

## NOTICE OF MEETING

### SHEBOYGAN COUNTY TRANSPORTATION COMMITTEE

**April 10, 2023**

**9:30 A.M.**

Sheboygan County Transportation Department  
W5741 County Road 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 – March 13, 2023

Review and Approve Vouchers

Approval of Members to Attend Meetings or Functions

Correspondence

#### **Airport/Highway**

- Airport Activities and Updates (This is a summary of key activities. No action will be taken by the Transportation Committee resulting from this conversation, unless it is a specific item on the agenda.)
- Consideration of Resolution from Green Lake County – Request State of Wisconsin to Use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System
- Consideration of Town of Holland ATV/UTV Route Request
- Consideration of Town of Greenbush Additional ATV Route Connections
- Consideration of Reducing the Speed on County Road A/J between Quit Qui Oc Lane / Hickory and County Road A
- Consideration of Attendance of Summer Road School - June 5, 6, 7, 2023
- Northside Shed Addition Update (CBS Squared, Inc.)
- Highway Activities and Updates (This is a summary of key activities. No action will be taken by the Transportation Committee resulting from this conversation, unless it is a specific item on the agenda.)

Adjournment

Next Scheduled Meeting: May 1, 2023

Prepared by:

Amy Wieland 920-459-3822

Recording Secretary

Thomas Wegner  
Committee Chairperson

NOTE: 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.

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.

## **SHEBOYGAN COUNTY TRANSPORTATION COMMITTEE MINUTES**

Sheboygan County Transportation Department  
W5741 County Road J  
Plymouth, WI 53073

**March 13, 2023**

**Called to Order: 9:30 A.M.**

**Adjourned: 10:50 A.M.**

**MEMBERS PRESENT:** Thomas Wegner, Al Bosman, Jon Kuhlow, Roger Te Stroete, and Jackie Veldman

**ALSO PRESENT:** Greg Schnell, Matt Grenoble, Michael Jones, Shawn Splivalo, Vernon Koch, Alayne Krause, David Rudd, Mindy Smith, Crystal Fieber, Emily Stewart, and Amy Wieland

Chairman Wegner called the meeting to order at 9:30 a.m.

Chairman Wegner certified compliance with the open meeting law. The notice was posted at 1:00 p.m. on March 10, 2023.

Citizen Input: none

Supervisor Veldman made a motion and Supervisor Kuhlow seconded the motion to approve the minutes from February 6, 2023 as presented. Motion carried.

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

Approval of Members to Attend Meeting or Functions: none

Airport Activities: Airport Superintendent Matt Grenoble provided the fuel flowage report and noted that there was a 16% increase in Jet-A fuel in February 2023 compared to February 2022. There was an 6% increase in total fuel sales year to date in 2023 compared to year to date in 2022.

Grenoble is working with a neighboring property on planting trees to make sure they are compliant with regulations.

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to approve the Wings and Wheels event – June 18, 2023. Motion carried.

Supervisor Kuhlow made a motion and Supervisor Bosman seconded the motion to approve the 2023 T 28 Clinic – Airport – Sunday, July 23, 2023. Motion carried.

Supervisor Veldman made a motion and Supervisor Bosman seconded the motion to approve the Intern at the Sheboygan County Memorial Airport. Motion carried.

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to approve the Table of Organization Change - Highway. Motion carried.

Supervisor Kuhlow made a motion and Supervisor Te Stroete seconded the motion to approve Placing Flock Camera Set Ups in the Right of Way on County Road A (Deertrace), Village of Kohler Police Department. Motion carried.

Supervisor Te Stroete made a motion and Supervisor Veldman seconded the motion to approve the Salvation Army Ride – July 8, 2023. Motion carried.

Supervisor Veldman made a motion and Supervisor Bosman seconded the motion to approve the Right of First Refusal and Option to Purchase Agreement – Road America. Motion carried.

Chairman Wegner said that there will be a closed session meeting for the Consideration of Strategy for the Potential Purchase of Burrows Aviation.

Supervisor Veldman made a motion and Supervisor Te Stroete seconded the motion to go into closed session at 10:02 am pursuant to Wis. Stat. § 19.85 (1)(e) to Consider Strategy of the Potential Purchase of Burrows Aviation. Motion carried.

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to go into open session at 10:35 am. Motion carried.

Northside Shed Updates: Transportation Director Greg Schnell provided an update on the addition to the Northside Shed.

Highway Activities and Updates: Transportation Director Greg Schnell said that the Highway Department will be hosting the Northeast Region Commissioner / Committee member spring meeting on May 4, 2023 at Road America. Schnell also provided an update for the asphalt plant.

The next Transportation Committee meeting will be on April 3, 2023 at 9:00 a.m.

