

Cannon Valley Trail Joint Powers Board

May 12, 2026

To: City of Cannon Falls, City of Red Wing and Goodhue County

From: Cannon Valley Trail Joint Powers Board - Scott Roepke, Trail Manager

Re: Joint Powers Board Agreement and Bylaws

Attachment(s): Goodhue County Attorney - Cannon Valley Trail Bylaws Revision.05.12.2026.SFO.docx;
Goodhue County Attorney - Cannon Valley Trail Agreement Revision.05.12.2026.SFO.docx

Background:

The foundational documents governing the Joint Powers Board—the Joint Powers Agreement and Bylaws—were originally established in 1984 and last formally revised in 2005.

Course of Action:

The JPB approved the creation of a three-member subcommittee to lead the update of the Agreement and Bylaws. The subcommittee met multiple times and collaborated with the administrators of the three local units of government to develop revised drafts of both documents.

Once the subcommittee and administrators reached agreement on the revisions, the documents were forwarded to the Goodhue County Attorney for legal review. The Attorney's revisions were then reviewed and accepted by both the subcommittee and administrators.

The CVT Joint Powers Board then reviewed both the Bylaws and the Joint Powers Agreement and approved them, with minor amendments to the Bylaws, at its most recent meeting. The documents were subsequently returned to the Goodhue County Attorney, who approved the final versions. The three local government administrators also reviewed and approved the documents.

All three parties, the CVT Joint Powers Board, the Goodhue County Attorney, and the three local government administrators, have approved the revised documents. The remaining step is formal approval by the governing bodies of Cannon Falls, Red Wing, and Goodhue County.

Recommendation:

To approve the revisions of the 2026 Joint Powers Board Bylaws and Agreement.

CANNON VALLEY TRAIL JOINT POWERS BOARD AGREEMENT

Revised 5-12-2026

Section I. Authority

Minnesota State Statute 471.59 authorizes units of local government to form Joint Powers Boards to jointly do programs or activities which could not be done individually. Therefore, Goodhue County, the City of Red Wing, and the City of Cannon Falls, collectively and individually referred to herein as "unit(s) of government", hereby form a Joint Powers Board of the Cannon Valley Trail.

Section II. Name

The name of the organization shall be the Cannon Valley Trail Joint Powers Board.

Section III. Purpose

The Cannon Valley Trail Joint Powers Board oversees land acquisition, development, management, and maintenance of a recreational trail located on the former Chicago and North Western (CNW) railroad right-of-way between Red Wing and Cannon Falls, including any subsequently acquired adjacent lands. Matters regarding land acquisition shall be brought before the Joint Powers Board and Goodhue County, as the underlying property owner.

The trail is designated for biking (including Class 1 and 2 e-bikes per MN Statute 169.222), hiking, inline skating, cross-country skiing, and similar non-motorized activities. Motorized vehicles are prohibited, with exceptions for emergency and maintenance vehicles, e-bikes, or those authorized by a special permit from the Trail Manager. Any changes to permitted trail uses require the unanimous concurrence of all three-member government units. A map of the trail is provided in Addendum (A).

Section IV. Governance

(A) Membership. The Board shall consist of nine members with three representatives appointed by each unit of government representing the Goodhue County Board of Commissioners, the Red Wing City Council and the Cannon Falls City Council. Each unit of government shall appoint two elected Board members and one citizen Board member. Each unit of government shall fill vacancies consistent with their existing procedures on appointments.

(B) Local Unit of Government Responsibilities. Land ownership will be with Goodhue County; financial agent will be the City of Red Wing and Human Resources will be with City of Cannon Falls.

(C) By-laws. The Board shall adopt a set of By-laws consistent with this agreement, which shall be filed with the Clerk or Auditor of each unit of government. In the event that the By-laws are modified or amended, the Board shall provide formal notice and a comment period of such changes to all three participating units of government.

Section V. Duties and Responsibilities of the Board

(A) General Powers. The Board is authorized to exercise such authority and powers common to the participating units of government as is necessary and proper to fulfill its purposes and perform its duties. Such authority shall include the specific powers enumerated in this Agreement or in the bylaws.

(B) Expenditures and Contract for Services. The Board shall have the power to contract for services with any unit of government, corporation, partnership or individual. The Board shall abide by expenditure and contract limits established for

any public body by Minnesota State Statute regarding bidding, purchasing, and leasing materials or services.

(C) Funds. The Board shall have the power to accept and disburse funds, incur debt, and to accept donations or monetary obligations without the prior approval of the three units of government. The Board may apply for, accept, and disburse state and federal funds.

