

1 Resolution No. 15-16

2 Resolution Authorizing Submission of Proposed Amended Gandy Dancer Trail–Polk County  
3 Segment Master Plan for Wisconsin Department of Natural Resources Approval

4 TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF  
5 POLK:

6 Ladies and Gentlemen:

7 WHEREAS, on March 1, 2016, the Polk County Conservation, Development, Recreation and  
8 Education Committee conducted a public hearing on the Proposed Amended Gandy Dancer Trail –  
9 Polk County Segment Master Plan, pursuant to Resolutions Nos. 20-15 and 02-16; and

10 WHEREAS, the proposed amendment, Proposed Amended Gandy Dancer Trail –Polk County  
11 Segment Master Plan, updates the 1990 plan in its entirety; and

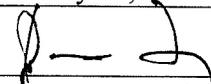
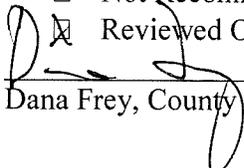
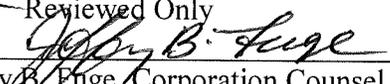
12 WHEREAS, the Polk County Conservation, Development, Recreation and Education Committee  
13 recommends that the Polk County Board of Supervisors receive the Proposed Amended Gandy  
14 Dancer Trail –Polk County Segment Master Plan for the purposes of authorizing the submission of a  
15 request to the State of Wisconsin Natural Resources Board to modify the 1990 plan and to provide  
16 for final approval of the Proposed Amended Gandy Dancer Trail –Polk County Segment Master Plan  
17 in accordance with Wisconsin Administrative Code, s. 44.04

18  
19 NOW, THEREFORE, BE IT RESOLVED that, the Polk County Board of Supervisors receives the  
20 Proposed Amended Gandy Dancer Trail –Polk County Segment Master Plan, as attached hereto and  
21 incorporated herein.

22  
23 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes and directs the  
24 Polk County Department of Parks and Recreation to submit on behalf of Polk County a request to the  
25 Wisconsin Department of Natural Resources to modify the 1990 trail plan and to seek approval of the  
26 Proposed Amended Gandy Dancer Trail –Polk County Segment Master Plan.

27 BE IT FURTHER RESOLVED that further tasks required of Polk County in the approval process of  
28 said proposed plan be assigned to said department under the policy and advisory recommendation of  
29 the Polk County Conservation, Development, Recreation and Education Committee.

- A copy of the Polk County Segment Master Plan can be viewed in the Polk County Clerk Office or on the Polk County Website.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage
Dated Submitted To County Board	January 19, 2016
Submitted By:	
Review By County Administrator: <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Puge, Corporation Counsel

Acknowledgement of County Board Action

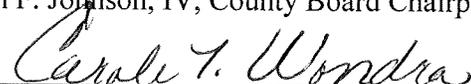
Mark As Appropriate:

At its regular business meeting on the 15<sup>th</sup> of March 2016, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 15-16: Resolution Authorizing Submission of Proposed Amended Gandy Dancer Trail-Polk County Segment Master Plan for Wisconsin Department of Natural Resources Approval, as follows:

- Adopted by simple majority of the board of supervisors by a vote of 13 in favor and 1 against. *as amended*
- Adopted by unanimous vote.
- Defeated by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: \_\_\_\_\_

SIGNED BY:

  
William F. Johnson, IV, County Board Chairperson

Attest:   
Carole T. Wondra, County Clerk



**POLK COUNTY BOARD OF SUPERVISORS**  
*Minutes from Tuesday, March 15, 2016*  
Polk County Government Center – County Board Room  
Balsam Lake, WI 54810

Chairman Johnson called the regular March 15, 2016 meeting of the Polk County Board of Supervisors to order at 6:00 p.m.

Chairman Johnson recognized the County Clerk for purposes of receiving evidence of proper notice. The County Clerk stated that the notice of meeting was properly posted in three public buildings, published in a legal newspaper in accordance with Wisconsin Statute Section 985.02 and posted on the county website the week of March 7, 2016. In addition, the Office of the County Clerk distributed on March 3, 2016 copies of such notice of meeting and proposed resolutions to supervisors in accordance with Article 3, Section 2 of the County Board Rules of Order. The County Board received the verbal opinion of Corporation Counsel that the initial advance written meeting notice, posted and distributed, as described by the County Clerk satisfied the applicable provisions of Wisconsin Open Meetings Law and the applicable procedural provisions of the Polk County Board Rules of Order.

Chairman Johnson recognized the County Clerk for purposes of taking roll call. All members were present.

Chairman Johnson led the Pledge of Allegiance.

Chairman Johnson asked for a volunteer for a Time of Reflection. None offered.

Chairman called for a motion to approve the consent agenda. Consent agenda included

- a. March 15, 2016 County Board Agenda
- b. Minutes of January 19, 2016
- c. Confirmation of Emergency Fire Wardens for Polk County, 2016

**Motion (Jepsen/Schmidt) to approve the consent agenda as noticed. Motion carried by unanimous voice vote.**

Time was given for public comment. Chairman Johnson clarified the order for public comment.

Elizabeth Hagen, from Public Health addressed the board with a presentation on Marijuana Awareness.

Chairman called for a 15 minute break. Chairman called the meeting back in session 7:20 p.m.

Time was given for Receipt and Discussion of Committee Reports.

Chairman's Report was received as presented by Chairman Johnson

Chairman Johnson recognized Administrator Frey for the purpose of receiving the Administrator's Report. The County Board received the Administrator's appointment of Emil Norby to the position of Polk County Highway Commissioner. Chairman Johnson called for a motion to approve Administrator's appointment of Emil Norby as Highway Commissioner.

**Motion (Luke/Nelson) to confirm the Administrator's appointment of Emil Norby to the position of Polk County Highway Commissioner. Motion to confirm Administrator's appointment, carried by unanimous voice vote.**

**Resolutions and Ordinances:**

Chairman Johnson announced that the Board would take up Resolution No. 15-16 first.

