

SNOWMOBILE ADVISORY WORKGROUP
Meeting Minutes
June 25, 2020
10:00 am – 2:00 pm
MS Teams/Teleconference

ATTENDEES

SAW

James Duke - Chairman
Don Britton
Joe Kuchnicki
Scott LaCombe
Barry Bethke
Joe Bartlett
Karen Middendorp

DNR

Ron Yesney
Paul Gaberdiel
Paul Yauk
Jessica Holley
Lt. Ryan Aho
Annalisa Centofanti
Rob Katona
Kim Kennedy
Greg Kinser
Steve Krzesicki
Paige Perry
Jill Sell
Scott Slavin
Matt Torreano
Monica Weis
Sgt. Cary Foster

Meeting called to order by James Duke at 10:10 am

BUSINESS ITEMS FOR DISCUSSION

Don Britton made a motion and Barry Bethke seconded to approve the February 21, 2020 draft minutes as is. Motion carried.

Karen Middendorp made a motion and Barry Bethke seconded to take agenda items out of order. Motion carried.

Don Britton made a motion and Scott LaCombe seconded to approve the June 25, 2020 draft meeting agenda. Motion carried.

COVID-19 Impacts

Since the end of March, staff have been working from home.

Michigan has a \$3.5B deficit which stopped spending, we are now able to submit Critical Project Requests (CPR) to release funds for projects, grants, and equipment.

Some were wondering why restricted funds were not being used, the perception is how to justify spending money on trails during a pandemic. Not only for the health benefits, local economies across the state depend on trails.

Don Britton asked when we will be able to spend what we have and how much is available. Unable to purchase equipment this year, we are mostly spending on projects.

Paul Yauk will forward the current Trail Improvement Fund information to the group.

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

10:00 am – 2:00 pm

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Payments submitted prior to the spending freeze will be paid.

Delays in ESR submissions make it difficult to decide how much and what can be spent, there will be follow-up with the clubs who have not submitted them. Need to have the information in May or early June.

Joe Bartlett made a motion and Don Britton seconded to make a recommendation that if ESRs are not returned in by the due date, that means the status is green to move forward. Motion carried.

ACTION ITEMS

Easement Acquisitions of Permanent Trails

Snow Country Trails Council (SCTC) would like to be involved in discussions concerning acquisitions, trail implementations, and funding. Ron Yesney said the Department is not trying to exclude SCTC, we will engage in bi-monthly meetings for updates. The situation in question required us to move quickly on securing the easement.

Keweenaw Land Association (KLA) is a large publicly traded company who agreed to a time sensitive sale. We acted quickly to secure the year-round easement in five western UP counties across 64 parcels covering 54 miles of trail for \$842k using snowmobile funding. This will open closed areas due to logging operations west of Lake Gogebic. Logging will continue, but KLA will re-route the trail.

Is there push back for using snowmobile funds to secure year round easements? Many large corporations are interested in money and cleaning up their books, so a four month easement is unlikely to happen. If we were able to purchase a four month easement, we would have done so.

How many miles are shared with ORVs? Very little, only a few sections. Not all year round easements are purchased with snowmobile dollars, we have used Trust Fund monies for acquisitions. Year round easements are permanent and a positive for any trail. The ORV program does not have a permanent easement fund currently, we typically write small grants for easements.

Don Britton made a motion and Barry Bethke seconded to make a recommendation that the SAW supports to move forward with the KLA year round easement purchase in the west UP. Motion carried.

Regional Trail initiative Priority Route Ownership Maps

Status update on the connector/land swap from Manistee to Kaleva is on hold due to the spending restrictions. If funding were available today, and we received a signed purchase agreement, we would start planning the capping project.

How are trail projects prioritized once funding is available? Health and public safety and emergency repairs with new expenditures taking a back seat. We work as a group in planning with our trail specialists and coordinators and focus on fixing and maintaining what we have and when more monies become available, we can move forward on other projects. Does SAW have input? We can share information and keep the lines of communication open with our discussions and meetings.

Could this (CSX) acquisition be sold from under the DNR since the funding is on hold? Scott Slavin will discuss with Real Estate.

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

10:00 am – 2:00 pm

MS Teams/Teleconference

One Year Grants

In 2018, \$500k went un-spent and came back as carry over dollars.

We are making a proposal to return to one year grants to get the money out and spent.

Extensions can be made, if needed.

Trail Sign Order Update

Order has been approved through a CPR which is required, even for dedicated funds. MSI is printing them now and on track to get them at our regular delivery date.

Financial/Sales Report

Paul Yauk will send the report to the group.

License sales are a little down from last year.

We are being careful with our project requests this year

Equipment purchases are on hold this year we are asking to repair what we have.

The grant process will stay as is.

Trespass Issues

It was asked if the back country riding information created by the Back Country Trails Subcommittee (BCTS) has been suppressed. Paul Yauk said we are cautious to release; we have a big demand and need to look at areas to promote in the state. We are still enforcing trespass issues and want to get a proper message out to back country riders.