(D) Annual Meeting. The Board shall hold an annual meeting at the first meeting of each calendar year at which time it shall elect officers, establish a meeting schedule and handle other necessary business. The Annual Meeting shall take place no later than March 31st of each calendar year.

(E) Annual Report. An annual report shall be submitted to all three units of government within 30 days of the fiscal agent annual audit.

(F) The Board shall have the authority to appoint advisory committees and conduct such public hearings and meetings as are necessary to provide full public participation in the development, planning and operation of the trail.

(G) Emergency Meetings. The Board may hold emergency meetings. The Chairperson shall arrange such a meeting by telephone call or email to the Board members, media, and staff during normal business hours. The Chairperson shall state the nature of the emergency meeting, the time and place of the meeting.

(H) The Board shall have an annual budget to be adopted by the Board prior to the start of its fiscal year operations.

(I) The Board shall be an equal opportunity employer.

Section VI. Supervision of the Trail

The Board shall have the responsibility to supervise the trail. The Board shall adopt ordinances governing the trail, and these ordinances must then be adopted by the City of Red Wing, the City of Cannon Falls, and Goodhue County. The Red Wing Police Department, the Cannon Falls Police Department, Goodhue County Sheriff's Department and the State of Minnesota will enforce the adopted ordinances. The Board may grant easements, provided that the general purposes, safety, or aesthetics of the trail are not impaired.

Section VII. Financing

The Board's funding cycle will be from January 1 through December 31. Goodhue County, the City of Red Wing, and the City of Cannon Falls shall have on-going responsibility for providing funds for the operation and maintenance of the trail. The annual amount of this funding shall be proposed by the Joint Powers Board and considered for approval by each unit of government. The standard formula for each unit of government will be based on population unless circumstances merit a different breakdown of the funding from a unit of government. The Cities of Red Wing and Cannon Falls will each add a 10% adjustment to their total population base rate and Goodhue County will deduct 20% from their total base population rate. The 2026 rate is as follows:

Goodhue County	49 percent
City of Red Wing	34 percent
City of Cannon Falls	17 percent

The funding formula may be revised after the next census, and then approximately every ten years thereafter to coincide with future censuses. An example of the funding percentages can be found in Addendum (B).

The Cannon Valley Trail Joint Powers Board may establish a fee structure and may charge fees for services.

If a specific unit of government—Goodhue County, Red Wing, or Cannon Falls—provides capital services for trail improvements, the Board may reimburse that unit for those costs. These reimbursements ensure that the specific expenses for building or upgrading the trail are shared by the Board rather than being paid for by only one city or the county.

Section VIII. Staffing

(A) The Board may hire or contract for services to administer the trail development, maintenance, and operation and to have such other responsibilities as the Board may assign.

(B) Goodhue County, the City of Red Wing, and the City of Cannon Falls may make staff available to assist the Board.

(C) The Board may reimburse a unit of government for the use of its staff.

Section IX. Amendments

Upon a 2/3-majority vote of the entire Board, the Board may forward a recommendation for specific changes in the Joint Powers Agreement to the three units of government. The Board may only discuss or decide upon amendments to the Joint Powers Agreement after giving formal public notice on its agenda and meeting notice that such an item will be discussed or decided upon. Amendments to this Joint Powers Agreement must be approved by each of the three units of government represented by the Board and shall be approved in a resolution by the Goodhue County Board, the Red Wing City Council, and the Cannon Falls City Council prior to final approval by the Joint Powers Board. The County Auditor shall record in the County Recorder's records a copy of all resolutions approving amendments to the original document.

Section X. Indemnification and Hold Harmless

(A) Applicability: The Cannon Valley Trail Joint Powers Board is a separate public entity. The participating units of government have transferred all control and responsibility for actions taken under this Agreement to the Board. The Board must follow all Minnesota laws and is protected by the liability limits found in Minnesota State Statute 466. The Board shall maintain comprehensive insurance coverage for all operational risks, including general, professional, property, fleet, personnel, directors and officers, and emerging liabilities.

(B) Indemnification and Hold Harmless: The Cannon Valley Trail Joint Powers Board shall fully defend, indemnify and hold harmless the participating units of government against all claims, losses, liability, suits, judgements, (including attorney fees) incurred by reason of the action or inaction of the Board and/or its employees or agents. By providing this protection, the participating units of government are not waiving any limitations on liability provided under Minnesota Statute, Sections 471.59 and 466.04.

(C) Pursuant to Minn. Stat. 471.59, none of the participating units of government shall be responsible for the acts or omissions of the other participating entities. For purposes of determining total liability for damages, the participating units of government and the joint board are considered one unit of government and the total liability for the participating units of government and the joint board shall not exceed the limits on governmental liability for a single governmental unit as specified in Minnesota Statute 466.04

(D) Nothing in this agreement shall be interpreted as a waiver by the Joint Powers Board or the participating units of government, of any rights or immunities available to them under any applicable state or federal law or rule.

