

Aitkin County Board of Commissioners
Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: 5-1-12

Via: Patrick Wussow, County Administrator

From: Mark Jacobs, Land Commissioner

Title of Item:

Public Hearing – Soo Line Trail Ordinance

Requested Meeting Date: 5-8-12 Estimated Presentation Time: _____

Presenter: Mark Jacobs, Land Commissioner

Type of Action Requested (check all that apply)

- For info only, no action requested
- For discussion only with possible future action
- Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote comparison)
- Approve/adopt proposal by motion
- Authorize filling vacant staff position
- Request to schedule public hearing or sale
- Request by member of the public to be heard
- Item should be addressed in closed session under MN Statute _____
- Approve under Consent Agenda
- Adopt Ordinance Revision
- Approve/adopt proposal by resolution (attach draft resolution)
- Other (please list) _____

Fiscal Impact (check all that apply)

- Is this item in the current approved budget? Yes _____ No _____ (attach explanation)
- What type of expenditure is this? Operating Capital Other (attach explanation)
- Revenue line account # that funds this item is: _____
- Expenditure line account # for this item is: _____

Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)

- Duties of a department employee(s) may be materially affected. Yes No
- Applicable job description(s) may require revision. Yes No
- Item may impact a bargaining unit agreement or county work policy. Yes No
- Item may change the department's authorized staffing level. Yes No



Supporting Attachment(s)

- Memorandum Summary of Item
- Copy of applicable county policy and/or ordinance (excerpts acceptable)
- Copy of applicable state/federal statute/regulation (excerpts acceptable)
- Copy of applicable contract and/or agreement
- Original bid spec or quote request (excluding complex construction projects)
- Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
- Bid/quote comparison worksheet
- Draft County Board resolution
- Plat approval check-list and supporting documents
- Copy of previous minutes related to this issue
- Other supporting document(s) (please list) _____

Provide eleven (11) copies of supporting documentation NO LATER THAN Wednesday at Noon to make the Board's agenda for the following Tuesday. Items WILL NOT be placed on the Board agenda unless complete documentation is provided for mailing in the Board packets. (see reverse side for details)

Sue Bingham

From: Mark Jacobs [mjacobs@co.aitkin.mn.us]
Sent: Tuesday, May 01, 2012 11:18 AM
To: 'Patrick Wussow'
Cc: 'Sue Bingham'; 'Mark Jacobs'
Subject: Public Hearing - 5/8/12 @ 10:00 AM - Soo Line Trail Ordinance
Attachments: Soo Ord 2012 draft.pdf; 0282_001.pdf

Importance: High

To: County Board
CC: County Administrator

Notice was posted for a public hearing to be held on 5/8/2012 at 10:00 AM to update the Soo Line Trail Ordinance. The ordinance has not been updated since 2000.

The timeline of notices includes...

4/6 – notice posted and on County website; ordinance sent to Towns/Cities

4/11 & 18 – notice in Aitkin & McGregor newspaper

4/12 – notice sent to Aitkin County Snowmobile Alliance (prior to 4/17 meeting)

4/16 - notice sent to Aitkin County ATV Alliance (prior to 4/25 meeting)

Enclosed is information relative to this hearing

1. Draft ordinance (highlighted changes)
2. Letter to users outlining major changes
3. List of notices and contacts, including Townships/Cities along the trail and major user groups.
4. Comments received to date (5/7/12 is the deadline)

Thank you.

Mark Jacobs
Land Commissioner
Aitkin County Land Department
209 2nd St. NW Room #206
Aitkin, MN 56431
P: 218-927-7367
F: 218-927-7249

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OFFICIAL ORDINANCE
SOO LINE TRAIL RULES AND SAFETY REGULATIONS
AITKIN COUNTY, MINNESOTA

AN ORDINANCE PROVIDING FOR THE USE OF THE ABANDONED SOO LINE RAILROAD RIGHT OF WAY WITHIN THE BOUNDARIES OF AITKIN COUNTY, MINNESOTA.

