

RAIL TRAIL MANAGEMENT COMMITTEE

May 11, 2007

MEETING MINUTES

County of Haliburton Council Chambers

9:30 a.m.

PRESENT: Bill Davis – Chair, County Councillor
Cheryl Murdoch –County Councillor
Jim Wilson – County C.A.O.
Samantha Davies – Haliburton Highlands Trails & Tours Network
Kate Hall – President, Haliburton Highlands Trails & Tours Network
Mike Burke – Vice-President, Haliburton ATV Association
Pamela Marsales – Non-motorized Users' Representative
Roy Haig – County Engineering Services Manager
Murray Fearrey – County Warden
James Rogers – County By-law Enforcement Officer

ABSENT: Andy Chvedukas – Past-President, Haliburton County Snowmobile Association
Thom Lambert – Adjacent Landowners' Representative

DELEGATIONS: Haliburton ATV Association (HATVA)
- Hugh Trask – President, HATVA
- Bob Johnson – Vice-President, HATVA
- Mark Coles – Director, HATVA
- Randall Jones – Director, HATVA
- Andrew Ryeland – President, ATV Ontario
- Eric Christensen – Director, HATVA

Kawartha ATV Association (KATVA)
- Steve Lane, President, KATVA
- Mark Stewart, Vice-President, KATVA
- Steve Strangway, Municipal Councillor, City of Kawartha Lakes
- David Hodgson, Municipal Councillor, City of Kawartha Lakes

MEETING CALLED TO ORDER AT 9:30 A.M.

APPROVAL OF AGENDA:

Moved by: M. Burke

Seconded by: M. Fearrey

That the May 11, 2007 Rail Trail Management Committee Agenda be accepted as presented.

Carried.

DELEGATION PRESENTATION:

The Chair recognized and welcomed representatives of the ATV Ontario, HATVA, KATVA and the City of Kawartha Lakes.

The purpose of the delegations was to review with the Rail Trail Management Committee the areas of contention between the HATVA and the KATVA and how it affects management and wardening of the Rail Trail.

HATVA - Mr. Coles spoke on behalf of HATVA and provided some history of the Association, the discussions that have transpired between the two associations and the HATVA proposal that KATVA either purchase passes recognized by HATVA through ATV Ontario or the two associations provide reciprocal passes on the Rail Trail in the two communities.

Mr. Coles also indicated that discussions had been initiated with KATVA and an agreement had been close to signing but had been terminated by KATVA prior to signing.

Mr. Ryeland provided the Committee with an overview of ATV Ontario and its participation in the development and maintenance of trails, and its support to ATV associations within its jurisdiction.

KATVA - Mr. Stewart and Mr. Lane both provided some history of the KATVA and its membership with the Eastern Ontario Trail Association (EOTA). Mr. Stewart, Mr. Lane and Mr. Strangway spoke to the benefits in economic terms for both the City of Kawartha Lakes and the County of Haliburton by allowing unrestricted usage between the two municipal jurisdictions.

Mr. Stewart and Mr. Lane also indicated that there were philosophical differences between the HATVA and KATVA (and also their respective umbrella groups, ATV Ontario and EOTA) that has brought the two associations to an impasse for the issuance of trail passes and reciprocal passes.

The Committee Chair thanked both groups for their presentations and advised that further internal discussions would be taking place in preparation for a recommendation being made to County Council on May 23, 2007.

Until a reciprocal use agreement is reached with the HATVA and the KATVA on access to the Haliburton County Rail Trail Corridor and the Victoria County Rail Trail, the Committee agreed to recommend that the County enter into an agreement with the HATVA to allow their members access to the Haliburton Rail Trail Corridor for the period June 1 to November 30, 2007.

APPROVAL OF MINUTES:

Moved by: C. Murdoch

Seconded by: M. Burke

That the minutes of the March 16, 2007 Rail Trail Management Committee meeting be adopted.

Carried.

BUSINESS ARISING FROM THE MINUTES OF THE SEPTEMBER 8, 2006 MEETING

- a) Proposed definition of "Dog Sledding"

Mr. Wilson reported that a definition had been researched and provided, as follows:

“Dog sledding is defined as the activity of a team of two or more dogs tethered together to pull a vehicle including but not limited to a sled, ATV or other similar type vehicle mounted on runners or wheels over snow and/or any other ground service.”

