

**Michigan Department of Natural Resources
Snowmobile Advisory Workgroup (SAW)**

Meeting Minutes

December 8, 2011

Approved March 1, 2012

Foggy's Steakhouse and Lounge, Christmas, Michigan

MEMBERS PRESENT:

Lee Murray, Chairman, At-Large Representative
Bill Manson, Michigan Snowmobile Association (MSA), Region II Representative
Al Green, MSA, Region II Representative
Rich Filley, Trail Sponsors Representative
Don Britton, At-Large Representative
Bruce Wood, Trail Sponsors Representative
Jim Duke, MSA, Region I Representative

DNR STAFF PRESENT:

Steve Kubisiak, Forest Management Division (FMD), Lansing
Ron Yesney, FMD, Marquette
Cpl. John Morey, Law Enforcement Division, Gaylord
Monica Weis, Operations Division, Gwinn

PUBLIC ATTENDEES:

Richard Musson, Schoolcraft Snowmobile Association (SSA)
Gerry Reese, SSA
Keith Litchfield, Bader & Sons Company
Mike Beard, Bader & Sons Company
Allen Lavigne, SSA
Rodney Altman, Presque Isle Sno-Trails (PI Sno-Trail)
Martin Cottle, Sault Ste Marie Snowmobile Association
Stu Volkers, Eastern Upper Peninsula Snow Council/Les Cheveraux Sno Club
Ron Corbett, MMSC, MSA
Jim Dickie, MMSC, MSA
Connie Wood, Charlevoix
Karen Middendorf, MSA Staff
John Houk, PI Sno-Trail
David Low, West Michigan Snowmobile Council
John Hurry, Ogemaw Hills Snowmobile Club (OHSC)
David Demetrakeas, OHSC
Don Reed, SSA
Jay Wright, Chippewa Snowchasers (CS)
Ed Carlson, CS
Donald Bedford, Rick Brown, CS
Rodney Altman, PI Sno-Trail

WELCOME

Chairman Murray called the SAW meeting to order at 8:56 am, Thursday, December 8, 2011 in Christmas.

AGENDA

The agenda was accepted as submitted with Law Enforcement Grants as an additional item for discussion.

Motion was made by Mr. Duke, seconded by Mr. Wood to adopt the corrected agenda for the December 8, 2011 meeting. Motion for adoption unanimously carried.

MINUTES

The minutes of the October 18, 2011 meeting were acknowledged.

Mr. Filley requested correction to page 3, last statement, for name spelling.

Page 5, change motion to adjourn from **Mr. Lucas** to **Mr. Manson**.

Motion was made by Mr. Britton, seconded by Mr. Filley to adopt the corrected minutes for the October 18, 2011 meeting. Motion for adoption unanimously carried.

BUSINESS ITEMS FOR DISCUSSION

Consistency in Grooming

Mr. Britton had an update from a meeting he had with local DNR staff and distributed a handout. They developed recommendations for the workgroup to have a minimum of two trail inspections for brushing, signing, and grooming per season, better to have three or four inspections. Start up monies applied for with the inspections starting in December – it was noted that in some areas the trail needs to be frozen in order to be inspected. **Mr. Britton** believes that inspections should be standardized and consistent across the state.

Mr. Green would like to have a DNR staff member lend experience and guidance on repairing specific maintenance projects. **Chairman Murray** asked if this should be submitted as a recommendation to the DNR.

Mr. Duke stated that the US Forest Service (FS) needs to be contacted before maintaining National Forest lands. **Mr. Britton** said the trail sponsors contact the DNR field representatives before maintenance begins.

Mr. Manson would like to split the issue into two categories: 1) signing/brushing and 2) grooming. A manual is in place for brushing, what sort of checklist is needed? **Mr. Yesney** suggested a checkbox form. **Mr. Manson** wondered who would be tasked with creating the form. **Mr. Britton** said the grant sponsors and the DNR – this will be an on-going agenda item to be discussed at the February meeting.