Section XI. Term and Dissolution

This Agreement shall commence upon execution and will remain in effect until all parties mutually agree to dissolve.

The Board may recommend its dissolution to Goodhue County, the City of Red Wing, and the City of Cannon Falls, and upon the approval of all three units of government, the Board may dissolve. At the same time as the dissolution recommendation, the Board shall recommend to the three units of government where and how the assets of the Board would be distributed. The three units of government shall then decide upon the dissolution and asset division recommendations.

A unit of government may withdraw from the Joint Powers Agreement by filing written notice of its intent with the County Auditor and the Cannon Valley Trail Joint Powers Board. To be considered for the upcoming fiscal cycle, notice must be received no later than June 1st. The withdrawal shall take effect after three complete budget cycles following the receipt of notice. During this period, the withdrawing unit shall retain full membership on the Board and full budgetary responsibility. The withdrawing unit shall remain liable for financial obligations or exit costs related to its proportional share of any grants or shared commitments agreed upon prior to the notice of withdrawal.

Section XII. Adoption

This document becomes effective 10 days after a resolution of approval has been received by the Goodhue County Auditor from each of the three participating units of government. The Auditor shall record in the County Record's records the revised Joint Powers Agreement and a copy of all resolutions approving the document.

Upon adoption, this agreement shall supersede previous versions of the Cannon Valley Trail Joint Powers Agreement.

IN WITNESS WHEREOF, and upon the recommendation of the Cannon Valley Trail Joint Powers Board, the participating units of government have caused this agreement to be executed by the persons authorized to act for their respective units of government on the date shown below.

City of Red Wing:

(Mayor) (Date)

(City Administrator) (Date)

City of Cannon Falls:

(Mayor) (Date)

(City Administrator) (Date)

Goodhue County:

(Board Chairman) (Date)

(County Administrator) (Date)

Addendum (A)

What to Expect

The Cannon Valley Trail runs through diverse and spectacular scenery on a former Chicago Great Western Railroad line, connecting the cities of Cannon Falls, Welch, and Red Wing. Hikers, bicyclers, in-line skaters, and cross country skiers enjoy a quiet, people-powered experience. Motorized vehicles and pets are not allowed.



In 1983, when the railroad announced its intention of abandonment, private citizens realized the recreational potential of the line.

With the assistance of the Minnesota Parks Foundation, they purchased the right-of-way with donated funds. They then convinced Cannon Falls, Red Wing, and Goodhue County to manage this rail-trail project with a Joint Powers Board. The nine person Board is comprised of three members from each unit of government. State and Federal grants, and donations, provided funds for development. The Trail was dedicated May 31, 1986, and the asphalt surfacing completed in 1992.

Paralleling the Cannon River, the Trail offers glimpses and panoramas of the valley and descends 115 feet in elevation from Cannon Falls to Red Wing. From overhanging cliffs to views of extensive wetland complexes, nature's seasonal changes are vividly displayed. The trail is open year round.



Wheel Pass Required

Daily and Seasonal Wheel Passes are required:

- April 1 - October 31
- For all bicycles, in line skates, skate boards or similar non-motorized wheeled recreational devices
- Aged 18 and older

Exemptions:

- Pedestrians
- Wheelchair users
- Strollers

Wheel Passes available at:

- Online: www.cannonvalleytrail.com
- Trail Office
- Trail side pay stations
- Local Merchants – see list on website

Group Events:

- School & similar educational organizations for activities intended to benefit students, eligible for FREE passes.
- Non-educational groups of 30 or more eligible for reduced rate.
- 2-week advance notice required. Group Application forms available at Trail Office or on website.

Wheel Pass Fees are used for the betterment of the Cannon Valley Trail.

Winter Activities

- The Cannon Valley Trail is groomed for both traditional cross-country skiing and skate-skiing. A Great Minnesota Ski Pass is required for skiers ages 16-24. Passes are available at locations throughout the state or by calling 888-665-4236.
- Snow shoeing is also allowed on the trail.
- Check our website for information on Winter fat tire biking. www.cannonvalleytrail.com

Donations

Cannon Valley Trail is funded by Wheel Pass Sales, Local Government support and Donations from friends like you.

Please contact the Cannon Valley Trail Office or visit www.cannonvalleytrail.com to find out how you can help support the CVT by donating to:

- Cannon Valley Trail Donation Wall
- Friends of the Trail

All donations are tax deductible, subject to applicable tax laws, and are used to continually improve the Cannon Valley Trail.