Chairman Johnson announced that he was relinquishing the chair for the purpose of participating in debate on Resolution No. 15-16. Chairman Johnson announced that Vice Chair Jepsen and Second Vice Chair Schmidt also relinquished the Chair for such purposes. Chairman Johnson declared that upon consensus, the Board had determined Supervisor Sample to act as presiding chair on Resolution No. 15-16. Chairman Johnson stood down as presiding chairperson. Acting as Chair, Supervisor Sample assumed the chair to preside over the meeting.

Acting Chairman Sample called to the floor, **Resolution No. 15-16, Resolution Authorizing Submission of Proposed Amended Gandy Dancer Trail-Polk County Segment Master Plan for Wisconsin Department of Natural Resources Approval. Motion (Johnson/Jepsen) to approve Resolution No. 15-16.**

**Motion (Jepsen/Hallberg) to amend the proposed plan to conform with the language adopted by the County Board at its January 19, 2016 meeting.**

**Amendment as follows:**

Page 7, paragraph 5, subparagraphs 2 & 3 of the proposed Gandy Dancer Trail Polk County Segment Master

2. Only two designated Special Use motorized events will be authorized.

3. Two Special Use Events will be allowed for non-motorized events to occur during the motorized time of trail operation.

**Motion by Supervisor Schmidt to amend said motion by amending plan language at Page 7, paragraph 5, revising subparagraph 2 and striking subparagraph 3 as follows:**

"2. Only ~~two~~ one designated Special Use motorized events will be authorized for the purpose of the Veterans motorized ATV ride.; and

3. ~~Two Special Use Events will be allowed for non-motorized events to occur during the motorized time of trail operation.~~"

**Prior to said motion, receiving a second, Supervisor Schmidt requested the motion be withdrawn. Acting Chair Sample declared the motion to amend the motion to amend withdrawn.**

**Acting Chair Sample called for a roll call vote on the motion to amend the proposed plan to conform with the language adopted by the County Board at its January 19, 2016 meeting.**

**Motion to amend the plan carried** by a roll call vote of 12 yes, 3 no. Voting yes: Supervisors Schmidt, Johansen, Hallberg, Sample, Caspersen, Edgell, O'Connell, Jepsen, Luck, Arcand, Bonneprise & Demulling. Voting No: Supervisors Moriak, Nelson and Johnson.

**Motion (Schmidt/O'Connell) to amend the plan language at Page 7, paragraph 5, revising subparagraph 2 and striking subparagraph 3 as follows:**

“2. Only ~~two~~ one designated Special Use motorized events will be authorized for the purpose of the Veterans motorized ATV ride.; and

3. ~~Two Special Use Events will be allowed for non-motorized events to occur during the~~

**Acting Chair Sample called for a roll call vote on the motion to amend the plan language. Motion was defeated** by a roll call vote of 6 yes, 9 no. Voting Yes: Supervisors Schmidt, Johansen, Moriak, Caspersen, O'Connell and Nelson. Voting No: Supervisors Hallberg, Sample, Edgell, Jepsen, Luke, Arcand, Bonneprise, Demulling and Johnson.

At 9:15 p.m., Supervisor Arcand was excused for the remainder of the meeting.

**Motion (Johansen/Jepsen) to amend Resolution No. 15-16 at Line 26 by inserting, as follows:**

Proposed amended Gandy Dancer Trail-Polk County Segment Mater Plan, “and that in the calendar year 2016 an ad hoc committee be created with the purpose of revising the Master Plan in a comprehensive manner that includes Burnett County, Polk County and Douglas County and the Gandy Dancer Trail Commission reporting to the county board with as comprehensive revision by April 2017.”

**Acting Chair Sample called for a roll call vote on the motion to amend Resolution No. 15-16. Motion to amend Resolution No. 15-16 carried**, by a roll call vote of 13 yes, 1 no. Voting No: Supervisor Hallberg

**Acting Chair Sample called for a roll call vote on the motion to approve Resolution No. 15-16 as amended. Motion to approve Resolution No. 15-16 as amended, carried**, by a roll call vote of 13 yes, 1 no. Voting No: Supervisors Johnson. Resolution Adopted.

Acting Chairman Sample relinquished the Chair for the purpose of Chairman Johnson to return to the Chair. Chairman Johnson resumed the Chair and continued the meeting.

Chairman Johnson called for a 10 minute recess at 9:25 p.m.  
Chairman Johnson called the meeting back into session 9:35 p.m.

Chairman Johnson called to the floor, **Ordinance No. 05-16**, Polk County Temporary Speed Limit Ordinance. **Motion (Jepsen/Sample) to approve Ordinance No. 05-16. Chairman Johnson called for a voice vote on the motion to approve Ordinance No. 05-16. Motion to approve Ordinance No. 05-16, carried** by unanimous voice vote. Resolution Adopted.

Chairman Johnson called to the floor, **Resolution No. 06-16, Resolution to Designate the Week of April 11-15, 2016 as Work Zone Awareness Week in Polk County. Motion (Bonneprise/Demulling) to approve Resolution No. 06-16. Chairman Johnson called for a voice vote on the motion to approve Resolution No. 06-16. Motion to approve Resolution No. 06-16, carried by unanimous voice vote. Resolution Adopted.**

Chairman Johnson called to the floor, **Resolution No. 07-16, Polk County Land Information Plan 2016. Motion (O'Connell/Johansen) to approve Resolution No. 07-16. Chairman Johnson called for a voice vote on the motion to approve Resolution No. 07-16. Motion to approve Resolution No. 07-16, carried by unanimous voice vote. Resolution Adopted.**

Chairman Johnson called to the floor **Resolution No. 08-16, Resolution to Authorize Agreement concerning the Payment of Delinquent Special Assessments and Special Charges (Amending Resolution No. 64-98). Motion (Jepsen/Schmidt) to approve Resolution No. 08-16. Administrator Frey addressed the resolution. Chairman Johnson called for a voice vote on the motion to approve Resolution No. 08-16. Motion to approve Resolution No. 08-16, carried by unanimous voice vote. Resolution Adopted.**

