

NOTICE OF MEETING

SHEBOYGAN COUNTY TRANSPORTATION COMMITTEE

April 1, 2024

9:00 A.M.

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

AMENDED AGENDA

Call to Order

Certification of Compliance with Open Meeting Law

Citizen Input and Comments

Approval of Minutes: Transportation Committee Meeting – ~~February 5, 2024~~ March 12, 2024

Review and Approve Vouchers

Approval of Members to Attend Meetings or Functions

Correspondence

Airport/Highway

- Consideration of Town of Rhine ATV Permit Application
- 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 Wings & Wheels Event
- Consideration of Scouts Camporee, May 3 - 5
- Consideration of Crystal Lake Golf Course 5K – July 6, 2024
- 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.)
- Members of the Transportation Committee will be conducting a tour in Sheboygan County starting at Sheboygan County Transportation Department immediately following the last agenda item and will move around the county, at the below locations, and end back at Sheboygan County Transportation Department. No legislative or policy decisions will be made during the tour. The public is welcome to attend via their own transportation. The tour may be attended by a majority of Transportation Committee. Therefore, their presence constitutes a “meeting” as indicated below.

Tour Schedule: W5741 County Road “J”, W7388 STH 23, Greenbush, County Road “U” and Woodside Road - Brine Site, County Road “A” & “S” – Beechwood Project, County Road “LL/LLL”, N7563 STH 42 Sheboygan, to 633 Madison Ave, Howards Grove to W5741 County Road “J”, Plymouth

Next Scheduled Meeting: ~~Monday, May 6, 2024~~ TBD

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.

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SHEBOYGAN COUNTY TRANSPORTATION COMMITTEE MINUTES

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

March 12, 2024

Called to Order: 9:00 A.M.

Adjourned: 10:03 A.M.

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

ALSO PRESENT in person: Bryan Olson, Vernon Koch, Steve Hatton, Crystal Fieber, Jeremy Fetterer, Alayne Krause, John Kelchen, Barbra Klug and Amy Wieland

Chairman Wegner called the meeting to order at 9:00 a.m.

Chairman Wegner certified compliance with the open meeting law. The notice was posted at 8:45 a.m. on March 11, 2024.

Supervisor Kuhlow made a motion and Supervisor Bosman seconded the motion to approve the minutes from February 5, 2024. Motion carried.

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

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to approve Supervisor Wegner's attendance at the Executive Committee meeting on February 29, 2024. Motion carried.

Transportation Director Bryan Olson updated the committee on current activities at the airport.

Supervisor Kuhlow made a motion and Supervisor Te Stroete seconded the motion to go into **CLOSED SESSION** at 9:06 a.m. pursuant to Wis. Stat. § 19.85 (1)(e) to the Potential Purchase of Commercial Hangar. (Upon call of the roll, Supervisors: Thomas Wegner (Aye), Al Bosman (Aye), Jon Kuhlow (Aye), Roger Te Stroete (Aye), and Jackie Veldman (Aye).) Motion carried.

Supervisor Bosman made a motion and Supervisor Veldman seconded the motion to go into **OPEN SESSION** at 9:36 a.m. (Upon call of the roll, Supervisors: Thomas Wegner (Aye), Al Bosman (Aye), Jon Kuhlow (Aye), Roger Te Stroete (Aye), and Jackie Veldman (Aye).) Motion carried.

Supervisor Te Stroete made a motion and Supervisor Kuhlow seconded the motion to approve Resolution No. __ (2023-24) Re: Purchase of Commercial Hangars. Motion carried.

Supervisor Te Stroete made a motion and Supervisor Veldman seconded the motion to approve Sheboygan County Resolution No.13 (2023-24) Re: Amending Chapters 61, 62, 63, 64 and 65 related to Airport Minimum Standards, Safety and the Airport Advisory Committee, and Naming of Sheboygan County Memorial International Airport. Motion carried.

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to approve Sheboygan County Ordinance No. ____ (2023-24) Establishing Speed Zone on: County Road “I” (Town of Sherman). Motion carried.

Supervisor Bosman made a motion and Supervisor Te Stroete seconded the motion to approve Sheboygan County Ordinance No. ____ (2023-24) Establishing Speed Zone on: County Road “J” (Town of Rhine). Motion carried.

Supervisor Kuhlow made a motion and Supervisor Veldman seconded the motion to approve Hiring Above Midpoint. Motion carried.

Supervisor Bosman made a motion and Supervisor Kuhlow seconded the motion to approve One (1) Employee to Attend the University of Wisconsin Pesticide Applicator Training and Wisconsin Department of Agriculture Certification Testing in April 2024. Motion carried.

Olson updated the committee on current activities for the Highway Department.

The next Transportation Committee meeting will be on Monday, April 1, 2024 at 9:00 a.m.