Mr. Yesney suggested drafting a document for ideas at the next meeting. **Mr. Manson** withdrew a motion to create a forms subcommittee. **Chairman Murray** appointed **Mr. Britton** with **Mr. Filley** and **Mr. Woods** to create the trail inspection and grooming forms.

Surplus Line Taxes

Mr. Manson reported on his findings regarding the Surplus Line Taxes item on the insurance billings. **Mr. Manson** said according to the Michigan Insurance Regulators, since insuring snowmobile trails is a 'specialty' insurance, they charge a 2.5 percent tax on the premium. **Mr. Manson** believes this money should be refunded to the grant sponsor, but this is a tax and not reimbursed in the grant. Wording states liability insurance only, not regulatory fees/taxes. There isn't a definitive answer at this point.

Mr. Green asked if this is not being reimbursed. **Mr. Manson** said some have slipped through for payment, but now they are broken out on the policy with the tax portion not being paid. **Chairman Murray** said everything is to be reimbursed, **Mr. Britton** agreed. **Mr. Manson** will follow up with the Office of Financial and Insurance Regulation. This item will be placed on the February meeting agenda item for follow-up.

Motion was made by Mr. Manson, seconded by Mr. Duke for the cost of insuring the Michigan snowmobile trails be 100 percent reimbursed by the DNR including any and all taxes. Motion for adoption unanimously carried.

Weekly Grooming Reimbursement Form

Mr. Manson addressed the issue of obtaining adequate figures from the grant sponsors. The current form needs modifications in the routine maintenance section. In the analysis, groomer maintenance costs are calculated and the column for hours is zero. **Mr. Kubisiak** stated the weekly grooming form is designed to capture groomer maintenance not major repairs. **Mr. Manson** said the subcommittee will revisit the issue. **Mr. Filley** wanted to know how the numbers were calculated. **Mr. Britton** suggested that six sponsors collect accurate costs and re-categorize the form. **Mr. Manson** will bring the issue back to the subcommittee and contact Richard Kennedy with regard to any questions they have on the cost analysis. **Chairman Murray** stated that the redesign of the form and guidance was approved at the October 18 SAW meeting – this item will be added to the February agenda.

Fiscal Year 2012 Grooming Rate

The rate will be \$5.27/mile. The cost is recalculated at the beginning of December and is based on the Midwest fuel average. If significant fluctuations in fuel costs occur, the prices will be reviewed for an adjustment made at the end of the season. **Mr. Manson** posed the scenario of prices going down. **Mr. Kubisiak** said the DNR has never asked for monies to be returned. **Chairman Murray** wanted to know if there were any safeguards. **Mr. Manson** said the numbers were reviewed in December and again in April, should it be monthly? **Mr. Kubisiak** said a monthly review may only complicate matters. **Chairman Murray** suggested that if the matter needs to be addressed to bring it up at the following SAW meeting.

Non-Zero Hour Grooming Equipment

Mr. Wood would like to promote purchasing non-zero hour equipment. It's not to purchase used equipment, it's to take advantage of demonstration equipment at a reduced cost to the

program. **Mr. Manson** said equipment is nonbid, so it shouldn't be a DTMB issue. The past policy was to purchase only new equipment and stay away from used equipment to avoid costly repairs.

Motion was made by Mr. Wood, seconded by Mr. Britton to allow any and all trail grooming tractor, front blade, brush cutter, and drag demonstration equipment with the full manufacturer/factor warranty to be purchased. Motion for adoption unanimously carried.

2012 SAW Meeting Schedule

February SAW meeting will be Tuesday the 7 at the Ralph A. MacMullan Conference Center in Roscommon. The UP meeting will be December 6; location will be determined. Additional meetings may be scheduled.

Law Enforcement Grants

In speaking with the Sheriff's Department, **Mr. Duke** was told they received information from the state and the grant monies were being withheld through January or February. If the monies run out, the Sheriff's Department won't be on the trail. Why is the money in the protected fund being withheld? **Mr. Kubisiak** noted potential short fall snowmobile sheriff enforcement grant line and reviewed the appropriations and budgeting process. Staff is waiting for accurate budget balances before sending out the grants. Final decisions on revenues and balances are expected to be completed this week.

