

NOTICE OF MEETING

TRANSPORTATION COMMITTEE

July 6, 2020 - 9:00 A.M.

Sheboygan County Transportation Department
W5741 CTH "J"
Plymouth WI 53073

Conference Room

AGENDA

Call to Order

Certification of Compliance with Open Meeting Law

Citizen Input and Comments

Approval of Minutes: Transportation Committee Meeting – June 1, 2020

Review and Approve Vouchers

Approval of Members to Attend Meetings or Functions

Correspondence

Airport/Highway

- Fuel Flowage Update
- Airport Activities and Updates
- Update Customs Facility
- Consideration of Termination / Approval of Airport leases (Donald & Matthew Waage)
- Consideration of Promotion from Airport Technician I to Airport Technician II
- Lakeshore Road, Town of Mosel – Driveway Issues (Mark Jurk)
- CTH J, Crystal Lake – Drainage Issues (Brian Voight)
- Consideration of ATV Permit for Town of Scott
- Consideration of Vertical Bridge Project Proposal
- Consideration of Land Sale on CTH KK (South 12th Street) to Rightway Club, Inc.
- Highway Activities and Updates

Adjourn

Next Scheduled Meeting: August 3, 2020

Prepared by:

Amy Wieland 459-3822

Recording Secretary

Roger Te Stroete
Committee Chairperson

NOTE: The Committee welcomes all visitors to listen and observe, but only Committee members and those invited to speak will be permitted to speak

A majority of the members of the County Board of Supervisors or of any of its committees may be present at this meeting to listen, observe, and participate. If a majority of any such body is present, their presence constitutes a "meeting" under the Open Meeting law as interpreted in State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553 (1993), even though the visiting body will take no action at this meeting.

Wis. Stat. § 19.84 requires that each meeting of a governmental body be preceded by a public notice setting forth the time, date, place, and subject matter of the meeting. This Notice and Agenda is made in fulfillment of this obligation. Electronic versions of this Notice and Agenda may hyperlink to documents being circulated to members in anticipation of the meeting and are accessible to the public for viewing. Additions, subtractions, or modifications of the hyperlinked materials do not constitute an amendment to the meeting agenda unless expressly set forth in an Amended Notice and Agenda. Members of the public are encouraged to check from time to time before the meeting to see whether the hyperlinked content has been changed from what was originally posted.

Persons with disabilities needing assistance to attend or participate are asked to notify the Transportation Department Office at 920-459-3822 prior to the meeting so that accommodations may be arranged.

SHEBOYGAN COUNTY TRANSPORTATION COMMITTEE MINUTES

Sheboygan County Transportation Department
W5741 CTH "J"
Plymouth WI 53073

June 1, 2020

Called to Order: 9:00 A.M.

Adjourned: 10:41 a.m.

MEMBERS PRESENT: Roger Te Stroete, Al Bosman, Jackie Veldman, Thomas Wegner and Robert Ziegelbauer

OTHERS PRESENT: Greg Schnell, Matt Grenoble, Emily Stewart, Terence Doyle and Amy Wieland

The Sheboygan County Transportation Committee convened at 9:00 a.m. Chairman Te Stroete presiding. Chairman Te Stroete noted that the meeting was posted on May 28, 2020 at 2:15 p.m. in the lobby of the Administration Building in compliance with the open meeting law.

Per County Code, Chairman Te Stroete approved the minutes from March 2020 as presented.

Supervisor Wegner made a motion and Supervisor Bosman seconded the motion to approve the vouchers. Motion carried.

Airport Superintendent, Matt Grenoble stated fuel flowage amounts have drastically decreased due to the COVID pandemic. Grenoble stated that almost all corporate travel had stopped for two-three weeks. It was explained that April 2020 was the worst month as the amount of fuel sold was down 60% from April 2019. The fuel sold in May 2020 was down 38% from May 2019 and today the fuel sold was down 31% from that in June 2020. Grenoble said that the cancellation of the EAA, the T28 flying clinic and Wings & Wheels event have also contributed to the reduction of fuel sales. Grenoble stated that as of this date, the Ryder Cup is still on schedule for September 2020.

Superintendent Grenoble advised that due to the CARES Act, general aviation airports are each getting \$69,000 in stimulus funds that can be used for various projects. Grenoble stated that the Customs building is one month to scheduled completion. Grenoble stated that he has been approached about the possibility of building other hangars which would bring in lease revenue for the airport.

Transportation Director Schnell stated that Terence Doyle from the Right Way Club from Sheboygan is interested in purchasing several feet of property from the Transportation Department on EE / South 12th Street. Supervisor Bosman made a motion and Supervisor Ziegelbauer seconded the motion to have Corp Council draft an ordinance to sell 10 feet of the property.