Motion by Supervisor Bosman and seconded by Supervisor Kuhlow to adjourn at 10:03 A.M. Motion carried.

Amy Wieland
Recording Secretary

Al Bosman
Committee Secretary



W5250 Cty. Rd. FF
Elkhart Lake, WI 53020
(920) 876-3413

February 12, 2024

Sheboygan County Highway Department
Attn: Sheboygan County Transportation Committee
W5741 County Road J
Plymouth, WI 53073

Dear Committee Members:

Please find enclosed the Town of Rhine's application for County Road Routes. We are requesting all County roads within the Township to be designated as ATV/UTV routes. Allowing all County roads will allow riders to connect to all Town roads and to connect with other municipalities that border the Town of Rhine.

We appreciate your consideration.

Sincerely,

Ronald Platz, Town Chairman

Amy S. Weber, Clerk/Treasurer

RP: aw

Enclosure

Town of Rhine, Sheboygan County, Wisconsin

**AN ORDINANCE CREATING SECTION 3.04
OF THE TOWN OF RHINE MUNICIPAL CODE
ESTABLISHING ALL-TERRAIN VEHICLE (ATV) AND
UTILITY TERRAIN VEHICLE (UTV) ROUTES**

WHEREAS, the ownership and use of all-terrain vehicles (“ATVs”) and utility terrain vehicles (“UTVs”) has in recent years increased within and around the Town of Rhine, resulting in requests by the users of such vehicles to be able to travel on roads within the Town; and

WHEREAS, pursuant to §§ 23.33(8)(b) and 23.33(11)(am)4., Wis. Stats., the Town Board has the authority to pass a local ordinance and designate the places in the Town where Town roads and certain other roads within the territorial boundaries of the Town may be used by ATVs and UTVs (hereafter “Town ATV/UTV Routes”); and

WHEREAS, pursuant to Sheboygan County Code § 26.07, the Town may request that ATVs and UTVs be allowed on additional roads under the jurisdiction of Sheboygan County for which the speed limit is more than 35 miles per hour (hereafter “County ATV/UTV Routes”); and

WHEREAS, the Town Board desires to establish both such ATV/UTV Routes to regulate the safe operation of ATVs and UTVs in the Town to provide for the health and safety of all users of roads within the Town;

NOW, THEREFORE, the Town of Rhine Board of Supervisors does ordain as follows:

Section 1: Creating Code. Section 3.04 of the Town of Rhine Municipal Code concerning ATV/UTV usage on certain roads within the Town is created to read as follows:

3.04 ATV/UTV USAGE ON PUBLIC HIGHWAYS

(1) Designation of ATV/UTV Routes.

(a) Town ATV/UTV Routes. The following are designated as “ATV/UTV Routes” where all-terrain vehicles (“ATVs”) and utility terrain vehicles (“UTVs”) may operate: all Town roads (except as set forth in (c), below) and all state and county highways within the Town for which the speed limit is 35 miles per hour (MPH) or less (except as set forth in (c), below).

(b) County ATV/UTV Routes. Certain additional Sheboygan County highways within the Town (for which the speed limit is more than 35 MPH) have been designated as ATV/UTV Routes, following the request of the Town and the approval of the Sheboygan County Transportation Committee pursuant to § 26.07 of the Sheboygan County Code. See Table/Map 3.04.

(c) Exceptions. The following roads are NOT designated as Town ATV/UTV Routes:

None.

(d) The Town reserves the right to open and close Town ATV/UTV Routes, and to withdraw its support for County ATV/UTV Routes, as it deems appropriate by a simple majority vote of the Town Board.

(2) Signage.

(a) All ATV/UTV Routes within the Town shall be marked with uniform ATV and UTV route signs in accordance with § 23.33(8)(e), Wis. Stats., and NR 64.12(7), Wisconsin Administrative Code.

(b) No person may do any of the following in regard to signs marking ATV/UTV Routes:

1. Intentionally remove, damage, deface, move or obstruct any sign or standard;
2. Intentionally interfere with the effective operation of any sign or standard legally placed by the state, any municipality or any authorized individual;
3. Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department for the warning, instruction, or information of the public, unless he or she obtained the same in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.

(3) Restrictions for Operating on Designated ATV/UTV Routes. The following provisions or restrictions apply to the operation of ATVs and UTVs on Town ATV/UTV Routes:

(a) ATVs/UTVs must be operated on the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions, pursuant to s. 23.33(4)(d)4., Wis. Stats.

(b) ATVs/UTVs must be operated single file (not side-by-side).

(c) ATVs/UTVs shall not exceed 35 miles per hour or the posted roadway speed limits, whichever is less.

(d) ATVs/UTVs shall not exceed 10 mph within 150 feet of a dwelling.

(e) ATVs/UTVs shall at all times display a lighted headlamp, tail lamp, working brake light and registration plate.