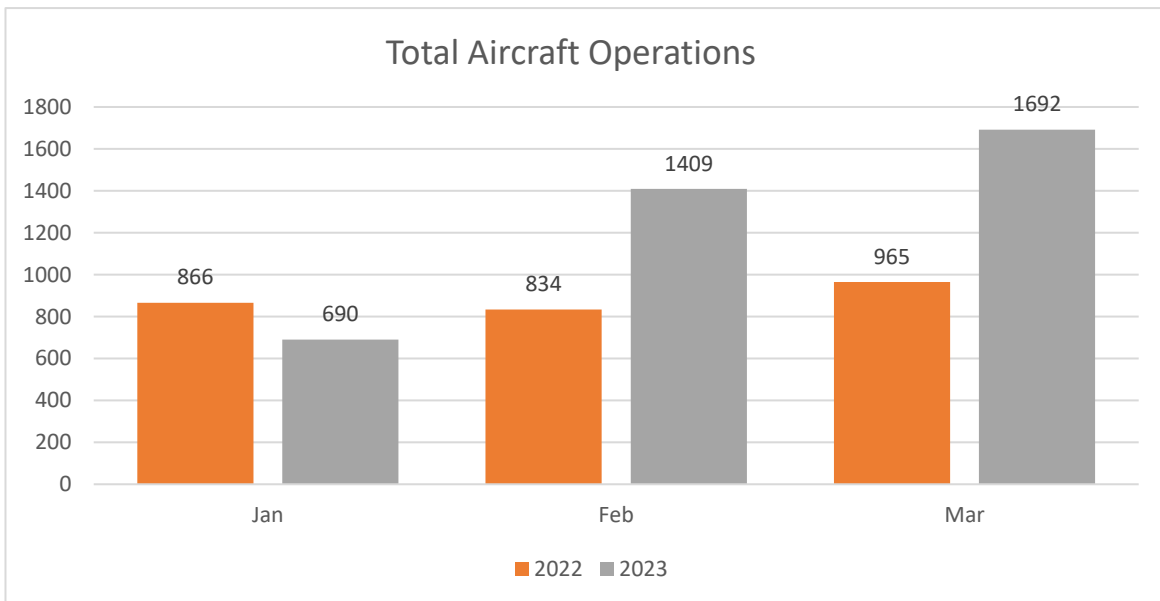
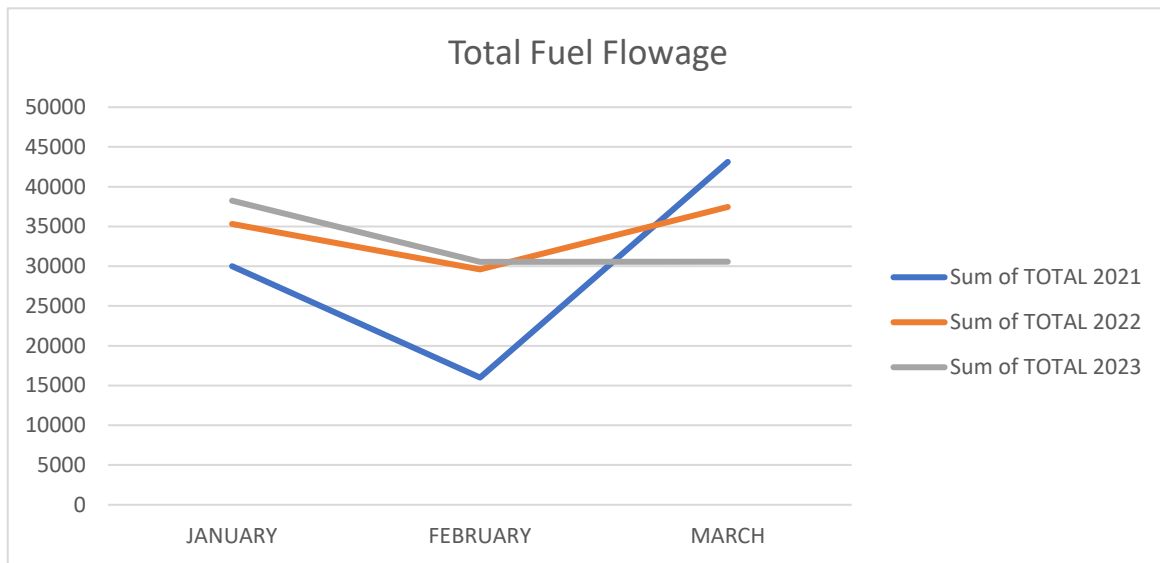
Motion by Supervisor Kuhlow and seconded by Supervisor Bosman to adjourn at 10:50 a.m. Motion carried.

