

**Carlton County
Board of Commissioners
ADJOURNED SESSION - Rough Draft
Monday, July 27, 2020
1:00 p.m.**

The Carlton County Board of Commissioners met this 27th day of July, 2020, in Adjourned Session at the Carlton County Transportation Building.

Chairperson Bodie called the meeting to order at 1:00 p.m. Members present: Brenner (by video), Bodie, Proulx (by video), Thell, Peterson. Absent: None.

The meeting opened with the Pledge of Allegiance to the Flag.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the Agenda as amended.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the Minutes of the July 14, 2020 Regular meeting.

2021 Budget Presentations were heard from 1:00 p.m. to 4:00 p.m.

The County Attorney stated that due to the COVID-19 pandemic and the related peace time emergency declaration an in-person meeting was not practical or prudent and declared that necessary conditions were met for remote participation.

Eric Senarighi of the Carlton County Riders ATV Club was present to comment on the proposed Soo Pits Rules and Safety Regulations, Ordinance #35.

At 4:40 p.m. a public meeting was held to explain and hear comment on the Transportation Department's proposed Americans with Disabilities Act Transition Plan. The County Engineer presented background and the proposed draft plan. No written or public comment was offered.

Motion by Peterson, seconded by Thell, and carried by all yea votes to approve the following resolution (20-071):

WHEREAS, Minnesota Statutes 282.01, Subdivision 7A, provides for the County Auditor to sell certain tax-forfeited properties at a restricted landsale; and

WHEREAS, Carlton County has received a request to purchase a parcel of tax-forfeited land described as follows:

Lot 4 Block 2, Martinson East Side Addition, Ex Inter Hwy 35 Docket 275201 (PIN 63-220-0160)

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby authorize the sale of the following parcel of tax-forfeited land as allowed by Minnesota Statutes 282.01, subdivision 7A:

Lot 4 Block 2, Martinson East Side Addition, Ex Inter Hwy 35 Docket 275201 (PIN 63-220-0160); and

BE IT FURTHER RESOLVED to set a bid opening date of August 31, 2020, at 3:00 p.m. at the Carlton County Auditor's Office; and

BE IT FURTHER RESOLVED that the bidding be restricted to adjacent property owners; and

BE IT FURTHER RESOLVED that if payment is not received from the successful bidder within forty-five (45) days of August 31, 2020, the next highest bidder will be awarded the sale of said parcel at bid offering.

The County Land Commissioner presented survey results of local paper companies and their willingness to cover costs of county certification under Sustainable Forestry Initiative (SFI) and/or Forest Stewardship Council (FSC) programs.

The County Land Commissioner presented information on the proposed St. Louis River State Forest.

Motion by Peterson, seconded by Thell, and carried by all yeas votes to approve the following resolution (20-072), amending Soo Line Trail Rules and Safety Regulations, Ordinance #14:

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

WHEREAS, at least 100 feet of width of said rights of way, being 50 feet on each side of the centerline of the former rail lines, 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 of nature on said rights of way owned and operated by the County of Carlton as aforesaid should be regulated and managed to ensure the safety of the users of the said rights 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 Carlton County, Minnesota, does ordain as follows:

SECTION I. SHORT TITLE

This Ordinance shall be known as the Soo Line Trail Rules and Safety Regulations, Ordinance #14 and will be referred herein as “this Ordinance.”

SECTION II. 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 Rights of Way within this County in accordance with all existing Minnesota statutes, rules and regulations.

SECTION III. JURISDICTION

The rules and regulations herein governing the management and safety of the Soo Line Railway Right of Way Trails shall apply to all of the 100 foot rights of way within Carlton County, Minnesota, except those sections of former right-of-way now designated as public roadways by action of the Carlton County Engineer and the Carlton County Board of Commissioners.

SECTION IV. DEFINITION OF WORDS AND PHRASES

A. VEHICLE: All-terrain vehicles as described by Minnesota statutes, snowmobiles as described by Minnesota statutes, off-highway motorcycles as described by Minnesota statutes, bicycles and horse drawn vehicles.