The County Board of Aitkin County ordains that in the official ordinance – Soo Line Trail Rules and Safety Regulations dated October 4, 1988 and filed October 20, 1988 as document #254075 in the office of the Aitkin County Recorder, and the official ordinance - Soo Line Trail Rules and Safety Regulations dated June 9, 1992 and filed November 29, 1994 as Document #287888 in the office of the Aitkin County Recorder, and the official ordinance - Soo Line Trail Rules and Safety Regulations dated February 22, 2000 and filed March 1, 2000 as Document #323014 in the office of the Aitkin County Recorder, be amended and rewritten as follows:

WHEREAS, Aitkin County has purchased from the Soo Line Railway Company, an abandoned railway right of way within its boundaries over and across premises described in Appendix A attached hereto; and

WHEREAS, at least 100 feet of width of said right of way, being 50 feet on each side of the center line of the former rail line, is deemed to be necessary for the continued operation by the County of a recreational and commercial right of way facility; and

WHEREAS, it is deemed advisable that all traffic of every kind and nature on said right of way owned and operated by the County of Aitkin as aforesaid should be regulated and managed to ensure the safety of the users of the said right of way and of the general public and to protect and benefit the people, economy and natural resources of the County, allowing the most possible uses thereof.

NOW THEREFORE, the County Board of Commissioners of Aitkin County, Minnesota does ordain as follows:

SECTION ~~I~~1 SHORT TITLE

This Ordinance shall be known as the Soo Line Trail Rules and Safety Regulations and will be referred herein as "this Ordinance".

SECTION ~~II~~2 AUTHORITY

It is the intent and purpose of this Ordinance to establish certain rules and regulations for the operation, management and safety of the said abandoned Soo Line Railway Right of Way within this County in accordance with all existing Minnesota Statutes, Rules and Regulations.

SECTION ~~III~~3 JURISDICTION

The rules and regulations herein governing the management and safety of the Soo Line Railway Right of Way Trail shall apply to all of 100 foot right of way within Aitkin County, Minnesota.

SECTION ~~IV~~4 DEFINITION OF WORDS AND PHRASES

~~A.~~ A. EMERGENCY EQUIPMENT: fire, rescue or law enforcement motor vehicles or such other equipment as the County Land Commissioner may designate as necessary to safeguard and maintain the said right of way.

~~B.~~

B. EMERGENCY PERSONNEL: 1) emergency _____ medical technicians; 2) First Responders; and _____ 3) volunteer firemen - all of which are when responding _____ to a call or emergency.

~~C.~~ LONG TERM

C. SPECIAL USE PERMIT: Permit issued _____ for ~~longer than one~~ year-uses outlined in Section 6.

~~D.~~

D. SERVICE, MAINTENANCE AND CONSTRUCTION EQUIPMENT:

Approved equipment normally operated for the construction, repair and maintenance of said right of way.

~~E. SHORT TERM SPECIAL PERMIT: Permit issued
for one year or less.~~

~~F.~~

~~MOTORIZED RECREATIONAL VEHICLE: All Off-highway
motorcycles (OHM), snowmobiles, and all-terrain
vehicles (ATV), as described defined by~~

~~E. Minnesota Statutes 84.787, 84.81 & 84.92 Subd 8, snowmobiles as
described by Minnesota Statutes, bicycles and horse
drawn vehicles.~~

SECTION ~~V.5~~ AUTHORIZED USES WITHOUT PERMIT

The said right of way trail may be used in the following manners without special ~~permits~~ permit s from the County:

~~A. A.~~ Recreational trail for ~~pedestrians and for~~ motorized recreational vehicles as _____ defined herein, and non-motorized uses such as hiking, bicycling, horseback riding unless otherwise restricted by this ordinance.

~~B. B.~~ Access road by authorized County personnel to County _____ lands for management purposes.

~~C. C.~~ Access road for fire protection and prevention.

~~D. D.~~ Access road for law enforcement and emergency purposes and personnel.

SECTION ~~VI.~~ 6 AUTHORIZED USES, SPECIAL USE PERMIT REQUIRED

The said right of way may be used in the following manners upon special use permit only, which application and issuance is hereinafter provided for in this Ordinance:

~~A. A.~~ Access Temporary access road for the harvesting, use and management _____ of natural resources, limited to timber, gravel, peat, and minerals.

~~A.B. B.~~ Special events including but not limited to, snowmobile

aces, dog sled races, bicycle races, etc.