Amy Wieland  
Recording Secretary

Al Bosman  
Committee Secretary

**Sheboygan County Memorial Airport**  
**Fuel Flowage Report**  
**March 2023**

	March			Year-to-Date		
	2023	2022	% Change	2023	2022	% Change
<b>Jet-A</b>	30,554	37,452	-18%	99,348	96,931	2%
<b>100LL</b>	0	0	0%	0	5,456	-100%
<b>Total Fuel</b>	30,554	37,452	-18%	99,348	102,387	-3%
<b>Revenue (\$.14/gal)</b>	\$4,277.56	\$5,243.28	-18%	\$13,908.72	\$14,334.18	-3%



**RESOLUTION NUMBER 04-2023**

**REQUEST STATE OF WISCONSIN TO USE A PORTION OF THE 2023  
BUDGETARY SURPLUS FOR THE MAINTENANCE, REPAIR AND REPLACEMENT  
OF COUNTY TRUNK HIGHWAY SYSTEM**

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 21st day of February 2023, does resolve as follows:

- 1 **WHEREAS**, On January 25, 2023, the nonpartisan Legislative Fiscal Bureau reports the  
2 State of Wisconsin has a budget surplus estimated at \$7.1billion, which is the largest  
3 budget surplus in Wisconsin's history.  
4  
5 **WHEREAS**, The Joint Commission of established the Local Supplemental  
6 Transportation Program as a one-time use of State revenue surplus to support local  
7 projects, which evolved into the popular and successful Local Road improvement  
8 Program (LRIP) and LRIP – Supplemental (LRIP-S).  
9  
10 Fiscal note is not applicable.  
11 Majority vote is needed to pass.

Roll Call on Resolution No. 04-2023

Submitted by Highway Committee

Ayes 16, Nays 0, Absent 3, Abstain 0

*/s/ Dennis Mulder*

Passed and Adopted/~~Rejected~~ this day of  
21st day of February, 2023.

Dennis Mulder, Chair

*/s/ Charlie Wielgosh*

Charlie Wielgosh, Vice Chair

*/s/ Chuck Buss*

*/s/ David Abendroth*

County Board Chairman

Chuck Buss

*/s/ Bob Schweder*

*/s/ Elizabeth A. Otto*

ATTEST: County Clerk

Approve as to Form:

*/s/ Daniel Sondalle*

Bob Schweder

*/s/ Bill Boutwell*

Corporation Counsel

Bill Boutwell

12 **WHEREAS**, Governor Evers and the Legislature have recently devoted additional  
13 funding to counties through GTA and LRIP-S, counties throughout Wisconsin are still  
14 not receiving appropriate financial support to make roads and bridges safe for the  
15 speeds and weight of travel experienced through the State.  
16

17 **NOW, THEREFORE, BE RESOLVED**, by the Green Lake County Board that in an  
18 effort to assist the Wisconsin Counties Highway Association and the WCA request of  
19 additional funding through budgetary surplus be allocated to the county GTA  
20 appropriation for the backlog of maintenance on the county trunk highway system, as  
21 well as for LRIP -S.  
22

23 **NOW THEREFORE BE FURTHER RESOLVED**, a copy of this resolution be sent to  
24 Governor Tony Evers, all members of the State Legislature, the Wisconsin Counties  
25 Association, and all other Wisconsin Counties.

**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: DAVID HUENINK  
Municipality: TOWN OF HOLLAND  
Address: 63005 COUNTY ROAD G  
Email (print): DAVID@TOWNOFHOLLAND.COM  
Office phone: 920-668-6625  
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:

DAVID HUENINKName and phone number of ~~ATV/ATV~~ organization responsible for  
construction and sign maintenance:TOWN OF HOLLAND 920-668-6625

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: APRIL 17, 2023Estimated Restoration Date: MAY 31, 2023

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: David Huening  
(Signature of Authorized Representative of Applicant)Title: Town Chairman  
Date: MARCH 13, 2023**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:

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: David Huenrich  
(Signature of Authorized Representative of Applicant)