Chairman Murray expressed dissatisfaction with how long this process is taking.

Motion was made by Mr. Duke, seconded by Mr. Britton, the SAW finds the law enforcement grant funding delay is unacceptable to reach the level of enforcement on the trail that is desired and necessary for safety. Motion for adoption unanimously carried.

Mr. Duke informed the workgroup that the Easter Upper Peninsula Snowmobile Council (EUPSC) made a donation of \$6,500 to the five Sheriff's Departments in the eastern UP.

Mr. Duke requested Sharon Schafer attend the February meeting to explain the budget process.

Sault Ste. Marie Update

Martin Cottle reported their club equipment grant was executed. We are looking to obtain two more miles of trail, possibly from other clubs in the area.

STAFF REPORTS

Forest Management Division

Mr. Kubisiak reported that on November 10, Director Rodney A. Stokes announced the DNR reorganization effort. The current FMD will be dissolved and Forest Resource Division (FRD) created in its place. Oil and mineral issues will be part of the new Office of Land Administration. The Recreation and Trails Section will be transferred to Parks and Recreation Division (PRD).

The transition will occur January 8, 2012. Jim Radabaugh will remain in the trails program and will be discussing transition details with PRD Chief Ron Olson and transition team next week. Chief Olson will be sending a notice to the Michigan Snowmobile and Trails Advisory Council, workgroups, and trail sponsors to receive input on the transition process.

Roger's City Spur Update – Mr. Kubisiak read a statement into the record:

In 2004 the DNR accepted a gift of land from the Lake State Railway in the quarry at Rogers City. This corridor is rail banked under Federal law. Since that time the DNR has been working through a variety of complex issues associated with this rail corridor, including having a recreational trail within the active quarry operations area, exploring reroute opportunities around the active quarry operations, addressing Homeland Security issues associated with the quarry operations and deep water port, and finally the transfer of ownership of the quarry through three different companies, including consideration of additional uses including permitting for the coal plant that planned to locate within the quarry.

During this time it was discovered that the gift of land does not end at a location where there is legal access to connect the corridor into Rogers City. The DNR has been actively pursuing legal access from the end point of the gifted corridor. We have intentionally not been publically discussing this topic because we did not want to influence the purchase price for a successful connection that would take us out of the quarry, thereby jeopardizing our ability to secure the property and eliminate our ability to negotiate with the owners of the quarry. However, recent actions and correspondence have made it necessary to inform you of this status. The DNR is currently negotiating with the rail company through the legal issues that are normal with any negotiations with railroad corridors. We are committed to a successful outcome and appreciate your patience and cooperation as we continue to make a trail connection to Rogers City a reality.

Mr. Manson asked for confirmation of the DNR purchasing 1,700 ft for trail gap extension in Presque Isle. **Mr. Kubisiak** will confirm status and notify the SAW members.

Motorized sign update – Mr. Kubisiak reported in 2010 a sign workgroup met to standardize motorized trail sign guidelines. The committee recommended a manual to standardize signage. The findings were brought to the SAW committee last December and a few changes and clarifications were added regarding the use of sharp turn and winding trail signs. The DNR plans to move forward with the changes next season.

Law Enforcement Division

Cpl. Morey stated that in October 2011, the DNR endorsed an on-line safety course with a draft manual to review. In October, 25 students registered with 109 signing up in November. Of those 109, 104 students were under the age of 16 years, 3 were 16-19 years old, 1 was in their 30's, and 1 in their 50's. Of those 109, 72 percent were male, and the average score was 80 percent.

Mr. Manson reported he is planning a legislative ride that will take place February 10-13. The ride will begin in Newberry to Manistique, Chassel, Grand Marais, and back to Newberry.

Forest Management Division

Mr. Yesney would like to commend Hiawatha Snowmobile Club for their work in repairing the arson destroyed Carp River Bridge. Monies from the Grant Program, MUPSA, and the

Marquette Convention Bureau are in place to fix the bridge; construction is on hold until large replacement timbers arrive.