Rob Katona is the lead on the BCTS, and we submitted a proposal to identify where back country riders can ride and where they cannot ride and to mitigate concerns. The proposal was vetted through the divisions and we worked through issues with wildlife. Forestry was on board, citing our CFA partners are expressing concerns with trespass issues and like our direction and positive message.

Paul Anderson said we are seeing issues across the state and need to get ahead of this before we have issues. The BCTS has put a lot of time into these messaging efforts and it is disappointing that after two years, we have not seen any educational messaging.

The US Forest Service experiences a lot of illegal riding, if it is not on the motor vehicle use map, it is not legal. There are a lot of ATVs on the snowmobile trail. The Hiawatha identified areas with high snowfall and seasonal road access to focus back country snowmobiling in those places.

We can get the campaign back on track said Paul Yauk; issue releases where the public can ride for the next season. He will also continue discussions with the Department to bring to the legislators increases in fines for violations.

Wheeled Vehicles on Designated Snowmobile Trails

It was asked what is being done to keep ORVs off snowmobile trails, especially with respects to private property? Karen Middendorp said MiSORVA is starting discussions with representatives and creating a draft LUOD from the Department to address the issue and make it illegal, it is murky on when and where one can and can't ride, but we are in the beginning stages. Karl Davenport said this circles back to the trespass issue, we put up 'no trespassing' signs which seems to help. If we do not address this, we might lose trail across private land with snowmobile only easements.

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

10:00 am – 2:00 pm

MS Teams/Teleconference

If Law Enforcement Division is aware of problem areas, there can be target patrols. Mark Evans said we also need the prosecuting attorney, judge, and local law enforcement to coordinate efforts and inform them of the issues and work together.

For a misdemeanor, if it does not occur in your presence, it cannot be written up. If we do, sometimes the case gets dismissed, it depends on the local prosecutor. ORV trespass laws differ from snowmobile, ORVs are guilty if found where they are not supposed to be, enforcement action can be taken. For recreational trespass, the property needs to be signed. For snowmobile trespass, if they did not know they were trespassing, enforcement action is difficult.

Haywire Grade 50th Anniversary

The ORV ride for Saturday October 3rd is still planned to take place. The other rides are tentatively postponed to the following dates due to the COVID-19 pandemic: Equestrian from June 6th to September 19th and the Non-motorized bike August 22nd.

SAW Member Updates

Joe Bartlett – Backcountry riding and logging operations on state land are interconnected, the DNR requires loggers to harvest at stump level and not block the trail. More discussion from Karl Davenport in the public comment.

Thanks to Scott Slavin for all the work he has done. It seems the NLP does not have one designated trails staff assigned to the area. Greg Kinser has three trail specialists working across all the trails programs in the NLP. Greg will discuss the issue further with Joe.

Scott LaCombe - Has been appointed to the Equipment Subcommittee and is disappointed we are not making any equipment purchases this year.

Don Britton – Several clubs that have additional miles cannot groom with their current equipment, what can we do? Paul Yauk said to bring the issue to Richard Kennedy so we can work on a solution. With Zudeberg shut down, Soucy is the only available resource for tracks and they are six months out.

DNR Staff Updates

Ron Yesney for the WUP – the Menominee River bridge is a joint project with Wisconsin. Bids went out and we are hoping for a fall completion. The Arnheim to Baraga trestle is out. We are working with Wildlife on a fix for the bridge issue on Trail 15. The Baraga to Chassell trail is closed this winter. The Houghton County flood impacted five trails, the Freda and Lake Linden Trails are closed with hopes of construction next summer. FEMA is involved with over 120 significant washouts in the area.

Matt Torreano updated the group on the progress of the KLA easement purchases

Paul Gaberdiel said bids are back for the Doty Bridge, 300k over budget, but we are moving forward. Trail 8 is 90% engineered and we are starting to engineer several other projects in the area.

Greg Kinser said the spending restrictions make moving forward on projects a challenge. We are learning the process and are successfully getting things accomplished. Anything over \$5k requires a CPR

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

10:00 am – 2:00 pm

MS Teams/Teleconference

and approval up through the Director. Right now, we need to continue to make sure communications are happening and touch base more than normal. Ask questions and keep the conversation going on both normal operations and large projects. Our focus is on health and safety, we want to spend money on critical issues. The Alpena to Hillman grade, funded through other monies than the snowmobile fund, is out for bids. Feedback on improvements to Trail 7 in Gaylord have been positive, a few issues we are following up with the groomers. We are working through issues with the Jordan Valley Trails Council. Dave Campo asked about the Swan Bridge/Carmeuse project. The trees along US 23 were cut and we need money to grind the stumps. Will there be funding to complete the trail? Greg Kinser will get back to Dave on the bridge and said we are working with MDOT to secure recreational transport funding for the trail, engineering is on the schedule. Greg will discuss with Dave and Paige Perry about a special project to brush, sign, and grinding of the stumps.

Scott Slavin said two failing bridges on Trail 6 in Missaukee County are on hold, a CPR request for engineering design is submitted. The temporary bridge in the Rogers Farm area has been removed and the project bid out. The Bear Creek swamp re-route on Trail 614 is halfway completed and on hold, we are hoping to finish by the end of the year. We are looking for partners and funding on the Manistee River Bridge project, traffic is currently rerouted, and this is most likely on the Federal Stimulus Project list.