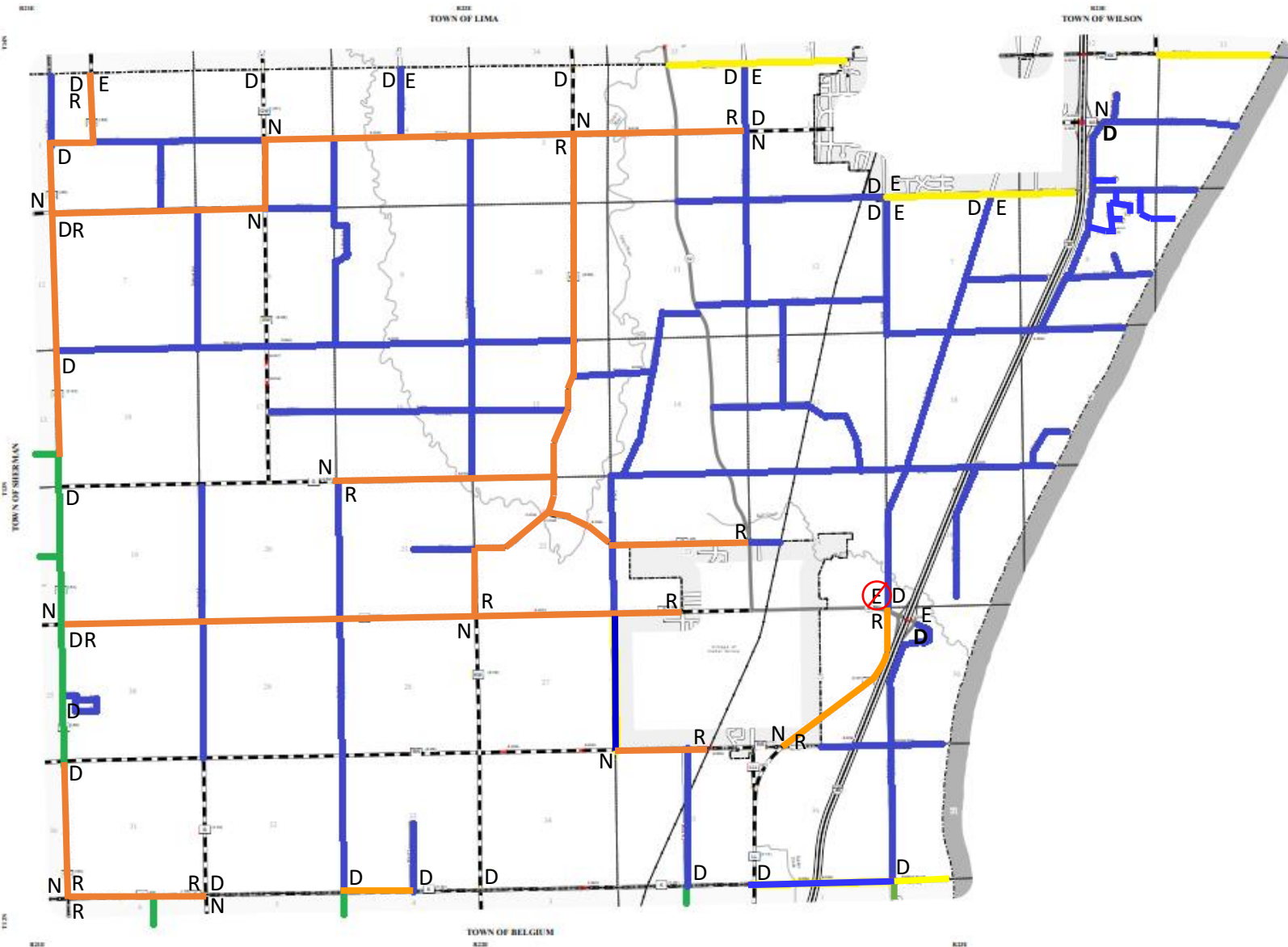
Title: Town Chairman - Town of Holland

Date: MARCH 13, 2023



D - Standard "All town roads within the Town of Holland are ATV Routes unless posted"  
 N - ATV Route continues but only per sign arrows, not every direction  
 R - Begin ATV Route on County Road  
 E - End ATV Route

DRAFT



Blue – Town Roads Opened by Ordinance

Yellow – Shared Roads with municipalities NOT open

Orange – Requested Sheboygan County Links

**TOWN OF HOLLAND  
ORDINANCE NO. 2022-04**

**ORDINANCE CREATING ARTICLE VII OF CHAPTER 318 OF  
THE CODE OF THE TOWN OF HOLLAND, SHEBOYGAN COUNTY, WISCONSIN**

**BE IT ORDAINED** by the Town Board of the Town of Holland, Sheboygan County, Wisconsin, that Article VII of Chapter 318 of the Code of the Town of Holland is hereby created to read as follows:

**CHAPTER 318  
VEHICLES AND TRAFFIC**

**ARTICLE VII  
All-Terrain Vehicles and Utility Terrain Vehicles**

**§ 318-24. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**All-terrain vehicle (ATV)**

A commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less; has a width of not more than 50 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation; is equipped with a seat designed to be straddled by the operator; and travels on 3 or more tires; as defined in Wis. Stats., § 340.01(2g).

**Utility terrain vehicle (UTV)**

Any of the following, as defined in Wis. Stats., § 23.33(1)(ng):

1. A commercially designed and manufactured motor-driven device that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

- a. A weight, without fluids, of 3,000 pounds or less.
- b. Four or more tires.
- d. A steering wheel.
- e. A tail light.
- f. A brake light.
- g. Two headlights.

h. A width of not more than 65 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.

j. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.

k. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

2. A commercially designed and manufactured motor driven device to which all of the following applies:

a. It does not meet federal motor vehicle safety standards in effect on July 1, 2012; is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; is designed to be used primarily off of a highway; and has, and was originally manufactured with, a weight, without fluids, of not more than 3,000

pounds.

b. It has a width of 65 inches or less as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.

c. It is equipped with a seat designed to be straddled by the operator.

d. It travels on 3 or more tires.

e. It is not an all-terrain vehicle, as defined in Wis. Stats., § 340.01(2g).