(f) Solo operators must be at least 16 years old and possess a valid motor vehicle driver's license.

(g) Operators born after December 31, 1987, must have completed an approved ATV/UTV safety certification course.

(h) Operators and ATV/UTV operations are otherwise subject to the provisions of s. 23.33, Wis. Stats., which is adopted as a part of this ordinance by reference.

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

(j) Approved hand signals are required whenever the operator intends to change direction if the vehicle is not equipped with turn signals.

(4) **Enforcement.** This section shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin or the Town of Rhine.

(5) **Penalties.** The penalties under s. 23.33 (13), Wis. Stats., are adopted by reference.

(6) **Liability.** ATV/UTV operation is at the risk of the operator and any passenger(s). In establishing ATV/UTV routes for recreational use, the Town intends to utilize the liability and immunity protections provided under s. 895.52, Wis. Stats., but the Town does not waive any other liability exemptions and/or limitations afforded the Town under Wisconsin law.

Section 2: Retitling Code. Chapter 3 of the Town of Rhine Municipal Code shall be retitled "Snowmobiles, ATVs and UTVs".

Section 3: County ATV/UTV Routes.

3.1 This ordinance shall serve as the Town's request of Sheboygan County to establish the County ATV/UTV Routes as set forth above, which the Town determines are needed to meaningfully connect Town ATV/UTV Routes.

3.2 The Town will be responsible for signage cost, installation and maintenance for County ATV/UTV Routes.

3.3 The Town Clerk/Treasurer shall forward a copy of this ordinance and Table/Map 3.04 to the Sheboygan County Transportation Department and the Sheboygan County Planning, Resources, Agriculture, and Extension Committee, pursuant to § 26.07 of the Sheboygan County Code.

Section 4: Severability. Should any portion of this Ordinance or the affected Code Section(s) be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 5: Effective Date. This Ordinance shall take effect upon publication or posting, and placement of the necessary ATV/UTV Route signage.

Section 6: Notification. Pursuant to s. 23.33(11)(b), Wis. Stat., the Town Clerk/Treasurer shall also send a copy of this ordinance to the Wisconsin Department of Natural Resources, the Wisconsin State Patrol, the Sheboygan County Sheriff and the Village of Elkhart Lake Police Department (the contracted law enforcement agency serving the Town).

Enacted on: Jan. 2, 2024

TOWN OF RHINE

By: Ronald Platz
RON PLATZ, Town Chair

CLERK'S CERTIFICATION OF ENACTMENT

I certify that the foregoing Ordinance was duly enacted by the Town of Rhine Board of Supervisors on the date indicated above.

Dated: January 2, 2024

Amy Weber
Amy Weber, Town Clerk/Treasurer

Posted/Published on: 1/16/24 by AW.

RIGHT-OF- WAY POLICY & ATV PERMIT

Policy 99.01

Effective:

96.90 Appendices
96.92 County Permit

Supersedes:

99.01 ATV Permit

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 Rhine
Municipality: _____
Address: W5250 Cty Rd FF, Elkhart Lake, WI 53020
Email (print) clerk@tn.rhine.wi.gov
Office phone: 920-876-3413
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: Town of Rhine

Name and phone number of ATV/UTV organization responsible for construction and sign maintenance:

Town of Rhine

Check list of required documents enclosed:

Construction

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

- 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 of Authorized Representative of Applicant)

Title: Town of Rhine Chairman

Date: 1/11/2024

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

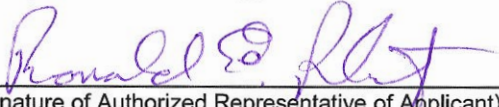
INDEMNIFICATION

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 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 of Rhine Chairman

Date: 1/11/2024

Sign: All Town and County Roads in the Town of Rhine are open to ATVs/UTVs unless posted. Marked with a green dot on the map.

East

Willow Road and Gerber Lake Road
Willow Road and Garton Road
Willow Road and County Road A
Willow Road and County Road FF
Willow Road and County Road MM
Willow Road and County Road EH
Willow Road and Highway 32
Willow Road and Acorn Road

North

Highway 32 and County Road MC
Rhine Road and Lax Chapel Road
County Line Road and Little Elkhart Lake Road
County Line Road and Snake Road
County Line Road and Highway 67

West

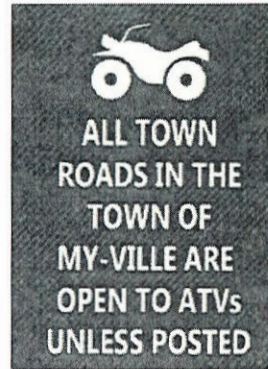
Highview Road and Clark Road
Highview Road and Grogan Road
Highview Road and Sexton Road
Highview Road and County Road MM
County Road J
County Road P
County Road C and County Road P