Chairman Johnson called to the floor **Resolution No. 09-16. Amendments to the Polk County Shoreland Protection Zoning Ordinance. Motion (O'Connell/Moriak) to approve Resolution No. 09-16. Supervisor O'Connell addressed the resolution. Chairman Johnson called for a voice vote on the motion to approve Resolution No. 09-16. Motion to approve Resolution No. 09-16 carried by voice vote. Resolution Adopted.**

Chairman Johnson called to the floor **Ordinance 10-16. Amendments to the Telecommunications Towers, Antennas, and Related Facilities Ordinance. Motion (Johansen/OConnell) to approve Resolution No. 10-16. Supervisor O'Connell addressed the ordinance. Chairman Johnson called for a voice vote on the motion to approve Ordinance No. 10-16. Motion to approve Ordinance No. 10-16 carried by unanimous voice vote. Ordinance Adopted.**

Chairman Johnson called to the floor **Resolution No. 11-16. Resolution to Set Compensation for Elected Officials for Term 2017-2020 (County Clerk, Register of Deeds and Treasurer) Motion (Bonneprise/Demulling) to approve Resolution No. 11-16. Administrator Frey addressed the resolution. Motion (Jepsen/Johansen) to amend Resolution No. 11-16 by setting the wages as follows: Between lines 12 & 13 of Resolution No. 11-16**

<u>January 1, 2017</u>	8%	<u>January 1, 2018</u>	2%
County Clerk	60,750	County Clerk	61,965
Register of Deeds	60,750	Register of Deeds	61,965
Treasurer	60,750	Treasurer	61,965

<u>January 1, 2019</u>	2%	<u>January 1, 2020</u>	2%
County Clerk	63,204	County Clerk	64,468
Register of Deeds	63,204	Register of Deeds	64,468
Treasurer	63,204	Treasurer	64,468

**And inserting at Line 30 the following:**

Funding Amount: <u>\$751,161</u> over 4 years	Funding Source: Future annual budgets
2017: <u>\$182,250</u> 2018: <u>\$185,895</u>	2019: <u>\$189,612</u> 2020: <u>\$193,404</u>

**Motion (Schmidt/Edgell) to amend the proposed amendment to Resolution No 11-16 by setting wage increase at 2% each year. Chairman Johnson called for a voice vote on the motion to amend the proposed amendment to Resolution No. 11-16. Motion to amend Resolution No. 11-16, failed by voice vote.**

**Chairman Johnson called for a voice vote on the motion to amend Resolution No. 11-16. Motion to amend Resolution No. 11-16, carried by voice vote.**

**Chairman Johnson called for a voice vote on the motion to approve Resolution No. 11-16 as amended. Motion to approve Resolution No. 11-16 as amended, carried by voice vote. Resolution Adopted.**

**Chairman Johnson called to the floor Resolution No. 12-16. Resolution to Rescind Resolution Declaring English as the Official Language of Polk County. Motion (Luke/Caspersen) to approve Resolution No. 12-16. Administrator Frey and Corporation Counsel addressed the resolution. Chairman Johnson called for a roll call vote to approve the motion to approve Resolution No. 12-16. Motion to approve Resolution No. 12-16 carried by a roll call vote of 8 yes, 6 no. Voting Yes: Supervisors Johansen, Hallberg, Sample, Caspersen, Edgell, Jepsen, Luke, and Johnson. Voting No: Supervisors Schmidt, Moriak, O'Connell, Nelson, Bonneprise and Demulling. Resolution Adopted.**

**Chairman Johnson called to the floor Resolution No. 13-16. Resolution Adopting Comprehensive Revision to Polk County Personnel Policies-Chapter 8 Personnel Policies. Motion (Bonneprise/Sample) to approve Resolution No. 13-16. Administrator Frey addressed the resolution. Chairman Johnson called for a voice vote to approve Resolution No. 13-16. Motion to approve Resolution No. 13-16 carried by unanimous voice vote. Resolution Adopted.**

**Chairman Johnson called to the floor Resolution No. 14-16. Resolution Adopting Comprehensive Revision to Polk County Financial Policies-Chapter 5 Financial Policies.**

**Motion (Jepsen/Johansen) to approve Resolution No. 14-16.** Administrator Frey addressed to resolution. **Motion (Jepsen/Demulling) to amend Resolution No. 14-16 as follows:**

Page 14, Section 3,010 strike clause “g”

Page 15, Section 4.02, after the last sentence, insert a sentence to read:

A purchasing agent must take steps to ensure that any information relating to a bid provided a single potential bidder is provided to all potential bidders, e.g. through a listing of questions and responses on the County’s website.

Page 17, Section 4.10, Invoices. 1<sup>st</sup> line strike any

Page 17, Section 4.10, In paragraph beginning after item (d.) ~~Strike Payments~~, insert Payment

**Chairman Johnson called for a voice vote on the motion to amend Resolution No. 14-16.**

**Motion to amend carried, by unanimous voice vote.**

**Chairman Johnson called for a voice vote on the motion to approve Resolution No. 14-16 as amended. Motion to approve Resolution No. 14-16 as amended, carried by unanimous voice vote. Resolution Adopted.**

Chairman Johnson called to the floor **Resolution No. 16-16. Resolution Assigning to Committee Reporting of Affiliated Organizations. Motion (Hallberg/Sample) to approve Resolution No. 16-16.** Supervisor Sample addressed the resolution. **Supervisor Jepsen requested that WestCAP be moved out of the CDRE standing committee and moved under the Board of Health and Human Services. Chairman Johnson declared that on consensus of the County Board, WestCAP moved to the Board of Health and Human Services.**

**Motion by (Sample/Jepsen) to amend Resolution No. 16-16:**

By inserting, following Line 26, the following resolved clause:

“BE IT FURTHER RESOLVED that, except as provided by applicable statutory mandate or existing contractual obligation, any County authorizations related to the above identified organizations and committees shall sunset and expire prior to the organizational meeting of a newly elected board, and may be reauthorized as such newly elected board may determine as appropriate.”