B. EMERGENCY EQUIPMENT: Crash, fire, rescue or police motor vehicles or such other equipment as the County Land Commissioner may designate as necessary to safeguard and maintain the said rights of way.

C. SERVICE, MAINTENANCE AND CONSTRUCTION EQUIPMENT:

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

SECTION V. AUTHORIZED USES WITHOUT PERMIT

The said right of way trails may be used in the following manners without special permits from the County:

A. Recreational trail for pedestrians and for vehicles as defined herein, unless otherwise restricted by this Ordinance.

B. Access to County lands for management purposes.

C. Access road for fire protection and prevention.

D. Access road for law enforcement and emergency purposes.

SECTION VI. AUTHORIZED USES, SPECIAL PERMITS REQUIRED

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

A. Access road for the harvesting, use and management of natural resources, such as timber, gravel, peat, minerals and other natural resources.

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

SECTION VII. UNAUTHORIZED USES

Under no circumstances should the rights 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. (Repealed).
- G. By automobiles, trucks, dune buggies or other motorized vehicles not defined in Section IV (A)
- H. (Repealed 7-27-2020 – MN Statutes 169A “Open Container Law” will be enforced)
- I. During the Minnesota Big Game Firearms season outside permitted hours

SECTION VIII. SPECIAL PERMITS

Special permits provided for in Section VI above for uses described in said Section VI, Subsections A, C, F and G for periods not to exceed five (5) years shall be issued at the discretion of the Carlton County Land Commissioner. Any request for a special permit which is denied by the County Land Commissioner may be appealed to the County Board for its consideration. (Amended 4-14-92)

Other special permits shall be issued at the discretion of the County Board upon the recommendation of the County Land Commissioner. The Land Commissioner may at his/her discretion require a deposit, fee or use fee prior to issuance of a special use permit provided herein:

Said deposit or use fee 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, it be specifically provided that damages in excess of the amount of the damage deposit fee may be recovered by the County against the damaging user in appropriate civil litigation, injunctively or otherwise.

The said special use permit may also set forth special restrictions 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 so that multiple use for 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 for the protection of the regular recreational users. In the event that any of the

conditions imposed by the special permit, or if any of the regulations imposed by this Ordinance are not followed and complied with by a user, the special permit to use the same may be immediately canceled and revoked upon written notice from the Land Commissioner to the permittee, and further use of the right of way after receipt of said notice by the permittee shall be considered to be in violation of this Ordinance. Upon reasonable request of the Land Commissioner or any of his/her agents or any law enforcement officer or his/her agents, a special permittee shall be required to display the special permit. Failure to do so upon such reasonable request shall be considered to be a violation of this Ordinance.
(Amended 3-7-89).

SECTION IX. TRAIL PLOWING

At least three inches of snow must be left upon the surface of the right of way of the trails after plowing between December 1 and April 1 of each winter.

SECTION X. FIREARMS

No hunting or discharge of any firearm is permitted upon or across or over the rights of way.

SECTION XI. TRAIL SIGNS

The County Land Commissioner shall be responsible for the placement of signs upon the trails and their rights of way. In addition to directional and instructional signing there may exist on the Trails advertisement signs for businesses along the rights of way, provided that written permission 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 rights of way.

SECTION XII. FENCES

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

SECTION XIII. SAFETY

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

SECTION XIV. SPECIAL EVENTS

Upon application and written permission granted by the County Land Commissioner the rights 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. ENFORCEMENT

It shall be the duty of the Carlton County Land Commissioner to monitor the uses of the rights of way to ensure compliance with this ordinance. The Carlton County Sheriff's Office shall enforce all State laws and regulations and the terms of this ordinance upon said rights of way.

SECTION XVI. VIOLATION AND PENALTY

Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$700 and/or by imprisonment of not to exceed 90 days. These penalty provisions are in addition to any other remedy or action available in the law or as a matter of right to Carlton County.