Trail Ordinances

To protect the resources of the Cannon Valley Trail and to ensure its safe use, you are required to follow the trail ordinances listed below:

- **NO PETS ALLOWED** including in baskets and on trailers
- **NO MOTORIZED VEHICLES** (Electric bikes are allowed per MN State Statute 169.222 Subd. 6A)
- **NO HORSES**
- **NO ALCOHOLIC BEVERAGES**
- **NO HUNTING**
- **NO WEAPONS** (including bows) unless unloaded and cased.
- **NO CAMPING**
- **PLEASE DO NOT DISTURB** any plant, flower, wildlife or other natural or cultural resource.

Complete Trail Ordinances are available at www.cannonvalleytrail.com/trail-ordinancepolicy/

For further information:

Cannon Valley Trail Office: 507-263-0508

825 Cannon River Ave
Cannon Falls MN 55009

www.cannonvalleytrail.com

info@cannonvalleytrail.com

Office Hours Vary

Closed Saturday and Sunday

Welch Station Access: 651-258-4141

A trail employee is available most weekends (weather permitting) from 10:00 a.m. - 3:00 p.m. from April - Sept.



Cannon Valley Trail

Goodhue County, Minnesota

Share the Trail

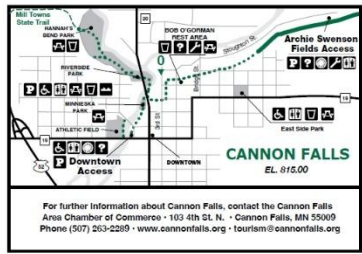
Watch for and obey all signs.
Look both ways at road crossings.
Be in control of your bicycle at all times.
Watch for hazards on or near the trail.
Use the right hand side of the trail.
Announce your presence when passing others.
Wear a helmet.

NO PETS ALLOWED
including those in baskets
and/or trailers

CANNON VALLEY TRAIL

Goodhue County, Minnesota

A 19.7 mile (31.7km) long recreational trail connecting Cannon Falls, Welch, and Red Wing, Minnesota



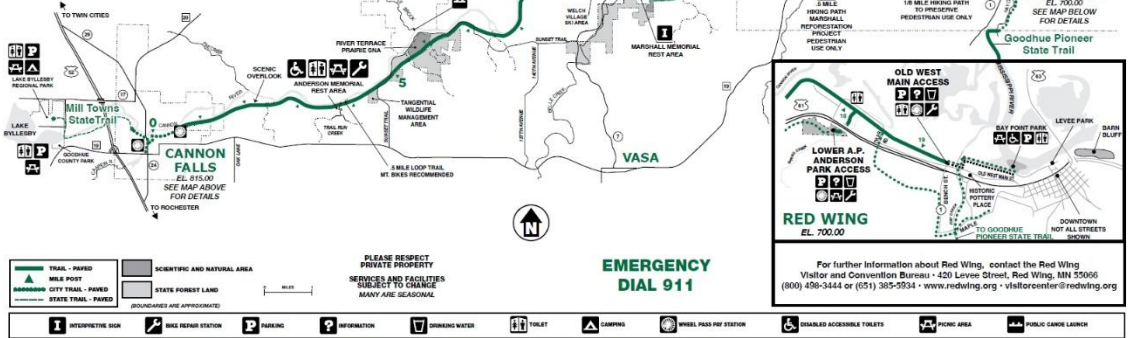
MILEAGE CHART

0	0.8	1.6	2.4	3.2	4.0	4.8	5.6	6.4	7.2	8.0	8.8	9.6	10.4	11.2	12.0	12.8	13.6	14.4	15.2	16.0	16.8	17.6	18.4	19.2	19.7
0	0.8	1.6	2.4	3.2	4.0	4.8	5.6	6.4	7.2	8.0	8.8	9.6	10.4	11.2	12.0	12.8	13.6	14.4	15.2	16.0	16.8	17.6	18.4	19.2	19.7

SHARE THE TRAIL

- Watch for and obey all signs
- Look both ways at road crossings
- Be in control of your bicycle at all times
- Watch for accidents on or near the trail
- Use the right hand side of the trail
- Announce your presence when passing others
- Always wear a helmet

NO PETS ALLOWED! Including those in baskets and/or trailers



Addendum (B)

Population Distribution & Allocation Summary

Purpose: Establishing population-based percentages among three government units.

Review Cycle: Percentages are reevaluated every **10 years** following the official census.

The Adjustment Formula

To reach the final allocation, the raw census percentages are adjusted as follows:

- **Goodhue County:** Subtract **20%** from the raw population percentage.
- **Red Wing:** Add **10%** to the raw population percentage.
- **Cannon Falls:** Add **10%** to the raw population percentage.