**Chairman Johnson called for a voice vote on the motion to amend Resolution No. 16-16.**

**Motion to amend carried, by unanimous voice vote.**

**Chairman Johnson called for a voice vote on motion to approve Resolution No. 16-16 as amended. Motion to approve Resolution No. 16-16 as amended, carried by unanimous voice vote. Resolution Adopted.**

Time was given for Supervisor reports.

**Motion (Demulling/Bonneprise) to adjourn. Motion carried by unanimous voice vote.**

Chairman Johnson declared meeting adjourned 10:55 p.m.

Respectfully submitted,  
Carole T. Wondra, Polk County Clerk

STATE OF WISCONSIN    )  
                                  )SS  
COUNTY OF POLK        )

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the foregoing minutes are a true and correct copy of the County Board Proceedings of the Polk County Board of Supervisor's Session, held on March 15, 2016.

Carole T. Wondra      3-23-16  
Carole T. Wondra                      Date

Polk County Forestry Dept  
100 Polk County Plaza  
Suite 40  
Balsam Lake, WI 54810  
Office: 715-485-9265



**‘Proposed’**

**Gandy Dancer Trail**

**Polk County Segment**

**Master Plan**  
(Amended xx/xx/2016)

Gandy Dancer Trail  
Polk County Segment  
Master Plan

Prepared by  
Jeremy Koslowski, Forest Administrator/Parks Assistant

~~Under the Direction advice and recommendation -of the~~  
Polk County Conservation, Development, Recreation and Education Committee and

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Approved by the County Board for Purposes of Public Hearing

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## Introduction

This Master Plan represents Polk County's portion of the multi-county Master Plan for the Gandy Dancer Trail. The 96 mile recreation trail extends from the City of St. Croix Falls in Polk County to the City of Superior in Douglas County. The corridor extends northward from St. Croix Falls for 49 miles to Danbury, where it crosses the St. Croix River and enters the State of Minnesota. Approximately 30 miles of the trail traverses Pine and Carlton Counties in Minnesota and then re-enters Wisconsin and terminates in Douglas County. Map 1 shows the regional location of the Gandy Dancer Trail.

This dual state trail was developed as a result of a cooperative agreement between the Wisconsin Department of Natural Resources (WDNR) and Polk Burnett and Douglas Counties for the Wisconsin segment of the trail. Under the Memorandum of Understanding (MOU) signed by all parties, the WDNR will be responsible for the acquisition of the railroad right-of-way (ROW) and any additional land for appurtenant facilities. The Counties will be responsible for the development and operation of the trail under their respective jurisdictions. Map 2 shows the location for the trail in Polk County.

Reference of 2007 study of the visitors to the Gandy Dancer State Trail here?

DRAFT

## Section I - Actions

### A. Goals and Objectives

#### Goal

The goal of Polk County's 29 mile long multi-purpose recreational trail is to be part of the 96 miles trail stretching from St. Croix Falls to Superior. The all-season trail provides safe two-way traffic for bicycling, hiking, snowmobiling and winter ATV use.

Polk County must consider the recreational needs of the future, and what recreational opportunities the county would like to be able to offer visitors. Included in this decision making process, should be consideration for the local residents and property owners along the trail, non-resident property owners, vacationers that visit Polk County and the availability of other like recreational uses in the area or region.

#### Objectives

1. Provide spring, summer and fall trail use opportunities to hikers, joggers, bird watchers, photographers, mountain bikers and other non-motorized trail users.
2. Provide a trail and necessary maintenance to accommodate up to 30,000 snowmobilers and winter ATV use each season.
3. Provide a trail with surfacing and other appropriate improvements, along with the necessary maintenance that will accommodate the various user groups throughout the different seasons.
4. Provide access to the trail for the physically impaired through proper design, construction, and maintenance.

#### Additional Benefits

1. Continued management of the non-developed right-of-way in grass, brush and trees will benefit wildlife by providing food and cover and will also increase the aesthetic component of the trail for the trail users.
2. The trail provides a common link to many different current and potential recreational trails in the area.
3. The trail provides economic stimuli to villages and business located on or near to the trail to the hospitality, recreational and travel business sector of the economy.
4. The trail provides safe, alternative sources of commuting for some residents, as well as a safe opportunity for local school education programs.

5. The trail provides economic development to the area with current and potential future easements for fiber optic lines, natural gas lines, water/sewer lines, electrical lines, etc...
6. The trail promotes a healthy lifestyle through offering the opportunity for safe physical activities such as hiking, bicycling, walking and running.

#### B. Recommended Development and Management Program

##### 1. Land Acquisition

Under the terms of the MOU, the WDNR acquired the abandoned ROW within Polk, Burnett and Douglas Counties. Approximately 16.6 miles in Polk County was acquired by the Wisconsin Department of Transportation (DOT) for possible future highway purposes. The WDNR obtained an easement for use of the property under DOT control.

##### 2. Easements and Leases

All past and present underground easements on the 29 mile stretch are to be retained by Polk County. Any future leases or easements compatible to the trail will be issued and retained by Polk County.

##### 3. Development

According to the terms of the MOU, the development of the recreational trail is the responsibility of Polk, Burnett and Douglas Counties. The DNR has granted an easement to the counties for development, maintenance and operation of the full length of the trail. Under the terms of the MOU, the counties must open the trail for public use within five (5) years of the acquisition of the right-of-way by the DNR.

Original development of the trail in Polk County was under the direction and supervision of the Polk County Parks and Recreation Department and is now managed by the Polk County Parks, Forestry, Buildings and Solid Waste Department.

##### A. Phase I

Original development of the trail included examination of the trail for safety, and erosion control problems. The decking and railings were rebuilt on two bridges. Appropriate signage was installed along the trail. The final original development was grading of the existing ballast material which provided a usable trail for hiking, jogging, bird watching, photography, mountain biking and other non-motorized recreation in the summer and fall and snowmobiling and ATV use in the winter.