B-C. Temporary access for trapping nuisance beaver

D. Temporary access to agricultural land (for hauling hay, etc.)

E. Access road for maintenance work on recreation trails, utilities and public drainage systems.

F. Emergency alternate temporary public roadway.

G. Advertisement signs for businesses

H. For such other uses as may be subsequently approved by the County Board upon proper application.

SECTION 7 AUTHORIZED USES, EASEMENT REQUIRED

The said right of way may be used in the following manners subject to an easement approved by the County Board which application and issuance is subject to the County easement policy:

A. Installation and maintenance of utilities, such as electric transmission lines, telephone communication lines, gas, oil and other transmission lines.

~~C. Special events as are hereinafter described.~~

~~D. For such other uses as may be subsequently approved by the County Board upon proper application.~~

~~E. Access road for maintenance work on public drainage systems.~~

~~F. Emergency alternate temporary public
Permanent roadway.~~

B. G. Roadway or farm crossings, when property on both sides of the right of way is owned or leased by the same owner, corporation or individual.

SECTION VII.8 UNAUTHORIZED USES

Under no circumstances should the right of way governed by this Ordinance be used in the following manners:

A. As a permanent public transportation route for normal highway traffic.

- B. As a permanent driveway or access to non-county administered lands.
- C. As a log landing or storage area.
- D. As a gravel, peat or mineral storage or processing area.
- E. As a dumping area for garbage, refuse, debris, equipment, slash, spoils, or other refuse of any kind, at any time.

~~F.~~

~~By two-wheel motorized vehicles.~~

~~F.~~ Motorized vehicles not defined as motorized recreation vehicles in section 4 e.

~~HG.~~ By ~~all-terrain vehicles~~ ATV's or OHM as defined herein when the trail is being actively groomed for snowmobiling (typically between November 30December 1 and April 1-).

SECTION ~~VIII~~9. SPECIAL USE PERMITS

~~Short-term special~~ Special use permits provided for above shall be issued by the County Land Commissioner following guidelines set by the County Board.

~~Long-term special permits provided for above shall be issued by the County Board upon the recommendation of the County Land Commissioner.~~

The Land Commissioner shall require a fee prior to issuance of a special use permit herein. The fee for the special use permit will be based on mileage of right of way used, type of equipment\vehicles used, length of time of use, etc. The rate for said fees shall be reviewed by the County Board. Said fees will be utilized to recover the costs of issuing said special use permits and other costs related to said permits. Said fees may be utilized to assist in the defrayment of cost of repair of any damage to the right of way caused by the use thereof by the special permittee permit holder, it being specifically provided that damages in excess of the amount of the fee may be recovered by the County against the damaging user in appropriate civil litigation, injunctively and otherwise. The said special use permit may also set forth special restrictions, requirements, or conditions as to the time constraints ~~for the utilization thereof or regular,~~

seasonal restrictions. ~~Said permit may also set forth special restrictions as to the area upon the right of way which may be utilized by the special permittee, the size, type and weight of equipment to be driven or hauled, and standards for signage;~~ so that multiple use of the trail may be continuously accomplished. ~~Said permit may also set forth restrictions as to the size, type and weight of equipment to be driven or hauled upon the right of way. Said permit may also require temporary uses of signs by the permittee warning of the special use of the right of way and~~ for the protection of the regular recreational users. In the event that any of the conditions imposed by the special use permit_ or if any of the regulations imposed by this Ordinance are not followed and complied with by a user, the special use permit_ to use the same may be immediately canceled and revoked upon written notice from the Land Commissioner to the ~~permittee~~permit holder, and further use of the right of way after receipt of said notice by the ~~permittee~~permit holder shall be considered to be in violation of this Ordinance. Upon reasonable request of the Land Commissioner or any of his agents or any law enforcement officer or his agents, a special ~~permittee~~use permit holder shall be required to display the special use permit_. Failure to do so upon such reasonable request shall be considered to be a violation of this Ordinance.

SECTION ~~X~~10. TRAIL SNOW PLOWING

~~At least two inches of snow must be left upon~~

When the surface of the right of way of the trail ~~after plowing is being groomed for snowmobiling (generally~~ between December 1 and April 1), special use permit holders must leave at least a 10-foot wide section of the trail surface unplowed or leave a minimum of each winter 2-inches of snow on the entire trail surface; to accommodate snowmobile use.