#### **§ 318-25. Statutory Authority; adoption of statutory provisions.**

ATV/UTV usage of town roads is permitted pursuant to town authority as authorized by Wis. Stats., § 23.33(8)(b). The provisions of Wis. Stats., § 23.33 and Wis. Stats., Chs. 340 to 348 establishing definitions and regulations with respect to ATVs and UTVs and Wis. Admin. Code, § NR 64, and any future amendments or revisions thereto, are hereby adopted by reference.

#### **§ 318-26. Routes.**

A. All town roads located within the Town of Holland shall be open to ATV/UTV usage unless otherwise posted. ATV/UTV Routes are open year-round.

#### **§ 318-27. Conditions of operation.**

As a condition for use of town roads, the following conditions shall apply to all operators and any passengers;

1. All ATV and UTV operators shall observe posted speed limits.

2. No person under 18 years of age may operate or be a passenger on an ATV or UTV without wearing protective headgear of the type required under Wis. Stats., § 347.485(1)(a) and with the chin strap properly fastened, except as specifically exempted under Wis. Stats., § 23.33(3g)(b), (c) and (d).

3. 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.

4. All ATV and UTV operators shall ride single file.

5. The operator of an ATV or UTV shall obey all traffic laws, local ordinances and DNR Regulations.

6. The operator of an ATV or UTV shall display a lighted headlamp and tail lamp on the ATV or UTV and display the registration or license plate at all times during operation.

7. Town roads used must be posted with signs in accordance with Wis. Admin. Code, § NR 64.12 and § NR 64.12 (7).

8. ATV or UTV operation is at the risk of the operator and any passengers. The Town of Holland 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.

9. No person may operate an ATV or UTV that travels on anything other than tires.

10. No person (except emergency services personnel) may operate an ATV or UTV that is equipped with any of the following:

A. A lamp that emits any color of light other than white or amber and that is visible from directly in front of the ATV or UTV.

B. A lamp that emits any color of light other than red, yellow, amber, or white and that is visible from directly behind the ATV or UTV.

C. A flashing, oscillating, or rotating lamp that emits any color other than yellow or amber.

11. Any person operating an ATV or UTV must dim their high-beam headlamps and any auxiliary lamps when within 500 feet of an approaching ATV, UTV or other vehicle, and within 500 feet to the rear of another ATV, UTV or other vehicle. In addition, an operator must dim their backup lamps unless actively backing.

12. No open intoxicants are allowed in or upon any ATV or UTV while the vehicle is in operation.

**§ 318-28. Enforcement.**

A. Pursuant to Wis. Stats., § 23.33(12), any state traffic patrol officer under Wis. Stats., § 110.07(1); inspector under Wis. Stats., § 110.07(3); conservation warden appointed by the Wisconsin Department of Natural Resources under Wis. Stats., § 23.10; or county sheriff officer has authority and jurisdiction to enforce this Article.

B. No operator of an ATV or UTV may refuse to stop after being requested or signaled to do so by a law enforcement officer or a conservation warden.

**§ 318-29. Penalties.**

Wisconsin State All-Terrain Vehicle penalties as found in Wis Stats., § 23.33(13)(a) are hereby adopted by reference. The penalty for any violation of this Article not addressed in Wis. Stats., § 23.33(13)(a) shall be as set forth in Chapter 1, Article I of this Code.

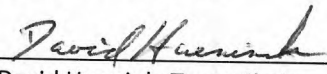
**§ 318-30. Town Clerk to provide required notices.**

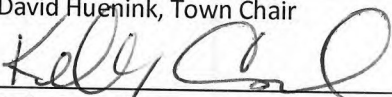
Pursuant to Wis. Stats., § 23.33(11)(b), following adoption, the Town Clerk shall provide copies of this ordinance to the Wisconsin Department of Natural Resources, the Wisconsin State Patrol, and the Sheboygan County Sheriff's Office.

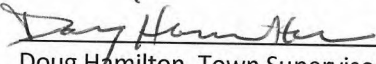
This Ordinance shall become effective upon passage and posting.


Adopted this 8th day of August, 2022.

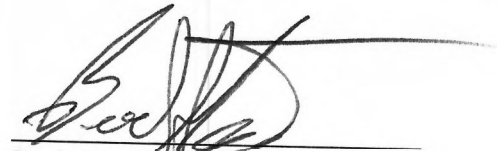
**TOWN OF HOLLAND**

  
David Huenink, Town Chair

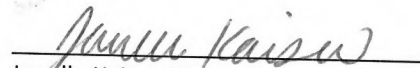
  
Kelly Caswell, Town Supervisor

  
Doug Hamilton, Town Supervisor

  
Stanley Lammers, Town Supervisor

  
Brody Stapel, Town Supervisor

ATTEST:

  
Janelle Kaiser, Town Clerk

**VILLAGE OF CEDAR GROVE**  
**Village Board Meeting Minutes**  
**Monday, January 9, 2023 6:00pm**

*At Village of Cedar Grove Library, Community Room*  
*131 Van Altena Ave, Cedar Grove WI 53013*

Meeting agenda was posted: Village website, Cedar Grove Post Office, Cedar Grove Public Library and Village Office

Village Board Members Present: Mike DeHaai, Benjie Meerdink, Peggy Houghlum, Kevin Lorge, Ken Hoopman, Tom Getschman, Dave Reichle (6:02pm)

Also Present: Jan Hoitink, Brian Doudna, Dr. John Cook, Melissa Wolf

Village President Mike DeHaai called the Village Board meeting to order at 6:01pm.