B. Phase II

Establishment of a trailhead at the southern terminus of the trail was completed (Polk County Information Center).

All trail signage has been completed and maintained with uniformity in size and color for the entire trail system. The trail does have all necessary signs with information, directions, rules and regulations.

It is understood that all developed facilities will be fully accessible to all trail users, including those with disabilities.

C. Phase III

The trail is surfaced and maintained with limestone screenings and other native material.

Four sites in the communities of Centuria, Milltown, Luck and Frederic have been developed for parking and rest stop purposes.

4. Management

The trail will be designated as a multi-purpose recreational trail and will be managed by the counties according to state standards. While each county will manage its own trail segment independent of the others, an umbrella organization, comprised of the counties and the Minnesota and Wisconsin DNR's, will serve as an advisory organization for the purpose of better cooperation, communication, and coordination of trail activities.

A. Facilities Management

Winter maintenance of the trail will involve signing, brushing and grooming, which could be done under contract by the Polk County Snowmobile/ATV Council or by the County.

Summer maintenance will include brushing, mowing, grading, dragging, packing and spraying of the trail surface when necessary which could be done under contract by the Polk County Snowmobile/ATV Council or by the County.

B. Vegetative Management

Vegetative growth will be maintained to improve the aesthetics of the trail; to enhance the wildlife habitat along the trail right-of-way; and to serve as wind and snow breaks thus facilitating the maintenance of the trail for recreation uses.

Periodic maintenance will include brushing, mowing, grading, dragging, packing, and spraying of the trail surface when necessary.

### C. Wildlife Management

Wild berries and other wildlife food sources and natural nesting areas will be maintained in their present state outside the maintained trail corridor and within the trail right-of-way.

Nesting boxes for bluebirds, wood ducks and other species may be built and provided by local organizations and placed in suitable habitat along the trail.

#### 5. Temporary repurposing of the trail for motorized and other uses (Event/Special Use Event Requests)

Due to increased requests for Events and Special Use Events (Special Use Event is defined as: uses not allowed on the trail under normal circumstances or certain times of the year) to be held on the Gandy Dancer Trail, the Polk County Conservation, Development, Recreation and Education Committee has approved the following guidelines for consideration when reviewing such requests.

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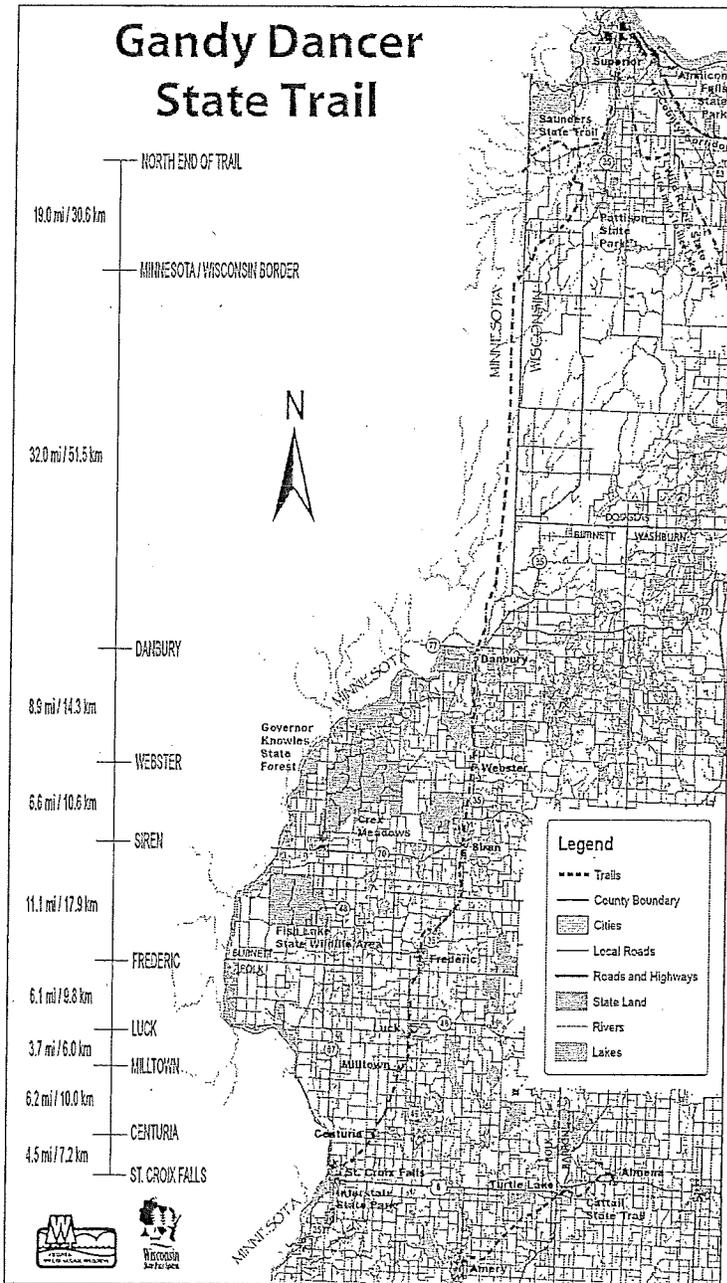
1. A Special Use Event cannot be held on a State or Federal holiday or holiday weekend.
2. Only two designated Special Use motorized events will be authorized.
3. Two Special Use Events will be allowed for non-motorized events to occur during the motorized time of trail operation.
4. An Event/Special Use Event request cannot conflict with another scheduled event that is allowed under normal use (i.e. run/walk event, bike event, etc...) If an approved Event/Special Use Event is already schedule, it cannot be bumped by another event request of any kind. The Committee may consider past annually scheduled Events/Special Use Event that used specific dates when reviewing a request from another organization in an attempt to minimize potential conflict.
5. The Event/Special Use Event organizer is required to provide the County with certificates of insurance for the approved event and dates. Minimum insurance coverage shall include \$1,000,000 for bodily injury, including death and \$25,000 property damage.
6. The Event/Special Use Event needs to be organized and administered by either a state recognized 501(3)(c) group or by a local county organization, club or group of county residents (group defined as 3 or more people)
7. An Event/Special Use Event permit and fee are required by the WDNR.