Government Unit	Population	% of Population (Raw)	Adjusted Percentage
Goodhue County	47,582	69.62%	49.62%
Red Wing	16,547	24.14%	34.14%
Cannon Falls	4,220	6.17%	16.17%
Total	68,349	100%	100%

CANNON VALLEY TRAIL JOINT POWERS BOARD BYLAWS

Revised 5-12-2026

Section 1. Purpose.

The purpose of the Cannon Valley Trail Joint Powers Board (the "Board") oversees land acquisition, development, management, and maintenance of a recreational trail located on the former Chicago and North Western (CNW) railroad right-of-way between Red Wing and Cannon Falls, including any subsequently acquired adjacent lands. Matters regarding land acquisition shall be brought before the Joint Powers Board and Goodhue County, as the underlying property owner. The trail is designated for biking (including Class 1 and 2 e-bikes per MN Statute 169.222), hiking, inline skating, cross-country skiing, and similar non-motorized activities. Motorized vehicles are prohibited, with exceptions for emergency and maintenance vehicles, e-bikes, or those authorized by a special permit from the Trail Manager. Any changes to permitted trail uses require the unanimous concurrence of all three-member government units.

Section 2. Organization.

(a) Membership. The Board shall consist of nine members with three representatives appointed by each unit of government representing the Goodhue County Board of Commissioners, the Red Wing City Council and the Cannon Falls City Council. Each unit of government shall appoint two elected Board members and one citizen Board member. Each unit of government shall fill vacancies consistent with their existing procedures on appointments.

(b) Terms of Office. The term of board members shall be for one year and until a successor is duly appointed; however, a member so appointed shall serve at the pleasure of that member's appointing unit of government. There shall be no limit on the number of terms a member may serve.

A member may be removed from office at any time upon a two-third (2/3) affirmative vote of the entire Board. Upon such removal, the unit of government formerly represented by said member shall appoint a replacement to fill the vacancy.

(c) Alternates. Each appointing unit of government may designate an alternate who shall be authorized to act in the absence of the member.

(d) Officers. There shall be a Chairperson, a Vice Chairperson, and a Secretary-Treasurer. The terms of office shall be one fiscal year of the Board, from annual meeting to annual meeting or until successors are elected.

(e) Duties of Officers. The Chairperson shall call meetings, preside over meetings and appoint committees upon approval of the Board. The Vice-Chairperson shall become Chairperson and serve out the Chairperson's term if the Chairperson resigns or is unable to serve. The Vice Chairperson shall preside over meetings in the Chairperson's absence. The Secretary/Treasurer shall have general charge of the finances of the Board, including its income and expenditures. The Chairperson, Vice Chairperson and Secretary/Treasurer shall serve as the 'executive committee'.

(f) Voting. Each member of the Board shall have one vote. All voting shall be by the Chairperson calling for a voice vote on the question. A roll call vote may be taken upon the determination of the Chairperson or demand of one or more Board members.

(g) Quorum. A quorum for the transaction of business of the Board shall be the majority of the current board members. Unless a greater number is required by law or other

rules or policies adopted by the Board, a majority of a quorum may act at meetings. No voting shall be done by proxy.

(h) Meetings. Regular Meetings: The Board shall hold regularly scheduled periodic meetings. Minutes shall be kept of all meetings. At each annual meeting, the Board shall establish the date and time for these monthly sessions. Meetings may be held in Welch, Red Wing, Cannon Falls, or via virtual platform. The Cannon Valley Trail Joint Powers Board shall comply with the Minnesota Open Meeting Law (MN Statute 13D).

Special Meetings: All meetings with follow State Statue with regard to special, emergency and closed meetings.

(i) Annual meeting. The annual organizational meeting shall be the first meeting of the calendar year at which time the board shall elect officers, establish a meeting schedule and handle other necessary business.

(j) The Board shall have the authority to appoint an advisory committee, and it may conduct public input meetings on trail operation.

(k) Emergency meetings. The Board may hold emergency meetings. The Chairperson shall arrange such a meeting by telephone call or email to the Board members and staff. The Chairperson shall state the subject of the emergency meeting, the time and place of the meeting.

(l) Annual budget. The Board shall have an annual budget to be adopted by the Board prior to the start of its fiscal year operations.

(m) Equal opportunity employer. The Board shall be an equal opportunity employer.

(n) Bylaws and Amendments. The Board shall file a copy of the Bylaws with the Clerk or Auditor of each participating unit of government. Upon a 2/3-majority vote of the entire Board, the Board may amend or modify these Bylaws.