Moved by: K. Hall

Seconded by: M. Burke

That the Rail Trail Committee recommend to County Council that the definition provided be incorporated into the County By-law Regulating the Operation of Vehicles and uses on the Haliburton County Rail Trail Corridor.

Carried.

- b) Removal of old “Use at Your Own Risk” signs
This has only been partially completed by the ATV club. Completion of this work will be after June 1, 2007.
- c) By-law #3106 stickers
The stickers will be installed by the ATV club after June 1, 2007.
- d) Howland Junction Trestle Repairs/Upgrading
The Committee was informed that the work to repair and upgrade portions of the trestle has been deferred due to budgetary constraints. The Committee was advised that the deck will require replacement this year and that the snowmobile association had offered to try and find a material source (for Hemlock boards). The snowmobile association has provided the labour for placing the decking in the past and will probably do so again. HATVA representatives indicated they would be willing to assist but were not comfortable with the working conditions (i.e. height above the water and “open” hand railing). It was suggested that the County could provide snow fence or similar barrier that could be mounted to the hand railing and provide a measure of protection.
- e) Status of Fibre-Optic Cable Installation
The Contractor (Expertech) due back on site to evaluate the working conditions the week of May 14, 2007 with completion of the outstanding items during the period of May 21 – June 1, 2007. The outstanding items consist of placing 350 metres of concrete protection over the cable, properly fastening the cable to the trestle and the Gelert Bridge and installing six drainage culverts. An inspection of the Trail surface will take place upon completion of the work.

CORRESPONDENCE:

- HATVA Certificates of Insurance
Insurance provided as per the Agreement in the amount of \$5,000,000.00. County of Haliburton is named as an additional insured. The policy is in effect September 1, 2006 to September 1, 2007.
- Draft By-law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha Lakes
Provided to the Committee for information purposes only.

- Request from Adjacent Landowner to be Circulated the Meeting Minutes
Any person wishing to have the meeting minutes may obtain them either by visiting the County website or visiting the County Administration Building at 11 Newcastle St., Minden.

NEW BUSINESS:

- a) HATVA Request for Amendments to By-law 3106
HATVA has requested that the County consider revising the By-law to exclude the Highway Traffic Act requirements that ATVs have directional signals and that only single-seated vehicles may be used on the Rail Trail. These items will be considered further when the By-law is amended.
- b) Proposed Revisions of By-law 3106
Consideration will be given to allowing only users with a permit recognized by the HATVA (this may be power pass, day pass, weekend pass or HATVA membership). A discussion took place that confirmed that it would be desirable to have a reciprocal agreement between HATVA and KATVA and, further that the County of Haliburton in conjunction with the City of Kawartha Lakes request that a reciprocating agreement be put in place between the two associations. ATV Ontario stated that they would provide a letter to the County of Haliburton offering the EOTA a reciprocal agreement. The County may, at its discretion, forward the offer to the City of Kawartha Lakes and the EOTA.
Action:
The County will send a letter to the City of Kawartha Lakes requesting their participation along with the County to require a reciprocating agreement between the two ATV associations and also, to support a reciprocal agreement between ATV Ontario and EOTA.
- c) Proposed County/HCSA Agreement
The format of the Agreement has been revised to be consistent with other County agreements. There have been no revisions otherwise. It was noted that agreements concerning the Rail Trail should be reviewed with respect to the performance of the organization with which the agreement is held and identify any warranted revisions to the agreement.
Action:
A recommendation will be made to County Council to execute the new agreement.
- d) Special User Permit – Adjacent Landowner
Mr. Dwight Fountain has requested a Special User Permit by virtue that he owns property adjacent to the Rail Trail and uses the Rail Trail for recreational use and access to other property holdings adjacent to the Rail Trail.
Action:
Issue the permit.
- e) Administration of the Rail Trail
The Committee was informed by the County C.A.O. that an agreement is pending whereby the Haliburton Trails & Tours Network would assume responsibility for the administration of the Rail Trail. This agreement was a condition of Trails & Tours receiving multi-year funding from the County. The administration duties will include:

- preparing and circulating Rail Trail Committee agenda packages,
- attending and recording minutes of Rail Trail Committee meetings,
- responding to Public inquiries about the Rail Trail,
- issuing permits approved by the Rail Trail Committee,
- advising the County on maintenance issues,
- collaborate with County staff to determine annual budgets for the Trail,
- referring complaints to the County By-law Enforcement Officer,
- other duties that may be agreed upon prior to execution of the Agreement.