SECTION ~~X~~11 FIREARMS

No discharge of any firearm or bow is permitted upon or across the right of way.

SECTION ~~XI~~.12 SIGNAGE

The County Land Commissioner shall be responsible for the placement of directional and instructional signs upon the trail and its right of way. In addition to directional and instructional signing there may exist on the trail advertisement signs for businesses along the right of way, provided that a permit is first obtained from the County Land Commissioner for the placement of the said sign and further provided that said signs are designed, constructed, placed and maintained in a uniform manner as provided by the Land Commissioner and further provided that said signs do not in any way adversely affect primary uses of the right of way.

SECTION ~~XII~~.13 FENCES

Owners of land adjacent to the right of way may construct and maintain fences along the right of way lines provided that said fences do not encroach upon the right of way and provided that said fencing shall be at the sole expense of the adjacent land owner.

SECTION ~~XIII~~.14. SAFETY

All traffic regulations applicable to highways and streets and trails within the State of Minnesota shall be applicable to the utilization to the right of way; however, the County reserves the right to provide for more limited and stringent safety and traffic regulations upon the right of way as it may deem in the public interest and safety. Unless otherwise posted, the maximum speed limit on the right of way shall be 50 miles per hour.

SECTION ~~XIV~~.15. SPECIAL EVENTS

Upon application and written permission granted by the County Land Commissioner the right of way may be used for special events pursuant to

special conditions and time constraints provided in the permit for events such as, including but not limited to, snowmobile races, dog sled races, bicycle-races, etc.

SECTION ~~XV~~16. ENFORCEMENT

It shall be the duty of the Aitkin County Land Commissioner to monitor the uses of the right of way to ensure compliance with this ordinance. The Aitkin County Sheriff's Department shall enforce and any licensed peace officer may enforce all State laws and regulations and the terms of this Ordinance upon said right of way.

SECTION ~~XVI~~17. VIOLATION AND PENALTY

Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor. These penalty provisions are in addition to any other remedy or action available in law or as a matter of right to Aitkin County.

SECTION ~~XVII~~18. VALIDITY

Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION ~~XVIII~~19. EFFECTIVE DATE

This ordinance shall take effect and be enforced upon passage and publication.

PASSED, APPROVED AND ADOPTED by the Board of Commissioners of the
County of Aitkin on the ~~22nd day of February, 2000~~ XXXXXXXXXX

AITKIN COUNTY BOARD OF COMMISSIONERS

DATED: _____

CHAIRMAN

ATTESTED:

- AITKIN COUNTY AUDITOR

PUBLISHED ON: ~~January 19, 2000~~
~~January 26, 2000~~ XXXXXXXXXX

Appendix A

Township 47 North Range 22 West

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25

S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 26

N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 27

N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 28

N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20

S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19

Township 47 North Range 23 West

SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23

S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14

E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15

S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10

NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 5

N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 6

Township 48 North Range 23 West

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 31

Township 48 North Range 24 West

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36

S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25

E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26

SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23

E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22

SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15

NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16

S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9

NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6

Township 49 North Range 24 West

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31

Township 49 North Range 25 West

SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6

Township 49 North Range 26 West

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1

Township 50 North Range 26 West

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36
E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26
SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23
SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 15
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10
S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3
E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4

Township 51 North Range 26 West

S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33
S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28
NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29
W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 18
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7

Township 51 North Range 27 West

E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12
S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1
NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2

Township 52 North Range 27 West

S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34
S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27
S $\frac{1}{2}$ Section 28