SECTION XVII. 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 EFFECTIVE DATE

This Ordinance shall be in full force and effect on August 17, 2020, after its passage and publication according to law.

APPENDIX A

A strip of land of varying width, being the former right of way and station ground property of the Soo Line Railroad Company's so-called Moose Lake to Schley branch line in Carlton County, Minnesota, beginning at the East line of the SE1/4-SE1/4 of Section 19, Township 46 North, Range 19 West, and extending in a northwesterly direction along said branch line to the west line of the NW1/4-SW1/4 of Section 30, Township 47 North, Range 21 West; said strip being of varying widths on each side of the centerline of said branch line as the same was constructed and located over and across the following:

Township 46 North, Range 19 West

E1/2-SE1/4, NW1/4-SE1/4, W1/2-NE1/4, NE1/4-NW1/4, Section 19

S1/2-SW1/4, NW1/4-SW1/4, Section 18

Township 46 North, Range 20 West

N1/2-SE1/4, NE1/4-SW1/4, S1/2-NW1/4, Section 13

E1/2-NE1/4, NW1/4-NE1/4, N1/2-NW1/4, Section 14

S1/2-SW1/4, Section 11

S1/2-SE1/4, NW1/4-SE1/4, N1/2-SW1/4, SW1/4-NW1/4, Section 10

S1/2-NE1/4, NW1/4-NE1/4, E1/2-NW1/4, NW1/4-NW1/4, Section 9

NE1/4-NE1/4, Section 8

S1/2-SE1/4, E1/2-SW1/4, NW1/4-SW1/4, Section 5
N1/2-SE1/4, SW1/4-NE1/4, S1/2-NW1/4, Section 6
Township 46 North, Range 21 West
E1/2-NE1/4, NW1/4-NE1/4, N1/2-NW1/4, Section 1
NE1/4-NE1/4, Section 2
Township 47 North, Range 21 West
S1/2-SE1/4, S1/2-SW1/4, NW1/4-SW1/4, Section 35
E1/2-SE1/4, NW1/4-SE1/4, N1/2-SW1/4, SW1/4-NW1/4, Section 34
S1/2-NE1/4, NW1/4, Section 33
N1/2-NE1/4, NE1/4-NW1/4, Section 32
S1/2-SW1/4, Section 29
S1/2-SE1/4, NW1/4-SE1/4, E1/2-SW1/4, NW1/4-SW1/4, Section 30; together with all hereditaments and appurtenances thereto.

APPENDIX B

A strip of land of varying width, being the former right of way, station ground and gravel pit property of the Soo Line Railroad Company's so-called superior to Brooten branch line in Carlton County, Minnesota, beginning at the south line of the SE1/4-SE1/4 of Section 35 and the south line of the SW1/4-SW1/4 of Section 36, both in Township 46N, Range 20W, and extending in a northeasterly direction along said branch line to the east line of the SE1/4-SW1/4 of Section 7, Township 47N, Range 15W; said strip being of varying widths on each side of the centerline of said branch line as the same was constructed and located over and across the following:

Township 46 North, Range 20 West
S1/2-SW1/4, NE1/4-SW1/4, NW1/4-SE1/4, S1/2-NE1/4, NE1/4-NE1/4, Section 36
SE1/4-SE1/4, Section 35
Township 46 North, Range 19 West
NW1/4-NW1/4, Section 31
S1/2-SW1/4, NE1/4-SW1/4, SE1/4-NW1/4, SW1/4-NE1/4, N1/2-NE1/4, Section 30
SE1/4-SE1/4, Section 19
S1/2-SW1/4, NE1/4-SW1/4, SW1/4-SE1/4, NW1/4-SE1/4, S1/2-NE1/4, NE1/4-NE1/4, Section 20
N1/2-NW1/4, NW1/4-NE1/4, S1/2-NE1/4, Section 21
N1/2-SW1/4, S1/2-SW1/4, Section 15 (gravel pit)
SE1/4-SE1/4, Section 16 (gravel pit)
NW1/4-NW1/4, SW1/4-NW1/4, N1/2-SW1/4, N1/2-SE1/4, SE1/4-NE1/4, Section 22
S1/2-NW1/4, S1/2-NE1/4, NE1/4-NE1/4, Section 23
N1/2-NW1/4, N1/2-NE1/4, Section 24
SE1/4-SE1/4, Section 13
Township 46 North, Range 18 West
S1/2-SW1/4, S1/2-SE1/4, N1/2-SE1/4, Section 18
N1/2-SW1/4, NW1/4-SE1/4, S1/2-NE1/4, Section 17
S1/2-NW1/4, NE1/4-NW1/4, N1/2-NE1/4, Section 16
N1/2-NW1/4, Section 15
S1/2-SW1/4, S1/2-SE1/4, NE1/4-SE1/4, Section 10