Supervisor Wegner made a motion and Supervisor Veldman seconded the motion to appoint Supervisor Bosman to the East Wisconsin Counties Railroad Consortium.

Supervisor Wegner made a motion and Supervisor Ziegelbauer seconded the motion to approve the Chapter 58: Reporting County Owned Vehicles.

Supervisor Bosman made a motion and Supervisor Wegner seconded the motion to approve the ATV Permit for the Town of Scott but excluding the use of CTH A from CTH HH to CTH 28 and referred to using the roads less traveled, per the ordinance.

Supervisor Wegner made a motion and Supervisor Ziegelbauer seconded the motion to approve the ATV Permit for the Town of Mitchell.

Supervisor Ziegelbauer made a motion and Supervisor Wegner seconded the motion to approve the Promotion of Maintenance Worker to Maintenance Technician.

Transportation Director Schnell provided the 1st Quarter variances for the Highway and Airport Departments.

Director Schnell discussed the Transportation Department activities. Concerns that due to the COVID pandemic the sales taxes are also down which will affect the Transportation Fund budget. (Chairman Te Stroete left at 10:20 am, Vice Chair Wegner carried on presiding over the meeting.) The Department has cut \$2.5 million in construction projects but is filling the work from other agencies and towns. Schnell hopes to continue 3.5 miles of road construction on CTH D starting mid-June. The employees are currently pulverizing, paving, seal coating and repairing culverts.

Motion by Supervisor Bosman and seconded by Supervisor Veldman to adjourn at 10:30 a.m., motion carried.

Amy Wieland
Recording Secretary

Al Bosman
Committee Secretary

RIGHT-OF-WAY POLICY & ATV PERMIT

Policy 99.01

Effective:

96.90 Appendices
96.92 County Permit
99.01 ATV Permit

Supersedes:

By: County Transportation Director

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SHEBOYGAN COUNTY HIGHWAY DEPARTMENT

Application /Permit to construct and maintain ATV signs within highway Right-Of-Way and open highway links

Applicant: Town of Scott
Municipality: N1306 Boltonville Road
Address: Adell, WI 53001
Email (print): RNarbatovics@plmwi.com
Office phone: 920-994-4470
Cell phone: 262-343-1975

Permit No.:	_____
Highway:	_____
Town/Village/City of:	_____
1/4 of	1/4 Sec.
T N R E	
Annual Service Connection Permit	_____
Annual Maintenance Permit	_____

Type of Sign Installation: D11-10A "Edge of Town" method Fully mark open roads method Road link request

Regardless of method used, all County Road route links must be fully marked to signify beginning and end points

Plans Prepared by: KettleTrails.com

Name and phone number of ATV/UTV organization responsible for construction and sign maintenance: Install KettleTrails.com 414-588-8471

Check list of required documents enclosed:

- Local municipality's approved Ordinance or Resolution
- Map showing sign types and all locations of sign installations

- Construction
- Parallel to Roadway
 - Tree cutting

Estimated Start Date: _____ Estimated Restoration Date: _____

Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of Sheboygan County Code Section 26.07 in effect at the time of this application and with any special provisions listed below or attached hereto and any and all plans, details, or notes attached hereto and made a part hereof.

Applicant agrees to and will abide by the conditions contained within Wis. Admin. Code ch. NR 64 and Wis. Stat. § 23.33. This Agreement is made by the undersigned official under proper authority to act on behalf of Applicant represented above. Applicant agrees to pay for installation costs and costs to replace the signs when they have reached the end of their useful life or repairs if they become damaged when the cost is not recovered from the person(s) causing the damage.

By: [Signature]
(Signature of Authorized Representative of Applicant)

Title: Town of Scott Chairman
Date: 4-13-2020

PERMIT APPROVAL BY PERMITTING AUTHORITY

The foregoing application is hereby approved and a permit issued by the Permitting Authority subject to full compliance by Applicant with all provisions and conditions stated in Sheboygan County Code Section 26.07 and the Indemnification as included in the Sheboygan County ATV Permit Policy in effect on the date of this application.