In the event of a Bylaws modification or amendment, the Board shall provide formal notice and a designated comment period to all three participating units of government prior to final adoption. Following any approved changes, the Clerk or Auditor of each participating unit of government shall record a copy of all resolutions approving amendments to the original document.

The Cannon Valley Trail Joint Powers Board adopts these revised Bylaws of the Cannon Valley Trail Joint Powers Board on _____.

Cannon Valley Trail Joint Powers Chair:

(Signature) (Date)

Cannon Valley Trail Joint Powers Secretary/Treasurer

(Signature) (Date)

CANNON VALLEY TRAIL JOINT POWERS AGREEMENT
(Revised May 24, 2005)

Section I. Authority

Minnesota State Statute 471.59 authorizes units of local government to form Joint Powers Boards to jointly do programs or activities which could not be done individually. Therefore, Goodhue County, the City of Red Wing and the City of Cannon Falls hereby form a Joint Powers Board of the Cannon Valley Trail.

Section II. Name

The name of the organization shall be the Cannon Valley Trail Joint Powers Board.

Section III. Purpose

The purpose of the Cannon Valley Trail Joint Powers Board shall be to develop, operate, manage, and maintain a recreational trail for biking, hiking, inline skating, cross country skiing and other similar activities on the abandoned Chicago North Western (CNW) railroad right-of-way between Red Wing and Cannon Falls and on such land adjacent to the right-of-way which the Board may acquire. No motorized vehicles shall be allowed except for emergency vehicles, maintenance vehicles and vehicles allowed by special permit of the Board. The Board may, with the concurrence of all three units of government, change the uses on the trail. **Attached hereto and made part thereof is a map of the trail.**

Section IV. Organization

(A) Membership. The Board shall consist of nine members with three representatives appointed by each unit of government. The Board shall be made up of at least one elected member from the Goodhue County Board, the Red Wing City Council, and the Cannon Falls City Council. In addition, the Goodhue County Board, the Red Wing City Council, and the Cannon Falls City Council shall each appoint at least one citizen member. Each unit of government shall fill vacancies consistent with their existing procedure on appointments.

(B) Terms of Office. The terms of office of elected officials shall be consistent with their elective terms. Each citizen member shall serve a one-year term, with a maximum of six consecutive terms of service. Board members may be re-appointed to additional terms. Appointed Board members shall serve until a successor is named.

The Board shall give the affected unit of government notice if one or more of that unit's representatives on the Board have missed three or more consecutive meetings.

(C) Officers. There shall be a chairperson, a vice chairperson, and a secretary-treasurer. The terms of office shall be one fiscal year of the Board, from annual meeting to annual meeting until successors are elected.

(D) Duties of Officers. The chairperson shall preside over meetings, appoint committees, serve as an ex-officio member thereof and give an annual report. The vice chairperson shall preside over meetings in the absence of the chairperson. The secretary/treasurer shall have responsibility for the assets, income and expenditures of the Board. The Board shall designate one of the units of government party to this agreement to act as the financial agent for the Board for a minimum two year term. The Board may designate other units as the financial agent on a "take-turn" basis.

(E) Voting. Each member of the Board shall have one vote.

(F) Quorum. A quorum shall be five members, with at least one representative from each unit of government. A majority of a quorum may take action.

(G) Meetings. There shall be periodic meetings of the Board with time and place of meetings to be decided by the Board. The chairperson may call special meetings by giving five days written notice to all Board members and the media. All Board meetings shall be open to the public.

(H) By-laws. The Board shall adopt a set of By-laws, consistent with this agreement. The three units of government have approved the By-laws. The By-laws shall be filed with the Clerk or Auditor of each unit of government.

Section V. Duties and Responsibilities of the Board

(A) Expenditures and Contract for Services. The Board shall have the power to contract for services with any unit of government, corporation, partnership or individual. The Board shall abide by expenditure and contract limits established for any public body by Minnesota State Statute regarding bidding, purchasing, and leasing materials or services.

(B) Funds. The Board shall have the power to accept and disburse funds and to apply for state and federal funds. The Board may accept donations, however, the three units of government shall first approve each donation which has conditions or monetary obligations

(C) Annual Meeting. The Board shall hold an annual meeting on the fourth Tuesday in March of each year at which time it shall elect officers, establish a meeting schedule and appoint a financial agent.

(D) Annual Report. An annual report shall be submitted to all three units of government on the fourth Tuesday in March of each year of operation.

(E) The Board shall have the authority to appoint advisory committees and conduct such public hearings and meetings as are necessary to provide full public participation in the development, planning and operation of the trail.

(F) Emergency Meetings. The Board may hold emergency meetings. The Chairperson shall arrange such a meeting by telephone call to the Board members, media and staff during normal business hours. The Chairperson shall state the nature of the emergency meeting, the time and place of the meeting.