SW1/4-SW1/4, N1/2-SW1/4, N1/2-SE1/4, SE1/4-NE1/4, Section 11
S1/2-NW1/4, SW1/4-NE1/4, N1/2-NE1/4, Section 12
Township 46 North, Range 17 West
N1/2-NW1/4, Section 7
SE1/4-SW1/4, SW1/4-SE1/4, N1/2-SE1/4, SE1/4-NE1/4, Section 6
S1/2-NW1/4, NE1/4-NW1/4, NW1/4-NE1/4, Section 5
Township 47 North, Range 17 West
S1/2-SE1/4, NE1/4-SE1/4, Section 32
N1/2-SW1/4, SE1/4-NW1/4, SW1/4-NE1/4, N1/2-NE1/4, Section 33
SE1/4-SE1/4, Section 28
S1/2-SW1/4, NE1/4-SW1/4, NW1/4-SE1/4, S1/2-NE1/4, NE1/4-NE1/4, Section 27
N1/2-NW1/4, Section 26
S1/2-SW1/4, SW1/4-SE1/4, N1/2-SE1/4, Section 23
N1/2-SW1/4, SE1/4-NW1/4, S1/2-NE1/4, Section 24
Township 47 North, Range 16 West
S1/2-NW1/4, NE1/4-NW1/4, SW1/4-NE1/4, N1/2-NE1/4, SE1/4-NE1/4, Section 19
NW1/4-NW1/4, S1/2-NW1/4, SW1/4-NE1/4, N1/2-SE1/4, Section 20
NW1/4-SW1/4, S1/2-SW1/4, S1/2-SE1/4, Section 21
S1/2-SW1/4, NE1/4-SW1/4, N1/2-SE1/4, SE1/4-NE1/4, Section 22
S1/2-NW1/4, N1/2-SW1/4, NW1/4-SE1/4, S1/2-NE1/4, NE1/4-NE1/4, Section 23
NW1/4-NW1/4, Section 24
S1/2-SW1/4, SW1/4-SE1/4, NE1/4-SW1/4, N1/2-SE1/4, SE1/4-NE1/4, Section 13
Township 47 North, Range 15 West
SW1/4-NW1/4, N1/2-NW1/4, Section 18
SE1/4-SW1/4, Section 7; together with all hereditaments and appurtenances thereto.

Motion by Peterson, seconded by Thell, and carried by all yea votes to approve the following resolution (20-073), adopting the Soo Pits Rules and Safety Regulations, Ordinance #35:

WHEREAS, Carlton County has purchased from the Soo Line Railway Company abandoned railway gravel pits and manages Tax-Forfeited lands within boundaries over and across premises described in Appendix A and B attached hereto; and

WHEREAS, where pertinent, at least 100 feet of width of said rights of way, being 50 feet on each side of the centerline of the former rail lines, 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 of nature on said rights of way owned and operated by the County of Carlton as aforesaid should be regulated and managed to ensure the safety of the users of the said rights 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 Carlton County, Minnesota, does ordain as follows:

SECTION I. SHORT TITLE

This Ordinance shall be known as the Soo Pits Rules and Safety Regulations, Ordinance #35 and will be referred herein as “this Ordinance.”