By: _____
(Signature of Authorized Representative of County)

Title: _____

Date: _____

Fee, if required: \$50

Check #: 14024 Initial: [Initials]

Shed: SS NS Cascade Plymouth

FEE SCHEDULE

Application/Inspection Fee \$50.00
Open Cuts \$400.00 each
Annual Service Connection Permit \$300.00 each
After-the-Fact Fee \$100

INDEMNIFICATION

The following shall be a condition of all ATV/UTV permits:

Applicant shall save and hold County, its officers, employees, agents, and all private and governmental contractors and subcontractors with the county Wis. Stat. ch. 84, harmless from and against all liability, damage, loss, expense, claims, demands, and actions of any nature whatsoever (including any by Applicant itself) which arise out of or are connected with, or are claimed to arise out of, or be connected with any of the work done by Applicant or the construction or maintenance of facilities by Applicant pursuant to this permit or any other permit issued by County for location of property, lines, or facilities on highway right-of-way, (1) while Applicant is performing its work or (2) while any of Applicant's property, equipment, or personnel are in or about such place or the vicinity thereof or (3) while any property constructed, placed, or operated by or on behalf of Applicant remains on County's property or right-of-way pursuant to this permit or any other permit issued by County for location of property, lines, or facilities on highway right-of-way; including without limiting the generality of the foregoing, all liability, damages, loss, expense, claims, demands and actions on account of personal injury, death or property loss to County, its officers, employees, agents, contractors, subcontractors, or frequenters; to Applicant, its employees, agents, contractors, subcontractors, or frequenter; or to any other persons, whether based upon or claimed to be based upon, statutory (including, without limiting the generality of the foregoing, worker's compensation), contractual, tort, or other liability of Applicant or any other persons and whether or not caused or claimed to have been caused by active or inactive negligence or other breach of duty by Applicant its employees, agents, contractors, subcontractors, or frequenters. Without limiting the generality of the foregoing, the liability, damage, loss, expense, claims, demands, and actions indemnified against shall include all liability, damage, loss, expense, claims, demands, and actions for damage to any property, lines, or facilities placed by or on behalf of Applicant pursuant to this permit or any other permit issued by County for location of property, lines, or facilities on highway right-of-way in the past or present or that are located on any highway or county property or right-of-way with or without a permit issued by County for any loss of data, information, or material; for trademark, copyright, or patent infringement; for unfair competition or infringement of any other so-called "intangible" property right; for defamation, false arrest, malicious prosecution, or any other infringement of personal or property rights of any kind whatever. Applicant shall, at its own expense, investigate all such claims and demands, attend to their settlement or other disposition, defend all actions based thereon, and pay all charges of attorneys and all other costs and expenses of any kind arising from any such liability, damage, loss; claims, demands, and actions.

Any transfer, whether voluntary or involuntary, of ownership or control of any property constructed, placed, or operated by or on behalf of Applicant that remains on County's property or right-of-way pursuant to this permit shall not release Applicant from any of the indemnification requirements of this permit unless County is notified of such transfer in writing. Any acceptance by any other person or entity, whether voluntary or involuntary, of ownership or control of any property constructed, placed, or operated by or on behalf of Applicant that remains on County's property or right-of-way pursuant to this permit shall include acceptance of all of the indemnification requirements of this permit by the other person or entity receiving ownership or control.

Applicant, by execution of this application, does not waive any governmental or sovereign immunity. Both Applicant and County retain all applicable governmental immunities, defenses, and statutory limitations available including Wis. Stat. §§ 893.80, 895.52 and 345.05.

By: 
(Signature of Authorized Representative of Applicant)

Title: Chairman

Date: 4-13-2020

ATV/UTV Route Request

Town of Scott
N1306 Boltonville Road
Adell, WI 53001
June 2, 2020

Sheboygan County Highway Dept
Attn: Greg Schnell

Mr Schnell:

Our Town has enacted an ATV/UTV Ordinance in accordance with the Wisconsin State statute 23.33. We have enclosed a copy of the Ordinance and a listing of the County roads we would like as ATV routes. While we were rejected from opening Hwy A from Batavia to Beechwood. We feel this is an important connection. It is the only way to get from the north side of the Town to the south side. It also is a vital route to the Town Hall for our residents. Rather than open only half of the road and create confusion, we are requesting the entire road. This will prevent illegal riding as the farms in the area already use this route frequently.

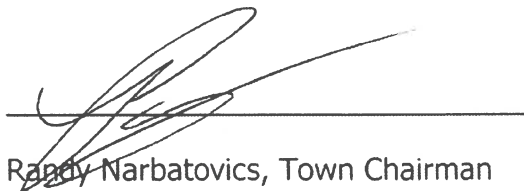
Included documents:

Copy of the Town Ordinance

Copy of the route map with the entire Hwy A connection

Copy of the route map with a minimum Hwy A connection

Sincerely,



Randy Narbatovics, Town Chairman

Ordinance No. 2019-1

**All-Terrain Vehicle Route
TOWN OF SCOTT, Sheboygan County**

**AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND REGULATING
THE OPERATION OF ALL-TERRAIN VEHICLES**

Section I - Intent

The Town of Scott, Sheboygan County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon all township roads. Following due consideration of the recreational value to connect trail opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created

Section II - Statutory Authority

Open usage of township roads is done pursuant to township authority as authorized by 23.33 (8) (b), Wis stats. The applicable provisions of 23.33 regulating ATV/UTV operation pursuant to routes are adopted.