(G) The Board shall adopt an annual budget as of the fourth Tuesday in September of each year and then present the budget to Goodhue County, the City of Red Wing and the City of Cannon Falls to approve the budget.

(H) The Board shall be an equal opportunity employer.

Section VI. Supervision of the Trail

The Board shall have the responsibility to supervise the trail in accordance with ordinances adopted by the City of Red Wing, City of Cannon Falls and Goodhue County. The Red Wing Police Department, the Cannon Falls Police Department and the Goodhue County Sheriff's Department will enforce the ordinances that have been adopted.

The Board may grant easements provided that the general purposes, safety or aesthetics of the trail are not impaired.

Section VII. Financing

The Board's funding cycle will be January through December. Goodhue County, the City of Red Wing and the City of Cannon Falls shall have on-going responsibility for providing funds

for the operation and maintenance of the trail. The annual amount of this funding shall be proposed by the Joint Powers Board and considered for approval by each unit of government unless circumstances would merit a different breakdown of the funding from a unit of government. The standard share of each unit of government will be as follows:

Goodhue County	49 percent
City of Red Wing	34 percent
City of Cannon Falls	17 percent

The Board may recommend to the three units of government different percentages of the total expenses every three years after the revision of this agreement.

The Board may establish a fee structure and may charge fees for services.

Section VIII. Staffing

(A) The Board may hire or contract for services to administer the trail development, maintenance and operation and to have such other responsibilities as the Board may assign.

(B) Goodhue County, the City of Red Wing and the City of Cannon Falls may make staff available to assist the Board.

(C) The Board may reimburse a unit of government for the use of its staff.

Section IX. Amendments

Upon a 2/3-majority vote of the entire Board, the Board may forward a recommendation for specific changes in the Joint Powers Agreement to the three units of government. The Board may only discuss or decide upon amendments to the Joint Powers Agreement after giving formal public notice in its agenda and meeting notice that such an item will be discussed or decided upon.

Amendments to this Joint Powers Agreement must be approved by each of the three units of government represented by the Board and shall be approved in a resolution by the Goodhue County Board, the Red Wing City Council and the Cannon Falls City Council prior to final approval by the Joint Powers Board. The County Auditor shall record in the County Recorder's records, a copy of all resolutions approving amendments to the original document.

Section X. Dissolution

The Board may recommend its dissolution to Goodhue County, the City of Red Wing, and the City of Cannon Falls, and upon the approval of all three units of government, the Board may dissolve. At the same time as the dissolution recommendation, the Board shall recommend to the three units of government where and how the assets of the Board would be distributed. The three units of government shall then decide upon the dissolution and asset division recommendations.

A unit of government may withdraw from the Joint Powers Agreement. To withdraw, a unit of government must file written notice of the unit's intent to withdraw with the County Auditor and the Cannon Valley Trail Joint Powers Board. The withdrawal shall take effect three years after the Board receives written notice. During the three-year notice period, the withdrawal unit shall retain its full membership on the Board and its full budgetary responsibility.

Section XI. Adoption

This document becomes effective 10 days after a resolution of approval has been received by the Goodhue County Auditor from each of the three participating units of government. The

Auditor shall record in the County Record's records the revised Joint Powers Agreement and a copy of all resolutions approving the document.

The Cannon Valley Trail Joint Powers Board with consent of the City of Red Wing, City of Cannon Falls and Goodhue County, has approved the revision of the Cannon Valley Trail Joint Powers Agreement on May 24, 2005

City of Red Wing: _____ Donna Summer 6/13/05
(Mayor) (Date)

_____ W. Kay Kerpelman 6/14/05
(City Administrator) (Date)

City of Cannon Falls: _____ Lynn By 6/16/05
(Mayor) (Date)

_____ Katha Maki
(City Administrator) (Date)

Goodhue County: _____ [Signature] _____
(Board Chairman) (Date)

_____ [Signature]
(County Administrator) (Date)

BY-LAWS OF CANNON VALLEY TRAIL JOINT POWERS BOARD

(Revised May 24, 2005)

Section 1. Purpose.

The purpose of the Cannon Valley Trail Joint Powers Board shall be to develop, operate, manage, and maintain a recreational trail for biking, hiking, inline skating, cross country skiing and other similar activities on the abandoned Chicago NorthWestern (CNW) railroad right of way between Red Wing and Cannon Falls and on such land adjacent to the right of way which the Board may acquire. No motorized vehicles shall be allowed except for emergency vehicles, maintenance vehicles, and vehicles allowed by special permit of the Board. The Board may, with the concurrence of all three units of government, change the uses on the trail.