SECTION II. 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 Gravel Pits within this County in accordance with all existing Minnesota statutes, rules and regulations.

SECTION III. JURISDICTION

The rules and regulations herein governing the management and safety of the Soo Line Railway Right of Way Trails shall apply to all of the 100 foot rights of way within Carlton County, Minnesota, except those sections of former right-of-way now designated as public roadways by action of the Carlton County Engineer and the Carlton County Board of Commissioners. (Amended 7-13-93)

SECTION IV. DEFINITION OF WORDS AND PHRASES

A. VEHICLE: All-terrain vehicles as described by Minnesota statutes, snowmobiles as described by Minnesota statutes, off-highway motorcycles as described by Minnesota statutes, bicycles and horse drawn vehicles.

B. EMERGENCY EQUIPMENT: Crash, fire, rescue or police motor vehicles or such other equipment as the county land commissioner may designate as necessary to safeguard and maintain the said rights of way.

C. SERVICE, MAINTENANCE AND CONSTRUCTION EQUIPMENT:

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

SECTION V. AUTHORIZED USES WITHOUT PERMIT

The said right of way and gravel pit trails may be used in the following manners without special permits from the County:

A. Recreational trail for pedestrians and for vehicles as defined herein between the hours of 9 AM and 8 PM local time, unless otherwise restricted by this Ordinance.

B. Access to County lands for management purposes.

C. Access road for fire protection and prevention.

D. Access road for law enforcement and emergency purposes.

SECTION VI. AUTHORIZED USES, SPECIAL PERMITS REQUIRED

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

A. Access road for the harvesting, use and management of natural resources, such as timber, gravel, peat, minerals and other natural resources.

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

SECTION VII. UNAUTHORIZED USES

Under no circumstances should the rights of way or pits area 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 automobiles, trucks, dune buggies or other motorized vehicles not defined in Section IV (A).
- G. During the Minnesota Big Game Firearms season outside permitted hours.
- H. Motorized travel off designated trails or outside Open Riding area (See Appendix B).

SECTION VIII. SPECIAL PERMITS

Special permits provided for in Section VI above for uses described in said Section VI, Subsections A, C, G and H for periods not to exceed five (5) years shall be issued at the discretion of the Carlton County Land Commissioner. Any Request for a special permit which is denied by the County Land commissioner may be appealed to the County Board for its consideration.

Other special permits shall be issued at the discretion of the County Board upon the recommendation of the County Land Commissioner. The Land Commissioner may at his discretion require a deposit, fee or use fee prior to issuance of a special use permit provided herein:

Said deposit or use fee 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, it be specifically provided that damages in excess of the amount of the damage deposit fee may be recovered by the County against the damaging user in appropriate civil litigation, injunctively or otherwise.

The said special use permit may also set forth special restrictions 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 so that multiple use for 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 for the protection of the regular recreational users. In the event that any of the conditions imposed by the special permit, or if any of the regulations imposed by this Ordinance are not followed and complied with by a user, the special permit to use the same may be immediately canceled and revoked upon written notice from the Land Commissioner to the permittee, and further use of the right of way after receipt of said notice by the permittee 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 shall be required to display the special permit. Failure to do so upon such reasonable request shall be considered to be a violation of this Ordinance. (Amended 3-7-89).

SECTION IX. TRAIL PLOWING

At least three inches of snow must be left upon the surface of the right of way of the trails after plowing between December 1 and April 1 of each winter.

SECTION X. FIREARMS

No hunting or discharge of any firearm is permitted upon or across or over the rights of way.

SECTION XI. TRAIL SIGNS

The County Land Commissioner shall be responsible for the placement of signs upon the trails and their rights of way. In addition to directional and instructional signing there may exist on the Trails advertisement signs for businesses along the rights of way, provided that written permission 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 rights of way.