**Review of Minutes**

Peggy Houghlum made a motion to approve the minutes from the December 12 Village Board meeting and the December 21 Special Village Board meeting, seconded by Ken Hoopman. Roll call vote YES 5 NO 0

**Public Input**

No one was present for Public Input.

**Review the Claims**

Tom Getschman made a motion to approve and pay all claims as presented, seconded by Kevin Lorge. Roll call vote YES 6 NO 0

**Committee Reports**

- Fire, Law & Safety – Nothing to report
- Street, Sewer & Water
  1. Highway 32 Speed Limit – An email was received by a resident that lives on East Union Ave / Highway 32 regarding the possibility of changing the speed limit. Jan contacted the Department of Transportation as the Village does not set the speed limits. The DOT provided Jan with information including a study that the DOT could conduct between April and October upon request. Julie will respond to the resident with the options regarding the possible changing of the speed limit.
  2. ATV – Village Routes – The following four road sections: County Road LL (East), County Road RR (South side), County Road D and County Road G were briefly reviewed and discussed to be enabled and approved as ATV Routes within the Village.

Ken Hoopman made a motion to accept and approve the four ATV Routes, seconded by Peggy Houghlum. Roll call vote YES 6 NO 0

3. CLOSED SESSION: The Village Board may convene in Closed Session pursuant to WI. State Statute 19.85(1) (e) to deliberate or negotiate the purchasing of public properties, the investing in public funds or conducting other specific public business, whenever competitive or bargaining reasons require a Closed Session. It is anticipated that a motion will be made, seconded and approved by roll call vote to enter into Closed Session. The Board may reconvene in Open Session and discuss and take action on the subject matter discussed in Closed Session.

Ken Hoopman made a motion to go into Closed Session at 6:18pm, seconded by Benjie Meerdink. Roll call vote YES 6 NO 0

Ken Hoopman made a motion to go into Open Session at 6:58pm, seconded by Tom Getschman. Roll call vote YES 6 NO 0

No action was taken during Closed Session.

- Public Works Manager – Nothing to report
- Public Buildings – Nothing to report
- Finance – Nothing to report
- Park & Recreation – Nothing to report
- Amsterdam Park – Nothing to report
- Museum – Nothing to report
- Library Board – Nothing to report
- Personnel – Nothing to report
- Planning Commission – Meeting scheduled for January 30, 2023 at 5:00pm after JRB meeting.
- Clerk – Nothing to report