Township 43 North Range 24 West

NW¹/₄ SW¹/₄, S¹/₂ NW¹/₄, SW¹/₄ NE¹/₄, N¹/₂ NE¹/₄ Section 31
SE¹/₄ SE¹/₄ Section 30
S¹/₂ SW¹/₄, NE¹/₄ SW¹/₄, N¹/₂ SE¹/₄, S¹/₂ NE¹/₄ Section 29
SW¹/₄ NW¹/₄, N¹/₂ NW¹/₄, NW¹/₄ NE¹/₄ Section 28
S¹/₂ SE¹/₄, NE¹/₄ SE¹/₄ Section 21
N¹/₂ SW¹/₄, SE¹/₄ NW¹/₄, S¹/₂ NE¹/₄, N¹/₂ NE¹/₄ Section 22
NW¹/₄ NW¹/₄ Section 23
S¹/₂ SW¹/₄, SW¹/₄ SE¹/₄, N¹/₂ SE¹/₄, SE¹/₄ NE¹/₄ Section 14
S¹/₂ NW¹/₄, NE¹/₄ NW¹/₄, N¹/₂ NE¹/₄ Section 13
S¹/₂ SE¹/₄ Section 12

Township 43 North Range 23 West

SW¹/₄ SW¹/₄, N¹/₂ SW¹/₄, SE¹/₄ NW¹/₄, NE¹/₄ NW¹/₄, NW¹/₄ NE¹/₄ Section 7
S¹/₂ SE¹/₄, NE¹/₄ SE¹/₄ Section 6
NW¹/₄ SW¹/₄, S¹/₂ NW¹/₄, NE¹/₄ NW¹/₄, NW¹/₄ NE¹/₄ Section 5

Township 44 North Range 23 West

S¹/₂ SE¹/₄, NE¹/₄ SE¹/₄ Section 32
NW¹/₄ SW¹/₄, S¹/₂ NW¹/₄, NE¹/₄ NW¹/₄, N¹/₂ NE¹/₄ Section 33
S¹/₂ SE¹/₄ Section 28
SW¹/₄ SW¹/₄, N¹/₂ SW¹/₄, SE¹/₄ NW¹/₄, SW¹/₄ NE¹/₄, N¹/₂ NE¹/₄ Section 27
SE¹/₄ SE¹/₄ Section 22
S¹/₂ SW¹/₄, NE¹/₄ SW¹/₄, N¹/₂ SE¹/₄, SE¹/₄ NE¹/₄ Section 23
SW¹/₄ NW¹/₄, N¹/₂ NW¹/₄ Section 24
SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, N¹/₂ SE¹/₄, SE¹/₄ NE¹/₄ Section 13

Township 44 North Range 22 West

SW¹/₄ NW¹/₄, N¹/₂ NW¹/₄ Section 18
SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, N¹/₂ SE¹/₄, SE¹/₄ NE¹/₄, NE¹/₄ NE¹/₄ Section 7
SW¹/₄ NW¹/₄, NW¹/₄ NW¹/₄ Section 8
S¹/₂ SW¹/₄, NE¹/₄ SW¹/₄, NW¹/₄ SE¹/₄, S¹/₂ NE¹/₄, NE¹/₄ NE¹/₄ Section 5
NW¹/₄ NW¹/₄ Section 4

Township 45 North Range 22 West

S¹/₂ SW¹/₄, NE¹/₄ SW¹/₄, NW¹/₄ SE¹/₄, S¹/₂ NE¹/₄, NE¹/₄ NE¹/₄ Section 33
SW¹/₄ NW¹/₄, N¹/₂ NW¹/₄ Section 34
SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, N¹/₂ SE¹/₄ Section 27
NW¹/₄ SW¹/₄, S¹/₂ NW¹/₄, NE¹/₄ NW¹/₄, N¹/₂ NE¹/₄ Section 26
SE¹/₄ SE¹/₄ Section 23
SW¹/₄ SW¹/₄, N¹/₂ SW¹/₄, N¹/₂ SE¹/₄ Section 24



**Aitkin County Land Department
209 2nd Street NW Room # 206
Aitkin, MN 56431**

Dear Soo Line Trail user:

Listed below is what I see as the 3-primary trail-user related changes being proposed for the Soo Line ordinance and some of the rationale for the proposed change...