SECTION XII. FENCES

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

SECTION XIII. SAFETY

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

SECTION XIV. SPECIAL EVENTS

Upon application and written permission granted by the County Land Commissioner the rights 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. ENFORCEMENT

It shall be the duty of the Carlton County Land Commissioner to monitor the uses of the rights of way to ensure compliance with this ordinance. The Carlton County Sheriff's Office shall enforce all State laws and regulations and the terms of this ordinance upon said rights of way.

SECTION XVI. VIOLATION AND PENALTY

Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$700 and/or by imprisonment of not to exceed 90 days. These penalty provisions are in addition to any other remedy or action available in the law or as a matter of right to Carlton County.

SECTION XVII. 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 EFFECTIVE DATE

This Ordinance shall be in full force and effect on August 17, 2020, after its passage and publication according to law.

APPENDIX A

The Soo Pits are defined as those County Fee and Tax Forfeit lands identified lying within:

Township 46 North, Range 19 West

Section 15:

NE1/4 SE1/4 EX INTER 35 R/W DOCKET 202585NW1/4 SE1/4 DOCKET 202585

SW1/4 SE1/4 DOCKET 202585

SE1/4 SE1/4 EX INTER 35 R/W DOCKET 202585

PT OF NE1/4 SW1/4 DOCKET 281274

NW1/4 OF SW1/4 E OF MOOSE RIVER EX N 150 FT DOCKET 281274

SW1/4 SW1/4 DOCKET 281274

SE1/4 SW1/4 DOCKET 281274

Section 16:

SE1/4 SE1/4 EX BEG AT NE COR TH SW TO PT ON W LINE WHICH IS 720 FT S OF NW COR TH N ON W LINE TO HY 61 TH NE ALG HY 61 TO N LINE TH E TO BEG EX RY & SUBJ TO HWY 61 EASE DOCKET 281274

Section 21:

PT OF SE1/4 NE1/4 LYING BETWEEN HIDDEN ACRES PLAT AND THE MAINLIN OF
THE SOO LINE RR

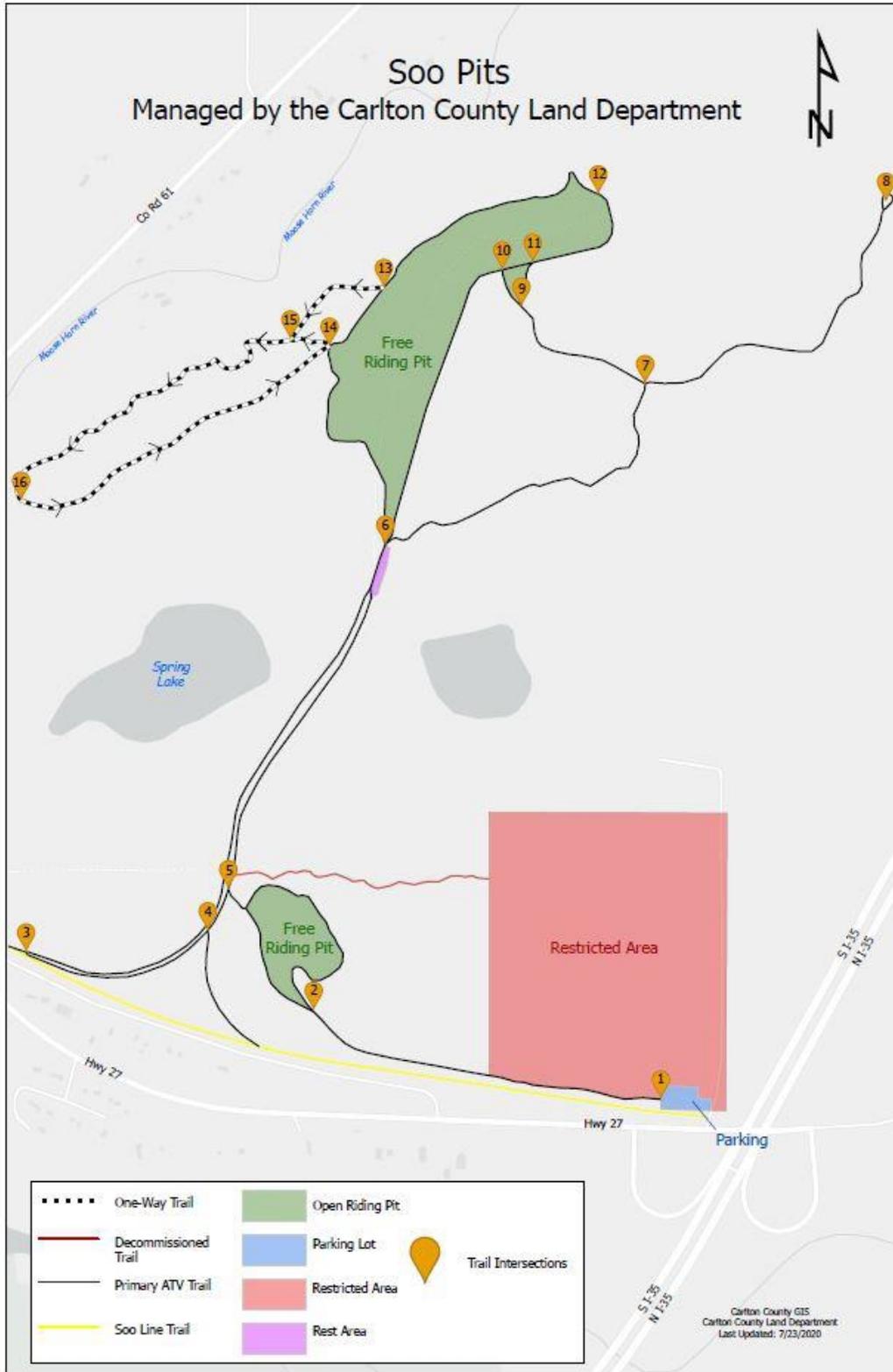
Section 22:

