

WINNEBAGO COUNTY BOARD OF SUPERVISORS - HIGHWAY COMMITTEE

DATE: August 19, 2019

TIME: 9:00 A.M.

PRESENT: David Albrecht, Highway Committee Chairman
Tom Egan, Highway Committee Member
Chuck Farrey, Highway Committee Member
Robert Warnke, Highway Committee Member
Raymond Palonen, Highway Commissioner

EXCUSED: Ken Robl, Highway Committee Member

ALSO John Matz, Winnebago County Sheriff

PRESENT: Mary-Anne Mueller, Winnebago County Corporation Counsel
Jeffrey Mann, Winnebago County Assistant Corporation Counsel
Members of the public per attached list

Chairman Albrecht called the meeting to order at 9:00 A.M. A motion was made by Supervisor Farrey, seconded by Supervisor Egan to approve the minutes of the previous meeting as written. Motion carried 4-0.

Chairman Albrecht asked if there was any public input on the agenda. Several people spoke in favor of opening public roadways to ATV/UTV use, and explained their reasoning why. Gene Goode, NEC Wisconsin ATV Assoc., distributed copies of an ordinance passed by Waupaca County as an example. He stated that many of the surrounding counties have approved a similar ordinance and his group is seeking consistency among the counties so riders can travel continuously on the system. Commissioner Palonen distributed an outline listing which of the surrounding counties currently have an ATV/UTV ordinance, and their limitations. He said generally the more rural counties have ordinances, whereas the urban ones do not.

Commissioner Palonen stated he does not advocate for driving ATV/UTV's on the roads due to safety issues, however if the County Board decides to move forward he would recommend the following restrictions:

1. Limit potential routes to rural county roadways with an ADT (Average Daily Traffic) of 700 or less and a low accident history.
2. Potential county highway routes must connect existing routes/trails only.
3. Municipalities with an ATV/UTV ordinance sponsor county routes.
4. Municipalities request routes by sending a letter describing the roadway(s) and the limits to the Highway Commissioner for conformance with the county ordinance. Highway Committee will approve/deny requests.
5. Sponsoring municipalities pay for sign installation and maintenance.
6. Municipalities shall maintain a map of routes within their jurisdiction and provide copies to the Highway Commissioner and Sheriff.
7. Highway Department shall install signs to ensure proper placement according to MUTCD and DNR standards.
8. ATV/UTV operators must possess a valid driver's license.
9. Routes shall be closed between October 31 and May 1.
10. Routes shall remain open during daylight hours only.
11. All ATV/UTV shall have a valid DNR registration sticker placed on the unit according to DNR guidelines.
12. ATV/UTV shall have operating headlights, tail lights, and brake lights.
13. ATV/UTV's shall operate on the right side of pavement.
14. 35 MPH speed limit, violators shall be subject to enforcement.
15. ATV/UTV's shall operate in single file.

16. Routes may be closed or suspended by the Highway Commissioner after review with the Highway Committee for reasons such as repeated complaints from residents, damage caused by ATV/UTV's, an increase in ADT or roadway accidents.
17. Routes may be temporarily closed by either the Highway Commissioner or Sheriff for reasons such as roadway construction, emergencies, parades, or events.

A discussion followed regarding these recommendations. Supervisor Warnke stated that he's in agreement with all of the restrictions, and is bothered by the potential liability for the County. Supervisor Egan questioned where the total ADT number of 700 was derived from. Commissioner Palonen stated he felt that any more cars per day than that caused a greater threat to safety. Sheriff Matz stated that his department agrees with the fact that a valid driver's license should be required. He stated that anyone who has been behind the wheel, whether in training, or with temporary license gains some experience to use on the road. Supervisor Egan also stated his disagreement with closing the routes during the fall and winter months, when some riders might use their units for hunting and ice fishing. Commissioner Palonen stated that item was included to ensure the safety of the public and his employees while performing winter maintenance duties. After a lengthy discussion, a motion was made by Supervisor Warnke to approve submitting the ordinance to the county board using Commissioner Palonen's recommendations, with the exception of increasing the ADT restriction from 700 to 1,000 cars per day, and approve it on a one-year trial basis. The motion was seconded by Supervisor Albrecht. No vote was taken. Supervisor Egan stated he would like to include the previous amendments and he wished to amend the motion further on the floor to strike item #9, that states routes shall be closed between October 31 and May 1. Chairman Albrecht seconded the motion to present to the full County Board as amended. Motion carried 3-1. Ayes-Egan, Albrecht, Farrey. One nay-Warnke. Members of the public exited the meeting.

Commissioner Palonen distributed a resolution transferring jurisdiction of approximately 740 lineal feet of CTH GG to the Town of Vinland effective November 1, 2020, after the CTH A reconstruction project is complete. At that point the town will have access to their fire hydrant located in the area. A motion was made by Supervisor Egan, seconded by Chairman Albrecht to recommend the County Board approve a resolution transferring jurisdiction of 740 lineal feet of CTH GG to the Town of Vinland effective November 1, 2020. Motion carried. Aye votes by Albrecht, Egan, and Warnke. Supervisor Farrey voted present.

A discussion was held regarding possible STP-Urban funding for CTH P and CTH I. Commissioner Palonen stated that both projects are included in the list of CIP. The CTH P project in the Fox Valley area will be a reconstruction to address drainage issues, and will be done in conjunction with the WisDOT. The project will utilize the WisDOT stormwater pond on Midway Road which will help the county meet the requirements of the MS4. Commissioner Palonen stated that he will apply for STP Urban funding totaling \$5 Million, if awarded the funding, the local share of the project would split the cost between the City of Menasha, Village of Fox Crossing, and Winnebago County. The CTH I project is south of Oshkosh. This was a project originally approved for funding several years ago, but due to the City of Oshkosh sanitary sewer project, had to be postponed and the funds reallocated. Commissioner Palonen stated that there is potentially one million dollars of funding available, and he is going to reapply. He will be attending a meeting tomorrow to discuss.

Commissioner Palonen stated that approximately 75 million dollars of state transportation funding has been made available to local governments through the recently passed State budget to be used for transportation improvements. This includes road, rail and airport projects. Although the total must be shared state-wide, Commissioner Palonen stated that he intends to pursue what he can. He was informed by the WCHA that the funds will be rolled out similar to the LRIP program.

The following were reported as general operations:

- Commissioner Palonen distributed a recent budget status outline through July. Currently the winter maintenance budget is over budget, but there is 62% remaining in the general fund. The goal is to get to the end of the year with enough left in the general fund to offset the winter balance shortage.
- Commissioner Palonen gave an update on the following projects:
 - CTH K has been completed with the exception of some touch up work.
 - CTH FF has been put on hold in order to complete a backlog of town work. The project will resume in September.
 - CTH CB widening on the south end is done. The bridge portion remains to be completed. The north end of the project should be done by the end of September.
 - CTH CB roundabout project is expected to be completed by late September or early October. The contractor is behind schedule.
- Supervisor Egan stated that if the ATV/UTV resolution is passed by the County Board, the Town of Rushford would like to be included on the following Highway Committee meeting agenda for approval. Commissioner Palonen suggested the town send in their request now so he has it for the October meeting.

Due to the Labor Day holiday, the next meeting will be held on Tuesday, September 3, 2019.

A motion was made by Supervisor Farrey, seconded by Supervisor Egan to adjourn. Carried 4-0. The meeting adjourned at 10:52 a.m.

Laura Spanbauer
Administrative Associate