South

County Road CJ and County Road C
Hickory Tree Road and County Road J
Highview
Highway 67 and Racetrack Road
Highway 67 and Schwaller Drive
Lando Street and Summit Woods Lane
County Road E and Anokijig Lane

Sign: Symbol of No ATVs/UTVs Marked with a red dot on the map.
(Roads that go into the Village of Elkhart Lake)

Badger Road
Golf Course Road
County Road J – North
County Road JP
County Road A and J - South
County Road A - East
Highview and County Road MM – North



N

R206

T17N

TOWN OF RUSSELL

T16N

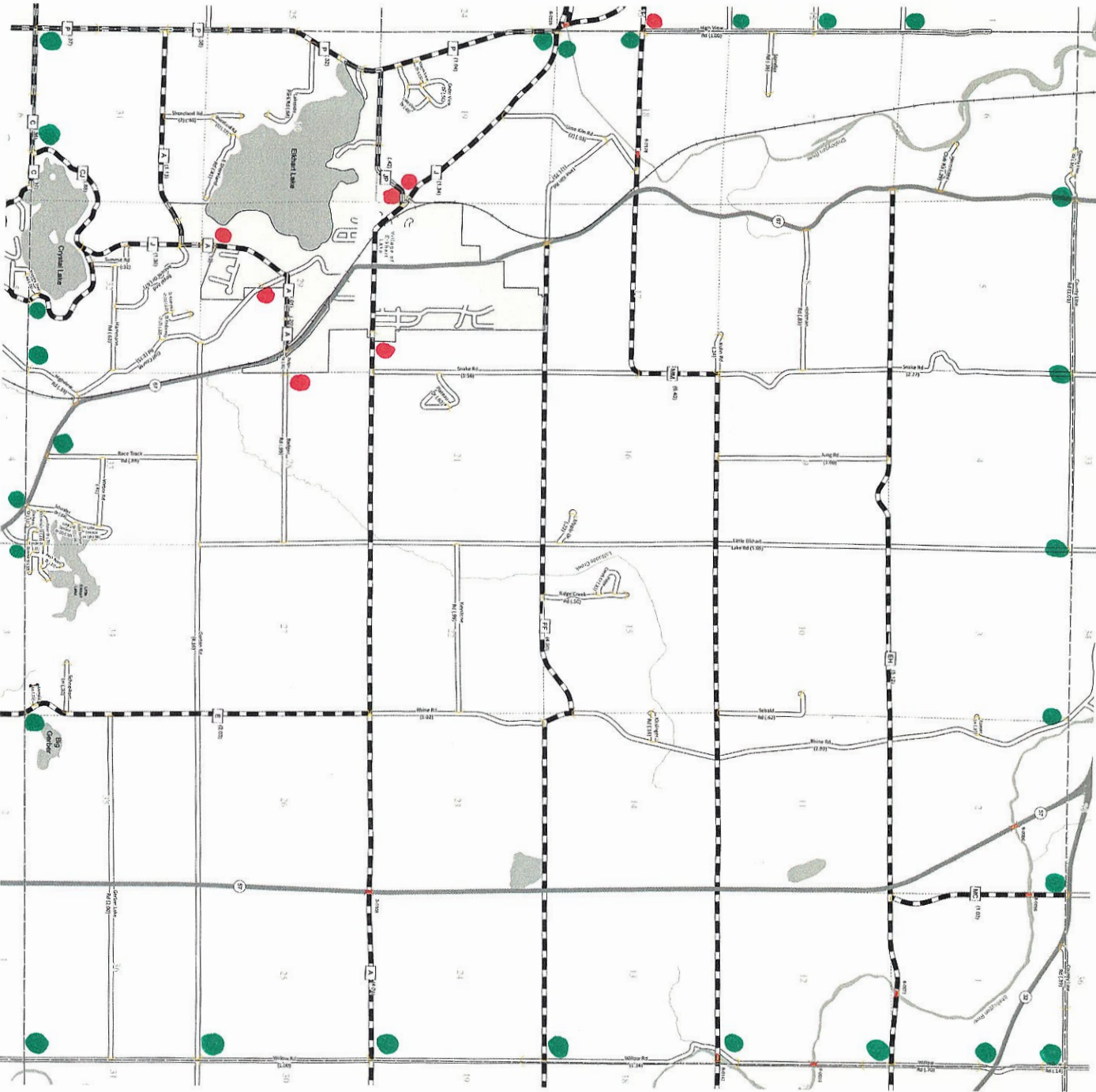
TOWN OF GREENBUSH

T15N

LEGEND:

 County Trunk Highway

 Bidder



TOWN OF SCHLESWIG

R216

N

R221

T17N

TOWN OF HERMAN

T16N

N

T15N

TOWN OF PLYMOUTH

R212

S