Requests for an Event/Special Use Event permit shall be submitted to the County no less than 60 days prior to the event and will be reviewed and considered by the CDRE Committee on a case-by-case basis. The County shall forward its recommendation onto the appropriate WDNR employee responsible for review and approving WDNR permits.

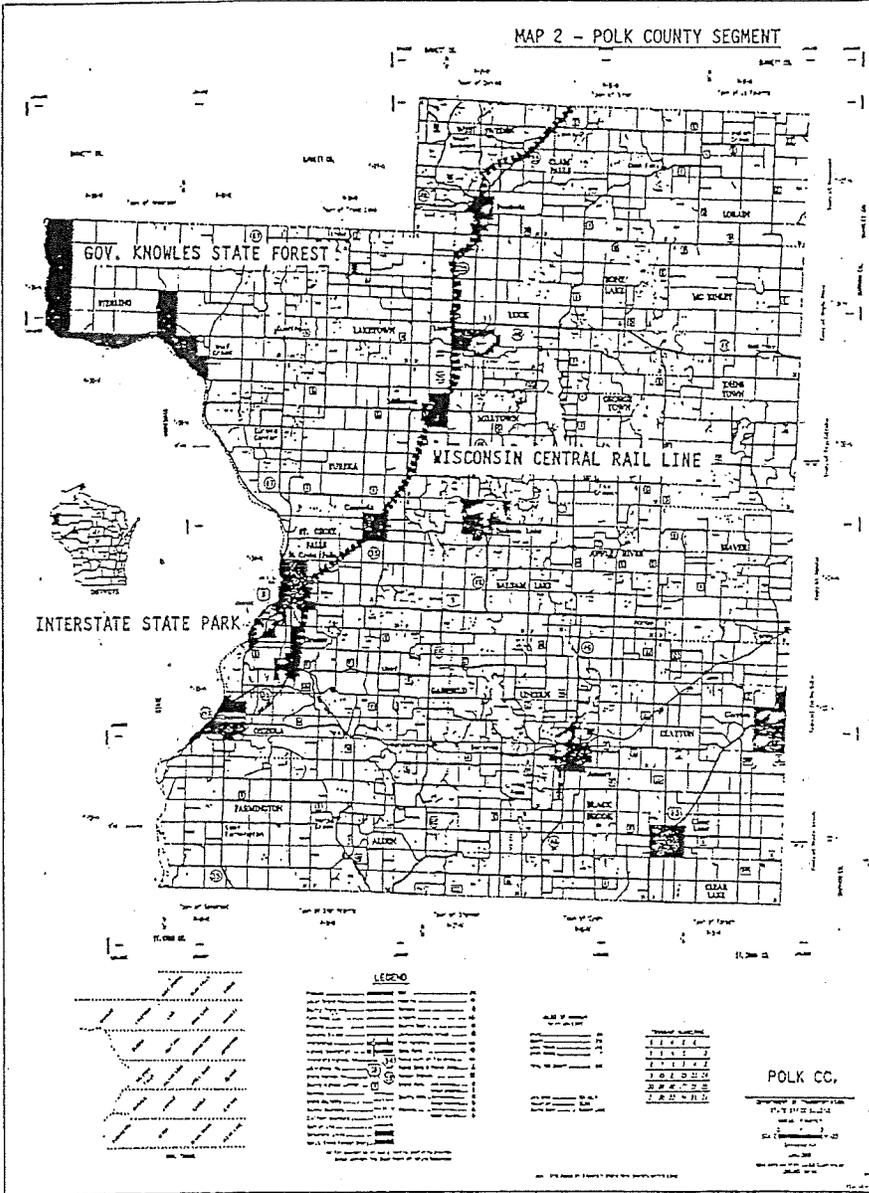
8. Event/Special Use Event organizers are responsible for any and all damage to the trail. The Parks, Forestry, Buildings and Solid Waste Department shall either estimate costs or make the necessary repairs and then bill the organization for direct costs of repairs.
9. The trail must remain open for public use during the Event/Special Use Event.

DRAFT

Section II – Support Data



MAP 2 - POLK COUNTY SEGMENT



POLK CC.

*Resolution of Endorsement  
By The Governors of Minnesota and Wisconsin  
For An Interstate Recreational Trail*

*WHEREAS*, the two states of Minnesota and Wisconsin, area legislators and local officials are working together to form a partnership to establish a 90 mile interstate recreational trail on a railroad right-of-way between the two states; and

*WHEREAS*, the two states have established themselves as national leaders in the acquisition of abandoned railroad rights-of-way; and

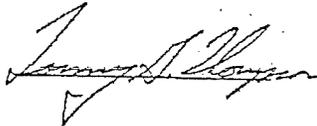
*WHEREAS*, it is recognized that a recreational trail will help promote economic development for both Minnesota and Wisconsin northern counties, promote tourism with significant economic benefits for local communities and local units of government, and provide needed recreational opportunities for citizens;

*NOW, THEREFORE*, be it resolved by the Governors of Minnesota and Wisconsin that they whole-heartedly support the establishment of an interstate recreational trail between the two states and commend area legislators, local officials in the counties where the trail passes and the two Departments of Natural Resources for their joint efforts of cooperation to further this innovative project.

SIGNED:

State of Minnesota  
Governor Rudy Perpich

State of Wisconsin  
Governor Tommy Thompson



Date

Date

8/7/89

8/7/89

MEMORANDUM OF UNDERSTANDING BETWEEN THE STATES OF

MINNESOTA  
AND  
WISCONSIN

The following is a Memorandum of Understanding between the states of Minnesota and Wisconsin for the creation of a trail on a discontinued railroad right-of-way in east-central Minnesota and northwest Wisconsin.