- A. OHM's (dirt bikes) will be allowed on the Northwoods ATV trail since the legislation for funding requires it. The new trail sections are interconnected with the Soo Line and other existing trails to create an entirely "connected" system in Aitkin County; so it makes sense to have OHM use on the entire system rather than specific sections. OHM's are less noisy than they used to be and law enforcement folks have a greater ability to monitor noise levels. Perhaps OHM use on the trail system will reduce unauthorized use on public roads and streets which can lead to complaints.
- B. Currently ATV's are not allowed on the Soo Line from 11/30 to 4/1 regardless of conditions. In the past decade there have been periods when there is no snow for snowmobiling but yet ATV's are not allowed. The proposed change would allow ATV/OHM use on the Soo Line during periods when it is not being groomed for snowmobiling. I feel that this is a good middle ground compromise. It is not easy to argue that you can't use an ATV on the Soo Line in December when there is no snow. This change will allow reasonable flexibility based on trail conditions.
- C. During good snow years, logging trucks on the Soo Line while the snowmobile clubs are grooming can cause user conflicts. In many cases the Soo Line is the only reasonable access to a winter logging site. Most loggers try to do the right thing by leaving 2"+ snow but often, once they start hauling, it gets compacted to ice and is poor for snowmobiling. We are proposing an alternative strategy which would be to leave at least a 10' wide unplowed strip to one side while plowing enough width for their trucks. Since this might not work well in every situation we're proposing an "either/or" for the two strategies. Better up-front coordination between agencies, loggers, and clubs will help to minimize these potential conflicts.

The ordinance has not been updated in more than a decade and we feel that these changes are reasonable and can lead to a better experience for all trail users.

Thank you.



Mark Jacobs
Land Commissioner
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Clerk Salo Township
13196 360th Street
McGregor, MN 55760

Marion Davis
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Gaylene Spolorich
Clerk City of Palisade
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Palisade, MN 56469

Emailed alliance sec 4-12-12
Presented at snowmobile alliance mtg 4-17
sent to clubs not present 4-18

In paper 4-11 + 4-18

On web 4-6-12

Notice posted 4-6-12

ATU alliance meeting notification by email 4-16-12
and mtg 4-25-12

4-6-12
sent notices
& ordinances

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Comments on Soo Line Ordinance proposed revisions...

'I do not see anything to complain about. Looks good to us.' Joe Kohlgraf – Giese Snowmobile Club

'i would hope we can get this threw.i bet 90% of us own both atv/snowmobiles and we need something to do when it doesn't snow. if it did snow we would have enough brains not to ride atv"s cause we wouldn't want the trails to get wrecked its also good for the resorts/bars/dealers/gas stations etc.this shouldn't be a no brainer. we also own property in automba for 11 years.i love it up herei would like to report people that do wreck the trail system.the clubs work to hard.thank you' - kevin/kim kee 13020 lakestreet ext 55305 minnetonka

'The changes that you have described in the attachment definitely address the issues that we have been seeing; I am in favor of them.' – Harlan Kingsley – Hilltop Sports

'I wont be able to attend the meeting but I will say that I am not in favor of ATVs on the Soo Line during snowmobile season. Ive met them before and they change the whole integrity of the trail. The ruts from the tires throw the snowmobiles all over the trail making it it very dangerous. They would use the whole trail, not stay on a certain "designated" strip of the grade. Why not just let them ride on all the groomed snowmobile trails too ? If they want to ride in the winter, have them buy a snowmobile like the rest of us and use the ATV elsewhere.' - David Brasket Minnetonka MN 55345

- I am opposed to allowing dirt bikes on the Soo Line at any time.
- I am for allowing ATVs on the Soo Line when the trail is not being groomed; in fact, I would prefer to see the Soo Line open for ATVs year around as it is in Carleton County.
- Permitted users should leave sufficient snow cover on the Soo Line to allow snowmobile usage, be it 2" of undisturbed snow, a 10' wide area or a usable detour route around the disturbed area.

Thank You for considering my comments' - Gregory A Rosier36881 Kestrel Ave McGregor, MN 55760 218-768-3214

'Good Afternoon Cathy,

I would like you to share with the County Commissioners that Franklin and I support the Soo Line Ordinance Revision. The trails in Aitkin County are a boost to the businesses. We are avid ATV supporters and feel it would be another opportunity to bring people into the county. The trail is already there, how wonderful to utilize it. Thank You!' - Darlene Turnock

'Mark, I am writing to let you know that I support the proposed updates to the ordinance for ATV's. Thanks' Duane Niesen Nothwoods Quads Board Member

'I, a member of the "North Woods Quads", am in favor of opening the Soo Line Trail during snow poor winters.' - Ronald Parker