Jessica Holley informed the group that funding for MAAG has been postponed, however she is still working behind the scenes and entering ORV applications and getting in the grant awards so we will have a solid database when we go live. It is important to get your snowmobile grants into both Richard Kennedy and Jessica.

Paul Yauk thanked staff for all that they have accomplished through the past three months working from home and the constraints of the spending freeze. A lot of work has been completed during this time.

USFS Staff Updates

Paul Yauk said Kristen Thrall was unavailable at this time. He said the USFS is doing a lot with their roads system that are open for use. We are renewing our MOU between the Department and the USFS, we have mutual goals and needs, they have been a great partner. Jim Duke said there is a great relationship with the Hiawatha.

LED Staff Updates

Sgt. Cary Foster is taking over duties for John Morey and direct all questions to him. He will share the Snowmobile Fatality Report with the SAW

Meeting Dates

For the immediate future we will be holding meetings remotely. We would like to hold a face-to-face meeting in October close to the MiSorva meeting date. It is hard to tell, for now, it will be held electronically on the 15th. We will discuss the December 3rd meeting, possibly held in Christmas.

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

10:00 am – 2:00 pm

MS Teams/Teleconference

Public Comment

Karl Davenport discussed issues with logging operations and said they do not have considerations for the trails or stump issues. We must use program money to rectify issues that occur from the Forestry Division to address brush piles and stumps left after logging. We once caught a stump with a blade for a \$20k repair. Timber sale contracts have specific specification language for stump and trail use. Last year we spent over \$1k to pull stumps, when there were trees along the trail, we did not hit them. He thanked everyone for all their efforts.

Paul Anderson agreed with Karl on the logging concerns. He would like to see loggers held to their contracts and the DNR inspect the sale and trail before returning the bond. We do not have the people or funds to clean up what they leave. He is not opposed to logging, just that they need to be held to do better and held to the standards of their contract or be penalized.

Renee DeSchutter via email: Rebuttal to mistruth in the SAW Meeting Minutes of February 21, 2020, Pinney Bridge Signage section.

First of all, the area in question is a ½ mile section of a seasonal road in Antrim county, not a bridge. This section of road runs through private property with residences. State land begins after the first ½ mile of private property.

Second, it is legal for any vehicle to travel any road in Antrim county. The issue the landowner has is with the disrespect and illegal actions of the groomers pulling snow back onto the plowed road.

Third, the landowner has NEVER EVER confronted a snowmobiler with ANY hostility. In fact, the landowner has helped many with repairing broken sleds, providing gas, giving directions and offering tow assistance.

Fourth, the landowner has not been causing conflict for 20 years. In fact, for more than 20 years the landowner tried to accommodate snowmobiles when plowing. It was not until the 2017 season when Karl Davenport instructed the groomer to pull snow back onto the private property section of plowed road that conflict began.

Fifth, the landowner does not 'take dirt from the road and place it on the snowbank'. The ground freezes. Studded and large paddle tracks break up the ground causing loose dirt to be mixed with snow which gets plowed to the side.

Sixth, first and foremost Pinney Bridge Road is a road. It is the property owners responsibility to plow, or have plowed, seasonal roads if they want it plowed.

Seventh, the landowner has never stolen signs. Illegally placed signs are removed from their private property and returned to the DNR.

Eighth, the landowners have tried for 3 years to work with the groomers without any cooperation from the groomers, despite their being told verbally and in writing by the DNR and Antrim County Road Commission not to pull snow onto the plowed section of road. The landowners will continue to maintain the first ½ mile section of the seasonal road running through private property for safe vehicular travel and access to their property as is allowed by law.

Snowmobilers may choose to travel the road if they so desire, as they do any road in Antrim County whether plowed or not.

In March of 2019, written request was made to the Michigan Trail Council by the property owners adjacent to Pinney Bridge Road to remove the ½ mile private property section of Pinney Bridge Road

SNOWMOBILE ADVISORY WORKGROUP

Meeting Minutes

June 25, 2020

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from the 'designated groomed snowmobile trail system'. Private property owners should not have to be subjected to the documented stress, harassment and threats that the groomers actions have caused.

Karl Davenport defers to Greg Kinser on this as he was not present at the local road commission meeting. In 2017, Karl did not instruct anyone to pull snow onto the road, he admits that they did once at that time. Arbitration occurred mid-March 2020 with an agreement to what was going to happen between the DNR and road commission on the .2 mil to the primary residence with two inches of snow on the road. at the .5 mile mark on state land, we groom.

This issue will be on the agenda for the next meeting

Roundtable

Joe Bartlett asked who from the DNR will carry the ball and report back on the issues relating to logging?

Joe Kuchnicki thanked Jim Duke for a job well done on the virtual meeting.

Jim Duke thanked everyone who to the time to attend. If anyone has any issues, contact your local SAW member.

Don Britton made a motion and Joe Kuchnicki seconded to adjourn the meeting at 1:30 pm. Motion carried.