

NOTICE OF MEETING

TRANSPORTATION COMMITTEE

June 1, 2020 - 9:00 A.M.

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

Training Room

AGENDA

Call to Order
Certification of Compliance with Open Meeting Law
Citizen Input and Comments
Approval of Minutes: Transportation Committee Meeting – March 2, 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 Sale of County Property
- Consideration of Appointing Committee Member to East Wisconsin Counties Railroad Consortium
- Consideration of Chapter 58: Reporting County Owned Vehicles
- Consideration of ATV Permit for Town of Scott
- Consideration of ATV Permit for Town of Mitchell
- Consideration of Promotion of Maintenance Worker to Maintenance Technician
- First Quarter Variance Report
- Highway Activities and Updates

Adjourn
Next Scheduled Meeting: July 6, 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

March 2, 2020

Called to Order: 9:00 A.M.

Adjourned: 10:21 a.m.

MEMBERS PRESENT: Roger Te Stroete, Jim Glavan, Al Bosman, and Jackie Veldman

OTHERS PRESENT: Greg Schnell, Bryan Olson, Matt Grenoble 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 February 28 at 1:40 p.m. in the lobby of the Administration Building in compliance with the open meeting law.

Supervisor Bosman made a motion and Supervisor Glavan seconded the motion to approve the minutes as presented. Motion carried.

Supervisor Glavan made a motion and Supervisor Veldman seconded the motion to approve the vouchers. Motion carried.

Airport Superintendent, Matt Grenoble stated that Mindy Smith from Burrows Aviation was out of town and was unable to provide the fuel flowage amounts. Superintendent Grenoble is hoping to provide the amounts at the April Transportation meeting.

Superintendent Grenoble advised that airport staff are looking at purchasing a new tractor with Federal funds that will be able to be used year-round and would have removable broom and snowblower attachments. Grenoble has also been meeting with PGA and Bell/Textron staff about ramp space during the Ryder Cup event. Supervisor Veldman expressed concerns about airport operations due to issues brought to her attention from several individuals. Grenoble stated that those same issues have been recently brought to his attention and he is attempting to address those concerns.

Superintendent Grenoble stated that there was an Airport Advisory Committee meeting last week. Grenoble stated that they are currently reviewing the farm land leases that have expired in 2019. Grenoble stated that the future leases may contain clauses for limitations on sizes of crops in hopes to help with controlling wildlife on the airfield. Grenoble stated that a hanger tenant recommended that the airport standards be updated to match the current national standards. The committee also set quarterly meetings for the future.

Superintendent Grenoble requested that the Consideration of Approval of Airport Lease for Lot 12 with Sheboygan Flying Club, LLC, be tabled until April's Transportation meeting.

Superintendent Grenoble stated he is getting input from other airports that host large scale events and is suggesting that an ordinance be drafted to establish Special Event Fees to offset out of the ordinary costs during those events. Supervisor Bosman made a motion and Supervisor Glavan seconded the motion to approve an ordinance pertaining the Special Event fees and recommended an ordinance be drafted by Corporation Council.

Superintendent Grenoble provided updates on the US Customs Facility. The construction process is going along well and the roof will be poured soon. Zeise Construction is confident they will finish on time for the Ryder Cup event, although they are still requesting a 10-day extension on their contract.

Supervisor Glavan made a motion and Supervisor Bosman seconded the motion to approve the June 2020 Elkhart Lake Triathlon.

Transportation Director Schnell provided the 4th Quarter variances for the Highway and Airport Departments. Director Schnell expects the Highway Department to have a variance at the end of 2019.

Director Schnell stated that due to the warmer weather, the highway staff may start to take down snow fence. Director Schnell indicated that the Highway Department's work schedule is currently full through the end of the year. There are concerns that if the Towns and Villages get the MLS funding and need the Highway Department to work on those projects, the Highway Department may not be able to complete those projects if it is expected to pave the 30 miles that was originally proposed.

Director Schnell stated that the issues at Beechwood Lake are still being reviewed. The most current option proposed is syphoning water out of the lake as it is more financially feasible but will take more time. The Highway Department may cut a utility trench across CTH "A" to help move the water.

Motion by Supervisor Glavan and seconded by Supervisor Bosman to adjourn at 10:21 a.m., motion carried.

Amy Wieland
Recording Secretary

Al Bosman
Committee Secretary



SHEBOYGAN COUNTY

Wendy A. Charnon
Finance Director

Jeremy Fetterer
Deputy Finance Director

MEMO

To: All Department Heads

From: Jeremy Fetterer, Deputy Finance Director

Date: April 7, 2020

Re: Reporting Department Owning & Operation Motor Vehicles

This will serve as a reminder that Chapter 58 of the County Code of Ordinances requires that a report be filed by those Departments owning & operating motor vehicles.

If your Department does not own or operate Motor Vehicles please feel free to disregard this message.