'We support the Soo Line Ordinance Revision' - Dave & Diane Anderson 613 Selfridge Drive Duluth, MN 55811

'As an avid ATV rider, ATV club member, and business man, I support the Soo Line Ordinance Revision. Many businesses in Aitkin County rely on snowmobile traffic, and when there is no snow for snowmobiling, businesses suffer. When there isn't adequate snow, opening up the Soo Line for ATVs in the winter will help these businesses gain some of that lost revenue. Thank You'

Jim Gassert- Moose Lake Implement & Sport

'I'm sending this email in support of the Soo Line Ordinance Revision. I'm an active snowmobile and ATVer and am often on the Soo Line. This last winter we didn't have enough snow to snowmobile, so I rode my ATV all winter. Not being able to go through Aitkin County on an ATV costed some businesses some money for sure. Me and the people I ride with stop at many places and spend a lot of money. I think the ordinance revision would be supported by the small businesses that lost a lot of money this winter and winters to come with no snow. Thank You' Andy Dahl – Sturgeon Lake

5/7/2012

Comments on Soo Line Ordinance proposed revisions...

'At our monthly meeting of the Evergreen PAC ATV Club May 3rd, a motion was passed to support the Soo Line Ordinance Revision. The membership is excited for the progress in ATVing. Thank You! Evergreen PAC ATV Club' - Darlene Turnock, Secretary/Treasurer 13196 360th Street McGregor, MN 55760

'I support dirt bikes on atv trails also opening the sooline to winter riding of atv in years when we do not get much snow to groom trail.' Jeff&Gale Bradford

'To whom it may concern:

I want to thank Aitkin county leadership for the incredible work and success in providing recreational opportunities in this county. My wife and I support the use of ATV's and dirt bike riding on the Soo Line network during the winter months when there is little or no snow for groomed trail. It is reasonable to consider opening the Soo Line trail to ATV use and dirt bike during the winter months should our weather patterns continue for a short season of snowfall.

Again, thank you for the progress and ongoing excitement as we await the so to be opening of connector trails in Aitkin county. We will anxiously be exploring the communities while enjoying utilizing this recreation passion of ours.

We will do our best to respect and be responsible to protect the environment and encourage others to do likewise. Wishing you continued vision and success in developing the resources and recreational opportunities.'

- Harold & Shirley Dallmann, ATV Instructors Moose Lake

'Mark,

Thanks for sending the proposed Soo Line ordinance changes.

Writing as the Northern Pine Rider Snowmobile Club (NPR) Trail Coordinator please accept for entry into tomorrow's Public Hearing record the following (which is also contained in the attachment):

May 7, 2012

To: Aitkin County Board of Commissioners

RE: Proposed Changes to Soo Line Trail Ordinance

Writing as the Northern Pine Rider Snowmobile Club (NPR) Trail Coordinator please accept for entry into tomorrow's Public Hearing record the following:

The Northern Pine Riders has the responsibility to maintain the Pine County portion of the Soo Line South Trail under authority granted by Pine County ordinance governing the trail.

Regarding OHM use: Our club has not met since we became aware of this proposal thus I am not able to comment.

Regarding ATV use in the winter if grooming for snowmobile use is not occurring: NPR has long opposed ATV winter use and the Pine County Soo ordinance supports our position. We understand the apparent logic of allowing winter use in low snow years. However, our concern is some ATV users may leave the Soo to enter onto connecting snowmobile Grants-in-Aid (GIA) trails located on private property. Such action would likely lead to one or more landowners canceling the Trail Permit resulting in loss of the trail(s). During the off season when ATV use is allowed these GIA trails connections are gated to prevent unauthorized use. In the winter these gates must be open, snow or no snow.

Regarding proposal to accommodate use of Soo for logging access and concurrent snowmobile use: The proposal is supportable by NPR but would suggest the amount of snow left on the trail when entire trail needs to be plowed be raised to 4". It would appear a 2" base is insufficient to avoid the turning up of trail surface material. A 4" base, in our experience does not hamper logging trucks/equipment.

Thank you for the opportunity to comment.' - Terry Peterson, Trail Coordinator Northern Pine riders Snowmobile Club PO Box 28 Willow River, MN 55795