SERCO on S.P. Carrier
w/60" HanFab slasher59,000
1987 Prentice 210C, 6 cyl
JD slasher pkg.
mounted on truck23,000
1987 XL 175 Husky,
mounted on truck17,500
EXCAVATORS
1996 Yanmar B6U mini
13 750 Idillia DOC IIIII
excavator
1999 Fiat Allis FX 140,
low hrs., aux. hydr28,500
MILLEL LOYDEDC
1981 JD 644C25,000
TRUCKS
1978 GMC 2-ton w/hydr. hoist,
flatbed dump4,500
DELIMBERS
1984 JD 690B w/Pro Pac
delimber30,000
Siiro delimber/slasher7,000
FELLER-BUNCHERS
AND SHEARS
775A Barko, sawhead29,900
2006 JD 643J115,000
1087 /11R Hydro Av 20 000
1987 411B Hydro-Ax20,000 1986 511B Hydro-Ax, 6 BT
Cummins 27 000
Cummins27,000 1994 511E Hydro-Ax,
20" Voobring 57 000
20" Koehring57,000 1993 611E 22" sawhead35,000
1993 JD 590D w/18"
Poto 5244 17 07 000
Roto saw27,000 1976 JD 544B17,000
1976 JD 544B17,000 1976 JD 544B, 20" shear21,000
1970 JD 344D, 20 Shear21,000

1993 Risley Black Magic
w/Risley sawhead65,000
MISCELLÁNEOUS
1991 853 Bobcat, w/forks
and broom8.500
1999 MD2810 ASV Posi-track
skidsteer, rubber tracks18,000
60" slasher w/power unit14,500
60" Siiro slasher8,500
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slashersP.O.R.
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Gafner Iron Mule Prehauler 12,000
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