Section 2. Organization.

(a) **Membership.** The Board shall consist of nine members with three representatives appointed by each unit of government. The Board shall be made up of at least one elected member from the Goodhue County Board of Commissioners, the Red Wing City Council and the Cannon Falls City Council. The Goodhue County Board of Commissioners, the Red Wing City Council and the Cannon Falls City Council shall each appoint at least one citizen member. Each unit of government shall fill vacancies consistent with their existing procedures on appointments.

(b) **Terms of Office.** Each member shall serve a one year term, starting from the fourth Tuesday in March of a given year, except insofar as a March starting date for a term of office would be inconsistent with elective terms of elected members or procedures of appointment of the units of governments. Each citizen member may serve a maximum of six consecutive terms of one year; board members may be reappointed to additional terms. Citizen members shall serve until a successor is named; members who are elected officials shall serve until a successor is named, unless their terms as elected officials are expired.

The Board shall give a unit of government notice if a representative of that unit has missed three consecutive meetings with no excuse; after a member has missed four consecutive meetings with no excuse, he/she shall be removed from the Board and the unit of government which he represented shall appoint a replacement.

(c) **Officers.** There shall be a chairperson, a vice chairperson, and a secretary-treasurer. The terms of office shall be one fiscal year of the Board, from annual meeting to annual meeting or until successors are elected.

(d) **Duties of Officers.** The chairperson shall call meetings, preside over meetings, appoint committees and serve as an ex-officio member thereof, and give an annual report. The vice-chairperson shall become chairperson and serve out the chairperson's term if the chairperson resigns or is unable to serve. The vice-chairperson shall also preside over meetings in the chairperson's absence. The secretary/treasurer shall keep minutes of all meetings, shall have responsibility for the assets of the Board and its income and expenditures, and shall present an annual financial report at the annual meeting, and shall deposit a copy of all official records with the Goodhue County Auditor and maintain all official records for the Board.

(e) **Financial Agent.** The Board shall designate one of the units of government to act as the financial agent of the Board with a term of a minimum of two years.

(f) **Voting.** Each member of the Board shall have one vote.

(g) **Quorum.** A quorum shall be five members, with at least one representative from each unit of government. A majority of a quorum may take action.

(h) Meetings. There shall be periodic meetings of the Board that will be regularly scheduled. At the annual meeting, the Board will decide on a given night each month for the periodic meetings. The location of meetings shall be held at Welch, Red Wing or Cannon Falls. Before a meeting is held, an agenda must be mailed out to Board members and to the media at least five days in advance of meetings. The chairperson may call special meetings by giving five days written notice to all Board members and the media.

(i) Committees. There shall be the following standing committees: Financial, Maintenance, Rules of the trail and Public Relations. The Chairperson shall make committee appointments at the annual meeting and shall appoint a chairperson for each committee. The chairperson may appoint committees as he/she sees fit.

(j) Annual meeting. The Board shall hold an annual meeting on the fourth Tuesday in March of each year at which time it shall elect officers, establish a meeting schedule, appoint a financial agent, and handle other necessary business. The chairperson shall give his/her annual report and shall make committee appointments. The secretary/ treasurer shall give his/her annual report.

(k) Advisory committees. The Board shall have the authority to appoint advisory committees as the Board sees fit, and the Board shall have the authority to hold public meetings and hearings as it sees fit.

(l) Emergency meetings. The Board may hold emergency meetings. The Chairperson shall arrange such meetings by telephone call to the Board members, media and staff during normal business hours. The Chairperson shall state the nature of the emergency meeting, the time and the place of the meeting.

(m) The Board shall adopt an annual budget as of the fourth Tuesday in September of each year and then present the budget to the Goodhue County Board of Commissioners, the Red Wing City Council and the Cannon Falls City Council

(n) Equal opportunity employer. The Board shall be an equal opportunity employer.

The Cannon Valley Trail Joint Powers Board with consent of the City of Red Wing, City of Cannon Falls and Goodhue County, has approved the revision of the By-laws of the Cannon Valley Trail Joint Powers Board on May 24, 2005.

City of Red Wing:	<u>Donna Summer</u> (Mayor)	<u>6/13/05</u> (Date)
	<u>D. Kay Kuhlmann</u> (City Administer)	<u>6/14/05</u> (Date)
City of Cannon Falls:	<u>Dymonty</u> (Mayor)	<u>6/16/05</u> (Date)
	<u>Kathleen Smith</u> (City Administer)	<u> </u> (Date)
Goodhue County:	<u>Paul B...</u> (Board Chairman)	<u> </u> (Date)
	<u> </u> (County Administer)	<u> </u> (Date)