Section III - Routes

All township roads will be open to ATV/UTV usage unless otherwise posted.
All county and state roadways posted 35mph or less will be open to ATV/UTV usage as authorized under Wis. Stat. s. 23.33(11)(am)4 unless otherwise posted.

Section IV - Conditions

As condition for use of township roads, the following conditions shall apply to all operators (and passengers);

- A. All ATV/UTV operators shall observe posted speed limits
- B. No person under 18 years of age may operate or be a passenger on an ATV/UTV without wearing protective headgear of the type required under s. 347.485(1)(a) and with the chin strap properly fastened, except as specifically exempted under s. 23.33(3g)(b, c and d) Wis. Stats
- C. All ATV/UTV operators under 16 years old must be in direct verbal supervision of a parent or legal guardian when operating on a designated all-terrain vehicle route.
- D. Operation of ATVs and UTVs on roadways designated as ATV/UTV Routes are authorized only for the extreme right side of the roadway, on the paved surface (if the roadway is paved), except that left turns may be made from any part of the roadway that is safe given prevailing conditions.
- E. Approved hand signals are required whenever the operator intends to direction if vehicle is not equipped with turn signals.
- F. All ATV/UTV operators shall ride single file.
- G. The operator of an ATV/UTV shall obey all traffic laws, Local ordinances and DNR Regulations
- H. The operator of an ATV/UTV shall display a lighted headlamp, tail lamp and working brake light on the ATV/UTV and display the registration license plate at all times.
- I. All roads must be signed in accordance with NR 64.12, and NR 64.12 (7)

- J. ATV/UTV operation is at the risk of the operator. The TOWN OF SCOTT has no liability for any damage or injury to persons, real property or personal property, arising out of the operation of ATVs and UTVs on designated ATV/UTV Routes under s. 895.52 (1)(d)(g) Wis. Stats
- K. Routes are open year round.
- L. On all roads shared with another jurisdiction the most restrictive Ordinance shall apply.
- M. The Town reserves the right to open or close routes by a simple Board motion

Section V - Enforcement

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

Section VI - Penalties

Wisconsin State All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis Stats., are adopted by reference.

Section VII - Severability

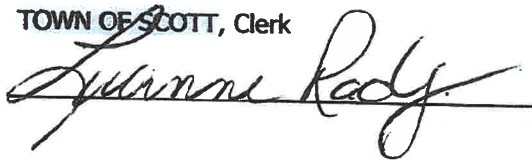
The provision of this ordinance shall be deemed severable and it is expressly declared that the Township would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be deemed affected.

Section VIII - Effective Date

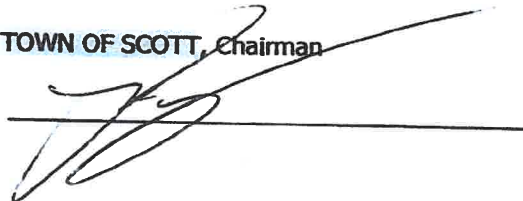
This ordinance becomes effective upon passage and publication.

Passed this 11 day of February 2019

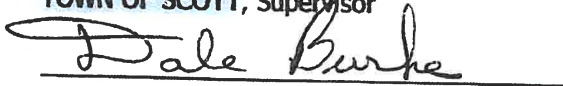
TOWN OF SCOTT, Clerk



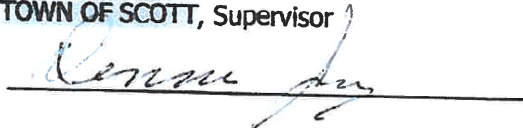
TOWN OF SCOTT, Chairman



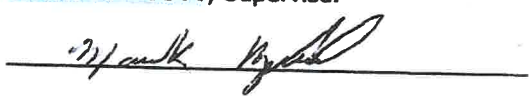
TOWN OF SCOTT, Supervisor



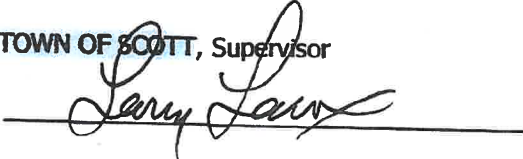
TOWN OF SCOTT, Supervisor



TOWN OF SCOTT, Supervisor



TOWN OF SCOTT, Supervisor



Published this date of _____