Meetings: Ken – 1, Peggy - 0, Benjie - 1, Tom – 0, Mike – 2, Kevin – 1, Dave - 1

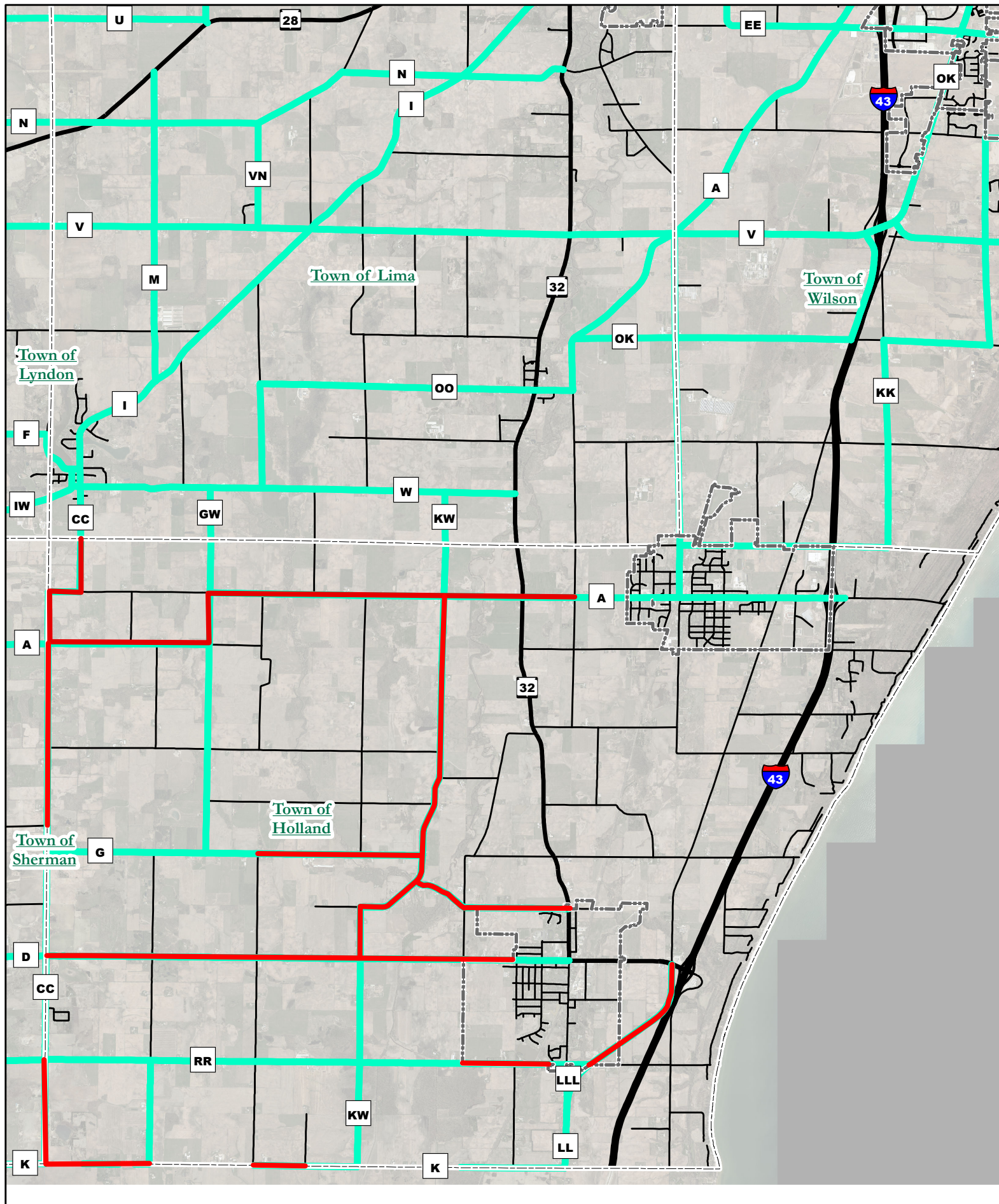
- Legal – Nothing to report
- President – Nothing to report
- Benjie Meerdink made a motion to adjourn the meeting, seconded by Ken Hoopman. Roll call vote YES 6 NO 0 Meeting adjourned at 7:19pm.

Respectfully Submitted by:

Julie Brey ~ Village Clerk/Treasurer

\*Please note: some topics for discussion / action were not presented in the same order as presented on the agenda.







**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 GREENBUSH  
Municipality: N6644 SUGARBUSH DR  
Address: GLENBELLAH WIE 53023  
Email (print): \_\_\_\_\_  
Office phone: \_\_\_\_\_  
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:

Timothy RohrerName and phone number of ATV/UTV organization responsible for  
construction and sign maintenance:KETTLE MORaine ATV ASSOCIATION  
262-629-9206

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: MAY 2023 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: Michele G. Smith  
(Signature of Authorized Representative of Applicant)Title: TOWN CHAIRMANDate: 2-27-2023**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: \_\_\_\_\_

Check #: \_\_\_\_\_ Initial: \_\_\_\_\_

Shed: SS NS Cascade Plymouth

STATE OF WISCONSIN  
WISCONSIN DEPARTMENT OF TRANSPORTATION  
TOWN PLAT RECORD

59-002

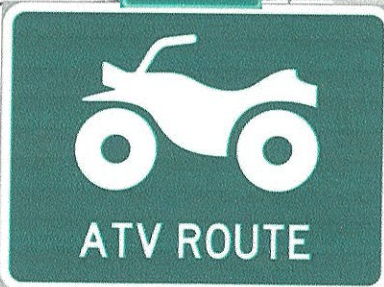
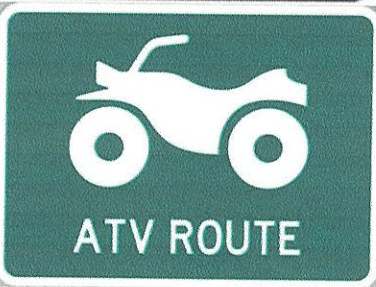
DATE	MILEAGE FOR LOCAL ROADS/STREETS	LOCAL ROADS/STREETS
3-1-21	52.49	
1-1-22		
4-1-22		

COUNTY	TOWNSHIP	RANGE
GREENBUSH	10 N	10 E

TOWN OF  
**GREENBUSH**  
COUNTY: SHEBOYGAN

**BEGIN**

**END**



**NO  
ATV  
TRAFFIC**

- LEGEND
- County Trunk Highway
  - State Trunk Highway
  - Local Road
  - State Trunk
  - CVT Road
  - PLSD Road
  - Gravel



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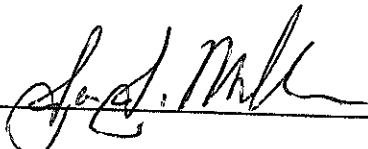
# Town of Greenbush


## County Route Request

This document to provided as a request to the Sheboygan County board for the following County roads to be used as ATV/UTV routes.