There is a railroad right-of-way running north from Dresser Junction, Wisconsin, through Polk and Burnett counties to Danbury, Wisconsin continuing across the Saint Croix River north through Pine County, Minnesota into the southeast corner of Carlton County then entering in Douglas County, Wisconsin and continuing northeast to a point near Superior, Wisconsin.

The right-of-way is no longer used for rail traffic, and is available for conversion to a trail.

PURPOSE

The purpose of this Memorandum of Understanding is for the two states to work cooperatively for the establishment of a 90-mile recreational trail and to acquire their respective sections of the right-of-way, provided a reasonable price can be negotiated.

The counties in which the Wisconsin segment of the trail is located will develop, operate and maintain their respective sections while the State of Minnesota will develop, operate and maintain a trail corridor connecting the Burnett County and Douglas County portions of the trail.

BENEFITS

Provide a recreational trail from a point near Dresser and Saint Croix Falls in Polk County, Wisconsin, through Burnett County, the State of Minnesota, and to a point in Douglas County, Wisconsin.

Provide the trail user with a recreational trail experience in geographic areas of both states.

Promote the areas' opportunities for tourism and outdoor recreation in both states.

Provide the opportunity for future trail connections to other areas in both states.

TERMS

This Agreement shall become effective upon signing of the Agreement. Each state will work to implement the project in their respective states within the next three (3) years, if funding is made available either as an agency project (Minnesota) or through cooperative arrangements with others (Wisconsin).

Each state will acquire their portion of the Saint Croix River bridge near Danbury, Wisconsin, and work cooperatively to develop and maintain it.

APPROVED

STATE OF MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

\_\_\_\_\_  
Joseph N. Alexander, Commissioner

\_\_\_\_\_  
Carroll D. Besaňny, Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

MS30

RF

RESOLUTION NO. 11-89

RESOLUTION AUTHORIZING THE PROPER COUNTY OFFICIALS TO  
ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES REGARDING A RECREATIONAL TRAIL

WHEREAS, the Soo Line Railroad has abandoned its railroad between  
Dresser and a point in Douglas County, a distance of approximately 83 miles,  
approximately 53 of which are within Polk, Burnett and Douglas Counties  
and

WHEREAS, considerable interest has been expressed in a proposal to  
acquire this railroad right-of-way and develop it as a recreational trail,  
and

WHEREAS, the Wisconsin Department of Natural Resources has offered  
to acquire the right-of-way if Polk, Burnett and Douglas Counties develop  
and maintain and operate the corridor as a recreational trail. No state  
park funds shall be budgeted for development, operation and maintenance,  
however, the counties are eligible to apply for state community assistance  
and other match/grant funds administered by the state.

WHEREAS, it is the long term goal that the right-of-way be preserved  
as a multi-recreation trail and a master plan will be prepared by the counties  
to determine specific uses.

NOW, THEREFORE, BE IT RESOLVED by the Polk County Board of  
Supervisors that the proper county officials be and hereby are authorized  
to enter into a Memorandum of Understanding with DNR and Burnett & Douglas  
Counties by which DNR will acquire the railroad right-of-way and the counties  
will develop, maintain and operate it as a recreational trail.

Submitted at the request of the Property Committee.

January 17, 1989  
Date

APPROVED BY: Keith Jones, S.A.

COUNTY EXECUTIVE

COMMITTEE

Richard Tucker  
Carl Paulsen  
John Boney  
Ralph Muskela

CO. REPRESENTATION

RESOLUTION NO. 11-89

RESOLUTION AUTHORIZING THE PROPER COUNTY OFFICIALS TO  
ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES REGARDING A RECREATIONAL TRAIL

Amended by adding the following to the end of the last paragraph "provided  
that the bridges are taken out by the railroad or the Department of Natural  
Resources."

DRAFT

Memorandum of Understanding By Douglas County, Burnett County, Polk County,  
and State of Wisconsin Department of Natural Resources

I. Introduction:

The purpose of this Memorandum of Understanding (MOU) is to set forth the agreements and understandings which have been reached among Douglas County (DC), Burnett County (BC), Polk County (PC), and the State of Wisconsin Department of Natural Resources (WDNR) regarding the acquisition, development, and operation of approximately 60 miles of abandoned rail property in Wisconsin located between a point in Douglas County and Dresser, Wisconsin. The grade is presently owned by the Wisconsin Central Railroad Company Soo Line and Burlington-Northern Railway Company in Polk and Douglas counties and has been approved for abandonment by the Interstate Commerce Commission. Burnett county owns the right-of-way in Burnett county. A separate agreement will be negotiated with the State of Minnesota for their 30 miles of the corridor.

The WDNR is interested in preserving the grade corridor for recreational trail purposes. All parties are interested in developing, maintaining, and operating a recreational trail in the corridor provided the WDNR acquires same. All parties agree to work together to achieve their mutual goals as set forth below.

II. Description of the Property

Legal description to follow, hereinafter referred to as premises.

III. Consideration

The WDNR will acquire the right-of-way provided a reasonable price can be negotiated for the premises and the owners can convey merchantable title. The WDNR will convey a nonexclusive easement to Polk, Burnett and Douglas Counties and mutually agreed to by PC, BC and DC for One Dollar and other valuable consideration.