NW1/4 NW1/4 BK 1 PG 29

PT OF SW1/4 NW1/4 AND NW1/4 OF SW1/4 N & E OF RR R OF W EXCPT MINERAL
INTEREST & A STRIP OF LAND 100 FT IN WIDTH BEING FORMER SOO LN RR
RUN ACROSS SW1/4 OF NW1/4 AND THE NW1/4 OF SW1/4

THAT PART OF NE1/4 OF SW1/4 LYING NORTHERLY OF SOUTH R/W LINE OF
FORMER SOO LINE RR EXCEPT MINERAL INTEREST DOCKET 281274

APPENDIX B



Motion by Thell, seconded by Peterson, and carried by all yea votes to approve leasing and easements to facilitate the North Country National Scenic Trail.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the following resolution (20-074):

WHEREAS, the contract with KGM Contractors Inc. for S.A.P. 009-607-025 (LOW), Bituminous Seal Coat- Scrub Seal, and Fog Seal along Carlton County Roads: CSAH 7 (Big Lake Road) between CR 115 (Pinewood Drive) and 500' West of TH 33; CSAH 20 between TH 210 and the South Jct. of CSAH 23, CSAH 22 between CSAH 6 and Twp. Road #411; CSAH 45 between 321' South of CSAH 61 and the Scanlon/Cloquet City Limits; CSAH 61 between CSAH 45 and the CSAH 61 Crossover at Oja Road (T-457); CR 149 between CR 127 (N. Finn Road) and CSAH 20 (3rd Street); Town of Twin Lakes Roads: East Chub Lake Road between West Chub Lake Road and CSAH 3; Jay West Road between CSAH 3 and East Chub Lake Road; West Chub Lake Road between East Chub Lake Road and 1.558 miles West of CSAH 3; City of Carlton Roads: 4th Street/School Avenue between TH 210 and 6th Street; 5th Street between TH 210 and School Avenue; Almar Drive between School Avenue and the end of curb and gutter; and has in all things been completed and the County Board has been fully advised in the premises;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Carlton County Board of Commissioners does hereby accept said completed project for and in behalf of the County of Carlton; and
2. That the Carlton County Board of Commissioners does hereby authorize the County Engineer to make final payment in the amount of four hundred two thousand, seven hundred thirty-six dollars and ninety-four cents (\$402,736.94) to KGM Contractors Inc.