County Rd	From	To
CTY T	SPRING VALLEY DR	HILLTOP LANE (BETWEEN SPRING VALLEY
CTY T	HILLTOP (Between CTYU	N. DIVISION RD
	+ DIVISION RD)	

Valley  
+  
CTYU)

  
 Town of Greenbush, Clerk

  
 Town of Greenbush, Chairman

### 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 frequenters; 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: Town Chairmen

Date: 2-27-2023

**AN ORDINANCE ESTABLISHING CHAPTER 17**  
**ALL-TERRAIN VEHICLE ROUTES AND REGULATIONS**  
**IN THE TOWN OF GREENBUSH, SHEBOYGAN COUNTY, WISCONSIN**

**WHEREAS**, pursuant to Wis. Stat. § 23.33, the Town may designate certain roads/highways within its jurisdiction as all-terrain vehicle or utility terrain vehicle (ATV/UTV) routes;

**WHEREAS**, the Town Board upon consideration of the recreational value to connect ATV/UTV routes with routes established in adjacent municipalities, was weighed against possible danger, public health, liability, traffic density, and history of automobile traffic and as authorized by Wis. Stat. § 23.33(8)(b); and

**WHEREAS**, the Town Board has determined that it is in the public interest to designate portions of certain Town roads/highways as all-terrain vehicle routes as connectors between town, city, and village roads designated for ATV/UTV routes.

**NOW, THEREFORE**, the Town Board of the Town of Greenbush, Sheboygan County, Wisconsin, does ordain as follows:

Section 1. **Creating Code**. Chapter 17 entitled All-Terrain Vehicle Routes and Regulations of the Town of Greenbush Municipal Code is hereby created to read as follows:

**"17.01 All-Terrain Vehicle Routes and Regulation.**

**(1) Routes.**

Within the municipal limits of the Town of Greenbush, All Town roads will be open to all-terrain vehicle/utility terrain vehicle (ATV/UTV) operation unless otherwise posted.

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

The Town Chairperson or his or her designee and the Sheboygan County Transportation Director shall have authority to suspend operation on designated routes due to hazard, construction, or emergency conditions.

**(2) Conditions.**

The following conditions shall apply to all operators and passengers operating ATV/UTVs on Town highways:

- (a) All ATV/UTV operators shall observe posted speed limits or maximum speed of 35 miles per hour, whichever is less.

- (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 Wis. Stat. § 347.485(1)(a) and with the chin strap properly fastened except as specifically exempted under Wis. Stat. §§ 23.33(3g)(b), (c), and (d).
  - (c) 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.
  - (d) Approved hand signals are required whenever the operator intends to change direction if vehicle is not equipped with turn signals.
  - (e) All ATV/UTV operators shall ride single file.
  - (f) The operator of an ATV/UTV shall obey all traffic laws, local ordinances, and Department of Natural Resources regulations.
  - (g) The operator of an ATV/UTV shall display a lighted headlamp, tail lamps, and brake lights on the ATV/UTV and display the registration or license plate at all times.
  - (h) ATV/UTV operation is at the risk of the operator. The Town of Greenbush 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.
  - (i) The operator of an ATV/UTV shall operate an ATV/UTV only on such highways approved for ATV/UTV operation. All roads must be signed in accordance with NR 64.12 and NR 64.12 (7). On roads with a shared jurisdiction, the most restrictive ordinance shall apply.
  - (k) Except as otherwise allowed by Wis. Stat. § 23.33(5), no person under age 16 may operate an ATV/UTV on a designated route unless accompanied by his or her parent or guardian or person who is at least 18 years of age.
  - (l) The Town of Greenbush reserve the right to open and close routes as it deems necessary.
- (3) Penalties.

Wisconsin ATV and UTV penalties as found in Wis. Stat. § 23.33(13) are adopted by reference, and any law enforcement officer may issue citations for violation of this Chapter 17 as authorized by Chapter 90 of the Sheboygan County Code of Ordinances. Issuance of the citation and

payment does not preclude compliance with the terms and conditions of this Ordinance."

Section 2. **Sheboygan County Code Adopted.** The Town of Greenbush hereby adopts by reference Sheboygan County Code of Ordinances Section 26.07 entitled All-Terrain Vehicle Routes and Regulation, including any amendments hereto, as if fully incorporated herein.

Section 3. **Severability.** 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 4. **Effective Date.** The herein Ordinance shall take effect upon enactment and publication.

Enacted this 28th day of March, 2022.

TOWN OF GREENBUSH

By Mike Limberg  
MIKE LIMBERG, Chairperson

**CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Greenbush on the 28th day of March, 2022.

Jon J. Miller  
JON J. MILLER, Clerk/Treasurer

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