Gogebic County – Trail 2 from Ironwood to Wakefield is an important acquisition target. It is an extension of the Stateline rail-trail that was never purchased by the state. The DNR is working with a subcommittee in Gogebic County to purchase as many segments of the grade as possible.

Trail 16 from Sagola to Chippewa Falls is closed. Land ownership changed and the Sno-Kats are working on a reroute. It looks like they'll be able to work with GMO to find a way around the private land that changed hands. A trail proposal is in process.

Mr. Yesney addressed **Chairman Murray's** concerns regarding Trail 15 between Chassell and Painesdale. **Mr. Yesney** said the trail was closed in 2005 due to land control and there are currently no options available to complete the seven mile connector. Several clubs have looked at options and met with landowners to no avail.

Canadian National Railroad (CN) removed a snowmobile trail crossing on trail #419 in Munising. **Mr. Yesney** contacted CN and developed a report indicating the importance of the crossing. CN responded indicating that they want to see a legislative change prior to them relicensing and reestablishing the crossing. **Mr. Duke** said CN would grant the reestablishment of the crossing only if they were indemnified and were granted five million dollars worth of liability insurance. State Senator Casperson is working on the issue. **Chairman Murray** thanked **Mr. Yesney** for his work on this issue.

Mr. Reed wanted to know the status on the landowner blockades across the Chassell to Houghton trail near Michigan Technological University (MTU). **Mr. Yesney** reported that the landowner blockades have been removed because the state prevailed in the legal case. However, MTU has the rail-trail corridor obstructed and they won't allow a snowmobile trail on their campus.

Mr. Manson provided some background on MSA's role in the Ironwood to Wakefield rail-trail ownership acquisition process. Manson indicated that MSA provided money for title research on the grade. **Mr. Yesney** indicated that the title work has been compiled, but analysis of that title work has not been completed. It is in the hands of the Attorney General's office.

Mr. Manson suggested that MSA should get more involved in this process.

PUBLIC APPEARANCE

Mr. Reese would like to make a recommendation to the SAW to adopt the use of a snowmobile icon on the multi-use trail signs. Many ORV trails piggyback on snowmobile trails. Meetings were held with local ORV groups and the city of Manistique to use the snowmobile icon on routes throughout the city. Currently ORV designated routes are signed with orange triangles. Orange diamonds designating snowmobile are also in place. Snowmobile trails need to be wider than ORV trails for brushing. Whichever designation has a higher standard, we should follow that standard. The trend in the Hiawatha National Forest is to move snowmobile routes toward multi-use trails. The FS does not have many ORV trails and damage is occurring on snowmobile trail located in wet areas. Multi-use trail along the Haywire grade will be signed in spring replacing the orange triangle designations. The signage system is an "open to use" sign. Our club in Manistique added the snowmobile icon to the ATV trail system in the city.

Mr. Kubisiak said the consensus of the motorized trail sign workgroup was to provide a seamless snowmobile trail designation system utilizing the nationally recognized orange diamond for snowmobile trails. ORV signage is used to differentiate between the two uses, focusing on what is legally open for ORV use.

Mr. Reese would like to request a reconsideration to include the snowmobile icon on multi-use trail signage.

Mr. Manson said it was two different signs for two different trail uses. Multi-use trails are in the minority and the use of the orange diamond in combination with the new ORV sign is proposed for use on multi-use trails.

Chairman Murray noted that Mr. Britton, Mr. Filley, and Mr. Lucas represented the snowmobile clubs on the sign workgroup. He thanked Mr. Reese for his concerns and recommendation and informed him there was nothing to be done on this issue right now.

John Houk said there are a few issues regarding the new multi-use Cheboygan to Alpena trail. We aren't allowed on the trail until the contractor is finished resurfacing it. Boulders with posts on each side were put in randomly along the trail. These are too close to the trail creating a hazard for groomers and riders. **Mr. Houk** is requesting advice from the SAW on how to deal with these issues. Also, the contractors have cleared the blocked culverts created by beaver dams. During the off-season, who is responsible for beaver blocked culverts?