TRAIL WARDENING/BY-LAW ENFORCEMENT:

- Trail Wardening (HCSA)
 - **No report available due to the absence of the HCSA representative.**
- Trail Wardening (HATVA)
 - **Report attached**
- By-law Enforcement
 - **The By-law Enforcement Officer provided his report and indicated he will be on the Trail again before June 1.**
- Trails & Tours requested copies of the wardening/by-law enforcement reports in order to determine the "hot spots" which will be used to support a usage study by U-Links.
- an e-mail from an adjacent landowner identified several instances of ATV's using the Trail illegally in the months of April and May, as follows:

April 18: spoke to 2 ATVers that had parked at Haliburton Trail head and were reloading ATVs into their pickup trucks. Told them trail was closed. They said "Yes, we know, but what are you going to do, ride on the highway?"

April 22: 15 ATVs past our place in 3 different parties. Talked to one party about the trail being closed and they told me it didn't matter.

April 28: 11 ATVs past our place in 2 different parties. I pointed the "closed" signs out to one party and they told me to mind my own business.

May 5: 6 ATVs past our place going south. When they came back north they were on the road. I wonder if they ran into someone doing enforcement.

My experience/observations are that these riders are not "yahoos". They drive responsibly, and not too fast: they just don't care that the trail is supposed to be closed. Everyone of the riders that I managed to talk to is aware that the trail is closed, but just doesn't seem to think that it applies to them.

- a verbal complaint was registered by a member of the Horseman's Association regarding a speeding ATV on the Trail. The ATV rounded a "corner" and encountered a horse and rider. The ATV driver almost lost control of the vehicle but did manage to stop and turn off the machine. The incident took place on April 28/'07 at approximately 5:40 p.m. about 3 km north of Kinmount. The driver appeared to be too young to be licensed and the license plate was not visible due to a carrier being attached to the machine.

FUNDRAISING FOR RAIL TRAIL DEVELOPMENT:

- Sponsorship Package
No report.
- Corporate Sponsors Approached
No report
- "Adopt-a-Metre" Sales
\$250.00 in sales has been achieved so far in 2007.

RAIL TRAIL DEVELOPMENT PLAN

- The 2007 Budget
The budget was provided by Trails and Tours along with a comparison of actual expenditures in 2006.
Confirmation is required regarding the expenditure for surface works in the amount of \$5,000.00. Trails & Tours will review this expenditure.
It was requested that the County investigate the use of Magnesium Chloride rather than Calcium Chloride since Magnesium Chloride is apparently more environmentally friendly.

OTHER ITEMS:

- a) Communication Between Rail Trail Management Committee and the Public
It was noted that communication appears to be very poor and improvements should pursued,
It was suggested that phone numbers of the Committee members be published along with agendas and meeting minutes on the County website.
- b) Committee Review of:
 - identify any unresolved issues
 - to confirm compliance County By-law
 - to evaluate successes and deficiencies
 - active partnerships
 - number of contacts for education
 - number and nature of events on the Trail
 - user counts/surveys
 - calls from landowners
 - by-law enforcement/wardening activities,
 - fundraising
 - number and nature of Trail incidents
 - Trail clean-up

It was noted that an annual review (as recommended by the Rail Trail Master Plan and as identified as one of the Responsibilities of the Rail Trail Management Committee in the Committee's Terms of Reference) has not been carried out in its entirety and that it should before any new agreements are executed. It was agreed that the review would take place at the next Rail Trail meeting and further that Mr. Robert Groot would be invited to attend the meeting.

Action:

Mr. Groot will be invited to attend the meeting on June 8, 2007 to provide input as the Committee believes to be appropriate.

NEXT MEETING: Friday, June 8, 2007 @ 9:30 a.m.

MOTION FOR ADJOURNMENT:

Motion made by K. Hall

A motion was made that the Rail Trail Management Committee meeting be adjourned.

Carried.

Meeting Adjourned at **12:15 noon**

William Davis – Chair

Roy Haig – Engineering Services Manager