Chapter 58 is as follows:

CHAPTER 58

County-Owned Vehicles

58.01 INVENTORY OF COUNTY-OWNED VEHICLES. **By April 30** of each even-numbered year, each Department Head shall prepare an inventory of all motor vehicles assigned to that Department setting forth the year and model of each vehicle, the type of vehicle, the purpose for which the vehicle is used, the staff persons to whom the vehicle is assigned, and the policy under which the Department Head proposes to allow the vehicles to be used by County officials or employees for personal use, including overnight use.

58.02 REPORT OF INVENTORY. Each Department Head shall report the inventory to the Department's Liaison Committee as part of that Committee's first meeting in May after the Committee's organizational meeting. The Department Head shall provide copies to the Administrative Coordinator and the County Purchasing Agent. The Committee shall approve, reject, or modify the Department Head's policy for use of County-owned vehicles. This policy shall remain in effect for the Department for the remainder of the Liaison Committee's term unless changed by the Liaison Committee during its term.

58.03 IDENTIFICATION OF COUNTY VEHICLES. All County-owned vehicles, with the exception of vehicles assigned to the Sheriff's Department, shall bear a writing and/or logo as approved by the Executive Committee clearly identifying the vehicle as belonging to Sheboygan County.

What you need to do

- 1) In order to comply, please prepare an inventory of your Department's vehicles and present same to your Liaison Committee at its first May meeting.
- 2) A copy of your **Departmental Vehicle use policy** must also be approved by your Liaison Committee.
- 3) A copy of **the Inventory** AND the Committee approved **Vehicle Use policy** should also be submitted to **both** the County Administrator and myself.
- 4) Assure that all county vehicles are properly identified as in section 58.03 above.
- 5) Please use the attached spreadsheet as a reference for your Department's vehicle inventory. Additions can be added to the end of the list. If any vehicles have been removed from your department's list please fill in the "Date Removed" (column H), **do NOT delete any rows from the list.**

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

Page 1 of 1

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 #: 141214 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

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

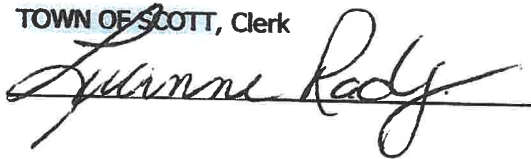
The provision of this ordinance shall be deemed severable and it is expressly declared that the Township would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any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

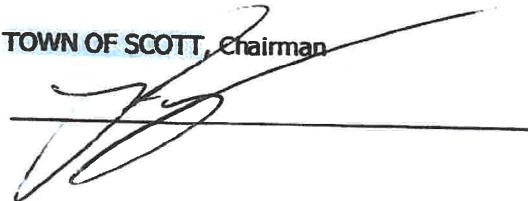
This ordinance becomes effective upon passage and publication.

Passed this 11 day of February 2019

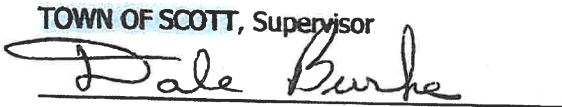
TOWN OF SCOTT, Clerk



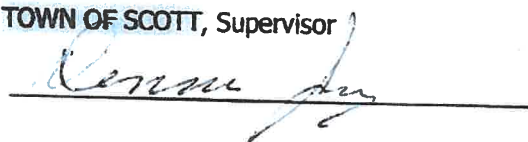
TOWN OF SCOTT, Chairman



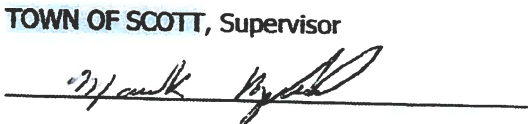
TOWN OF SCOTT, Supervisor



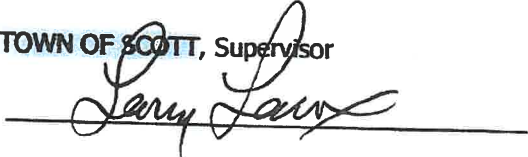
TOWN OF SCOTT, Supervisor



TOWN OF SCOTT, Supervisor



TOWN OF SCOTT, Supervisor



Published this date of _____

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: Jackie Veldman - Town of Mitchell
Municipality: W8095 PARNELL ROAD
Address: CASCADE, WI 53011
Email (print): TownofMitchell@gmail.com
Office phone: 920-528-7776
Cell phone:

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 (Install) KettleTrails.com 414-588-8473
construction and sign maintenance:

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: 5/1/2020 Estimated Restoration Date: 6/30/2020

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: Jackie Veldman Title: Town of Mitchell Chairman
(Signature of Authorized Representative of Applicant) Date: 4/30/2020

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: _____ Title: _____
(Signature of Authorized Representative of County) Date: _____

Fee, if required:

Check #: _____ Initial: _____ 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: Jackie Waldman
(Signature of Authorized Representative of Applicant)

Title: Town Chairperson
Date: 4/30/2020

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

WHEREAS on December 9, 2019, the Town of Mitchell Town Board held a public hearing, preceded by a Class 2 noticed published on and in The Review, to adopt an ordinance designating All Terrain Vehicle Routes and Regulating the Operation of All- Terrain Vehicles.