Chairman Murray said beaver control is under DNR authority. **Mr. Kubisiak** said boulders are used to block vehicular access and that object markers could be utilized to identify hazards.

Mr. Houk informed Mr. Kubisiak that the trail is not accessible and that the club was instructed not to sign the trail until with confidence markers until construction is completed.

Mr. Altman said the local DNR office advised the club they are not to go ahead with marking the trail until it is complete. Also slowing down on the trail by the narrow culverts may pose an issue.

Mr. Kubisiak will follow-up with field staff and get back with the club.

Mr. Litchfield asked questions about how groomer replacements are selected, who is involved with the decision making process, and when are the sponsors notified? There are instances of grant sponsors putting in monies to make major repairs only to find out they are getting a new groomer. Those groomers with repairs done could have been used for several more years and not replaced. Conversely, groomers needing replacement are not on the new equipment list.

Mr. Manson said the committee is working on the issue and notification of replacement should be issued one year in advance. **Mr. Green** said MSA raised the issue with the SAW committee. The committee in turn requested involvement with the DNR process.

Motion was made by Mr. Green, seconded by Mr. Britton to request the SAW committee be more involved with the DNR new equipment replacement selection process and the displeasure with the lack of effort from the previous motion. Motion for adoption unanimously carried.

Mr. Reed asked which formula is used to determine grooming funding. The sponsors are not receiving the amounts requested at the beginning of the season and later request an amendment. **Mr. Manson** pointed out that a five year historical average of grooming reports could be used for calculations. Richard Kennedy uses a formula of 6 x 1.5; he should use the more accurate historical information in the formula. **Mr. Manson** asked for this issue to be on the February SAW meeting agenda.

Mr. Cottle spoke about a few issues. Law enforcement grants and that the monies should be in place by a certain date. In the Hiawatha National Forest there was an \$18,000 study done on ATV trail connectivity. In the same Forest, along a 10 mile stretch, the FS brush hog destroyed the grant sponsor signs. The sponsor asked for \$600 in restitution to replace the signs and posts. **Mr. Cottle** finds the fifth draft of the sign manual unacceptable. More signs do not make the trail safer for snowmobiles. The manual does eliminate some signs, but does add a new one. Corner signs alert riders to slow down after going fast, with the signs down the riders kill themselves. Canada is using the same signs as in the manual: Stop/Stop Ahead, confidence/route markers, and orange diamonds. **Mr. Filley** said anything greater than 90-degrees needs to be signed.

COMMITTEE COMMENTS

Mr. Britton attended a FS signage meeting and would like to implement the 'vehicles prohibited' sign they use on their snowmobile trails. The restriction would be from December 1 through April 1 on state land. **Mr. Kubisiak** said using this type of sign on state land would require a Directors Order. **Mr. Manson** noted seasonal restrictions could impact landowner access to private lands. **Mr. Green** said in Cadillac, any road funded with Public Act 51 monies cannot be signed to prohibit vehicular traffic. **Mr. Manson** said our trails cross many ownerships. In Grand Traverse, the county can close their roads but this restricts their P.A. 51 funding. The FS is not restricted by this type of funding.

Mr. Wood spoke about the plowing of park and ride areas. Out of the three our sponsor plows, only two of them are used and the local DNR office wants that one plowed as well. Is there a way to choose which areas are plowed? **Mr. Kubisiak** asked Mr. Wood to identify the staging areas that are not used and he would follow-up with field staff.

Ed Carlson said they have not heard from Jim Radabaugh regarding the DNRs ownership along the rail trail between Sault Ste Marie and Strongs. **Mr. Kubisiak** noted there are gaps in state ownership along the grade in Rexton and several other communities. A map was provided to Mr. Manson. **Mr. Carlson** noted a landowner has his land up for sale. He was encouraged to provide this information to DNR real-estate.

Motion was made by Mr. Bruce, seconded by Mr. Filley to adjourn the meeting at 12:18 pm. Motion for adoption unanimously carried.