Motion by Thell, seconded by Peterson, and carried by all yea votes to approve the following resolution (20-075):

WHEREAS, Carlton County owns and operates an airport which includes all aeronautical navigation facilities, said airport being known as the Cloquet Carlton County Airport; and

WHEREAS, it has become desirous for Carlton County to sell hay stumpage located on certain premises within the Cloquet Carlton County Airport to Mark Asleson.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby authorize and approve entering into an Agreement with Mark Asleson.

Motion by Thell, seconded by Proulx, and carried by all yea votes to approve the following resolution (20-076):

WHEREAS, on July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA) providing a clear and comprehensive national mandate to eliminate the discrimination against individuals with disabilities; and

WHEREAS, on September 25, 2008, the ADA Amendments of 2008 (ADAAA) was enacted by the United States Senate and House of Representatives to restore the intent and protection of the 1990 ADA. The ADA Amendment Act of 2008 provides clear, strong, consistent, enforceable standards addressing discrimination by reinstating a broad scope of protection to be available under the ADA; and

WHEREAS, Carlton County has made significant efforts to improve accessibility and remove barriers to ensure ADA compliance for the County highway system and County highway right of way; and

WHEREAS, the County has developed an ADA Transition Plan for public right of way, and

WHEREAS, the County held a public hearing on July 27, 2020, to inform the public on the ADA Transition Plan.

NOW THEREFORE BE IT RESOLVED, that the Carlton County Board of Commissioners in and for the County of Carlton, Minnesota adopt the Carlton County American with Disabilities Act (ADA) Transition Plan for Public Highway Right of Way and the Transportation Department be authorized to implement the Plan and provide periodic revisions to the document as needed.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to accept the expenditure listing for June 2020 as follows:

Fund 1	Revenue	\$2,757,928.24
Fund 10	Road and Bridge	3,704,857.09
Fund 11	Public Health & Human Services	1,461,439.80
Fund 30	Cap Outlay Barnum Garage Project	24,668.05
Fund 71	Motor Vehicle	389,615.98
Fund 73	State Fund	1,380,397.03
Fund 74	Forfeited Tax	31,448.74
Fund 75	Economic Development (IRRRB)	23,384.43
Fund 77	HS Agency Fund LCTS	17,500.00
Fund 78	Schools	3,884,303.84
Fund 80	ISTS Loan Program	11,500.00
Total		<u>\$13,687,043.20</u>

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the Probation Committee as a committee separate from the Jail Steering Committee with its own standing, with the County Attorney as the Committee chair.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve contracting by the hour with an architectural and engineering firm or construction management firm for determination of the costs of various jail alternatives, with a cap of \$10,000.

Motion by Peterson, seconded by Brenner, and carried by all yea votes to adopt the following resolution (20-077):

BE IT RESOLVED to acknowledge the receipt of the Minnesota Lawful Gambling Application for Exempt Permit for the Moose Lake Area Chamber of Commerce for use at Gamper's Food Liquor and Bowling on October 17, 2020.

Motion by Brenner, seconded by Bodie, and carried by all yea votes to approve amending the Carlton County COVID-19 response plan to include additional direction from the state, including use of face coverings.

Motion by Peterson, seconded by Thell, and carried by all yea votes to approve the extension through 2020 of part time temporary staffing in the Auditor/Treasurer's Office authorized on February 24, 2020.

Motion by Thell, seconded by Peterson, and carried by all yea votes to close the adjourned meeting for discussion of litigation cases.

Motion by Brenner, seconded by Thell, and carried by all yea votes to close the closed session and return to the adjourned meeting.

Motion by Peterson, seconded by Proulx, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Kathryn Kortuem
Acting County Auditor/Treasurer

Marv Bodie
County Board Chairperson