IV. Obligations of WDNR:

1. The WDNR will purchase, or enter into long term agreement for the 60 miles of railroad corridor within Wisconsin from a point in Douglas County to Dresser, Wisconsin.  
WDNR as provided in Paragraph III agrees to purchase reasonable land acreage adjacent to the right-of-way for east areas if recommended in the master plan and will convey these parcels to the counties for development and operation as part of the acquisition. In the case of BC, purchase by WDNR will amount to 50 feet of width through the villages of Siren, Webster and Danbury. WDNR will also acquire three, one-acre rest areas within said villages.
2. WDNR will attempt to purchase all rights, title and interest in and to the parcels for the purpose of providing a continuous corridor.
3. The WDNR will convey by easement to BC, PC and DC the right to develop, maintain, operate and replace with WDNR approval a recreation trail on lands within their respective counties. WDNR

- will convey all other present and future underground easement rights to BC that are compatible with the trail.
4. Upon destruction or damage the Department has the right to replace said section.
  5. The WDNR agrees to comply with the environmental impact process for the purchase of the property pursuant to s. 1.11, Stats., and Chapter NR150, Wis. Adm. Code.
  6. WDNR agrees that any advertising or display material relating to the trail shall clearly identify the property is owned by the WDNR and under the management and control of PC, BC and DC.
  7. A one mile section of right-of-way at BC's airport is excluded from this MOU. This section will be replaced with a like section through relocation by BC *AS IN THE VILLAGES*.
  8. A segment of the right-of-way in Webster that is being tested for contamination is excluded from this agreement.
  9. BC retains right of first refusal if WDNR decides to convey any or all the property within said county.

V. Obligations of Douglas (DC) County, Burnett (BC) County, Polk (PC) County

1. PC, BC, and DC shall develop, maintain, operate repair and replace a recreation trail within their respective counties.
2. PC, BC, and DC shall enter into an easement or agreement in perpetuity with the DNR to accomplish the purposes contained herein.
3. PC, BC, and DC shall complete the environmental impact assessment for development, maintenance, and operation of the trail.
4. PC, BC, and DC shall write a master plan for the project to be completed prior to any trail development (according to WDNR format). The master plan will determine the trail uses and management.
5. PC, BC, and DC shall conduct public meetings to determine uses, development and operation as part of the master plan process. BC has conducted public meetings prior to their acquisition.
6. PC, BC, and DC agree the trail will be open for public use within their respective counties within 5 years of completion of WDNR's acquisition that would allow the trail to be built and used. If the trail is not open by this date or ever ceases to be used for trail purposes for two years then all rights revert to and re-vest in the WDNR without necessity of re-entry. WDNR is not obligated to continue to manage the recreational trail and may sell the right-of-way.
7. Upon reversion the WDNR will assume compliance responsibility for the land and water conservation fund assisted areas. A payment equal to any land and water conservation grant awarded through the community assistance program for development shall be paid to the WDNR by the defaulting county(s).
8. A payment equal to any other grant amount awarded through the community assistance program for development shall be paid to WDNR by the defaulting county(s).
9. PC, BC and DC agree to indemnify and save harmless WDNR, its officers, employees, and agents and to assume all responsibility and liability for death of, or injury to any persons, including but not limited to, officers, employees, agents, patrons, invitees

or licensees of the parties hereto and for loss, damage or injury to any property, including but not limited to, that belonging to WDNR, together with all liability for any expenses, attorney's fees and costs incurred or sustained by the WDNR, arising from or growing out of, or in any manner or degree directly or indirectly caused by, attributable to, or resulting from the grant or exercise of the MOU and the easement or the construction, maintenance, repair, renewal, alteration, change, relocation, existence, presence, use, operation or removal of the recreational trail, unless caused by the negligence of DNR, its officers or employees.

PC, BC and DC shall release and indemnify and save harmless WDNR, its officers, employees and agents, for any damage to the property of PC, BC and DC, their employees, agents, contractors or subcontractors, arising from or growing out of, or in any manner or degree directly or indirectly caused by, attributable to, or resulting from the grant or exercise of the MOU and the easement or the construction, maintenance, repair, renewal, alteration, change, relocation, existence, presence, use, operation or removal of any structure incident thereto or from any activity conducted by or on behalf of PC, BC and DC or WDNR on or in the vicinity of the recreational trail unless caused by the negligence of WDNR, its officers, employees or agents.

10. PC, BC, and DC agree that any advertising or display material relating to the trail shall clearly identify the property is owned by the WDNR and under the management and control of the PC, BC, and DC.
11. PC, BC, and DC in connection with this MOU shall open the facilities to the general public subject to reasonable rules and regulations, fees, and charges as the PC, BC and DC deem necessary for the management and operation of the premises.
  - a. Rules and Regulations. The parties agree that the provisions of Section NR 45.04(1)(a) Wisconsin Administrative Code, remain applicable to the Premises. Daily routine enforcement remains the responsibility of PC, BC, and DC.
  - b. Admission fees, if any, charged by PC, BC, and DC shall not exceed those established in s. 27.01(7), Stats. PC, BC, and DC will discuss the fees to be charged with the WDNR at an annual meeting held prior to May 1 each year and the fees shall be subject to written approval by the WDNR. PC, BC, and DC shall retain all fees collected as payment for its services under this MOU. If admission fees are charged, the conservation patron licensee and senior citizen card issued by the WDNR shall be honored without additional admission charges.

12. Trail development will conform with WDNR state trail standards.

#### II. General

1. This MOU is subject to all applicable laws and regulations and to the approval of the WDNR.

2. The WDNR retain the right to withdraw from this transaction if it determines that merchantable title cannot be conveyed to the WDNR or a reasonable price cannot be negotiated for the premises.
3. This MOU may be revised by mutual written agreement of the WDNR and PG, BC, or DC.
4. This MOU acknowledges that the Department may convey other easements in and to above described property ~~is~~ consistent with the rights granted herein.
5. The 6.5 mile section of the Burlington-Northern ROW in Douglas County if purchased by WDNR will be incorporated into this MOU for the purposes of continuity consistent with management and operation of this right-of-way.
6. It is the intent that 30 miles within the State of Minnesota, part of this same corridor, be included in this trail concept.

IN WITNESS WHEREOF, WDNR, PG, BC, DC have caused this memorandum to be executed in their respective names by their respective duly authorized representatives on the date shown below.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Carroll D. Bessey  
 Carroll D. Bessey, Secretary

POLK COUNTY  
George Vollett  
 County Board Chairperson

BURNETT COUNTY  
 \_\_\_\_\_  
 County Board Chairperson

DOUGLAS COUNTY  
 \_\_\_\_\_  
 County Board Chairperson

Dated July 31, 1989

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