NOW, THEREFORE, the Town Board of the Town of Mitchell does hereby ordain as follows:

Section I - Intent

The Town of Mitchell, Sheboygan County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon all Town 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 Town roads is done pursuant to Town 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 Town 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 a condition for use of Town roads, the following conditions shall apply to all operators (and passengers);

- All ATV/UTV operators shall observe posted speed limits
- 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
- 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.
- 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.
- Approved hand signals are required whenever the operator intends to direction if vehicle is not equipped with turn signals.
- All ATV/UTV operators shall ride single file.
- The operator of an ATV/UTV shall obey all traffic laws, Local ordinances and DNR Regulations
- 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.
- All roads must be signed in accordance with NR 64.12, and NR 64.12 (7)

ATV/UTV operation is at the risk of the operator. The TOWN OF MITCHELL 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

Routes are open year round.

On all roads shared with another jurisdiction the most restrictive Ordinance shall apply.

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 Town 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 9th day of December, 2019

TOWN OF MITCHELL:
Jackie R. Veldman
JACKIE VELDMAN, Chairperson

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Mitchell on the 9th day of December, 2019.

KBeckford
KRISTIN BECKFORD, Clerk

Roll Call Vote:	<u>Aye</u>	<u>Nay</u>
Chairperson Jackie Veldman	<u> x </u>	_____
Supervisor Jen Buelow	<u> x </u>	_____
Supervisor Ben Propson	<u> x </u>	_____
Supervisor Norb Kraemer	<u> x </u>	_____
Supervisor Ken Sonntag	<u> x </u>	_____

**VARIANCE REPORT FOR DEPARTMENT -- COUNTY AIRPORT
FOR THE QUARTER ENDING 03/31/2020**

TIMING	G/L CATEGORY	VARIANCE FROM BUDGET	EXPLANATION OF VARIANCE	
X	Intergovernmental Revenues			
	Federal Grants	(300,000.00)	Related to Capital Outlay for equipment not yet purchased	421225
X	State Grants	(23,482.00)	Related to Capital Outlay for equipment not yet purchased	423810
	Public Charges for Services			
	Public Works	(1,683.40)	Decreased fuel purchases	453300
X	Interest and Other Revenue			
	Other Misc. Revenue	(44,796.00)	Related to Capital outlay Equipment that has not been traded in currently	
	Personnel Related Expenditure			
	Wages	3,081.16	Less hours used by casual labor	
	Overtime	(1,046.66)	Snow plowing airport	
	Operating Expenses			
	Purchased Services	(3,167.39)	Electric usage greater than budget	
	Repairs and Maintenance	(1,100.15)	replace pump service tanks plumbing, equipment parts	
	General Operating	(10,584.91)	Ryder Cup Ommani Planning; Sanitary Camera inspection, De-icer purchase	
	Interdepartmental Charges			
	Employee Related Insurance	6,189.93	New employee did not elect health coverage	
X	Repairs & Maintenance Charges	23,613.01	Timing of ID work	552125
X	Capital Outlay	685,285.00	Equipment not yet purchased, carryover for Security upgrades	560000
	Variances Less Than Justification Threshold	(136.71)		
	TOTAL	332,171.88		

**VARIANCE REPORT FOR DEPARTMENT -- HIGHWAY DEPARTMENT
FOR THE QUARTER ENDING 03/31/2020**

TIMING	G/L CATEGORY	VARIANCE FROM BUDGET	EXPLANATION OF VARIANCE
	Intergovernmental Revenues		
	State Grants	50,740.50	State Transportation Aids higher than budgeted estimate
	Charges to State of Wisconsin	179,433.52	Snow plowing higher than budgeted
	Charges - Other Local Gov'ts	261,092.77	Municipal Snow Plowing / Scraper work for Ozaukee County / Town of Holland Culvert extension South of Amsterdam
	Public Charges for Services		
	Public Works	3,974.42	Accident repairs
	Interest and Other Revenue		
	Other Misc. Revenue	34,743.58	Assets sold at auction
	Interdepartmental Revenue		
	Repairs & Maintenance Services	(5,121.13)	Interdepartmental work that was carried over from 2019
	Personnel Related Expenditure		
	Wages	19,714.11	Open positions
	Overtime	(99,277.59)	Related to snowplowing
	Benefits	(10,682.77)	Negative benefit variance would follow increased overall wages
	Operating Expenses		
	Purchased Services	63,245.79	Timing on Engineering, DP Software, Fuel Oil, Natural gas,
	Repairs and Maintenance	(191,401.66)	17 units accounted for half of the auto parts expenditure over 100% of quarterly budget
	General Operating	27,209.42	Negative on supplies, diesel, positive on inventory adjustments
	Fixed Charges	(3,178.09)	Specialized equipment rental for tree trimming
	Interdepartmental Charges		
	Employee Related Insurance	43,087.84	Open positions and individuals not taking health insurance
	Repairs & Maintenance Charges	(4,591.65)	ID electrical repairs shop and brine
X	Capital Outlay	(57,918.34)	Includes land purchased as ROW not budgeted
	Depreciation	(464,754.49)	Depreciation is not a budgeted item
	Variances Less Than Justification Threshold	(2,094.89)	
	TOTAL	(155,778.66)	