

Town of Grant
Special Town Board Meeting
ATV Routes
May 24, 2017

Present: Schwab, Winkler, Yetter, Luecht and Zimmerman.
Chairperson Schwab called meeting to order @ 6:30pm.

Chairperson Schwab explained that the Town of Grant Plan Commission had worked on an ATV/UTV Ordinance in 2016 after ATV Club members had approached the Plan Commission about having ATV routes in Town of Grant to connect to routes in Town of Saratoga, Pine Grove and Plover. Town of Grand Rapids and Buena Vista do not allow ATVs on roads along with Portage & Wood County have not opened any of their roads.

A Public Hearing was held on May 18, 2016 to solicit citizen's input on the adoption of the All-Terrain Vehicle/Utility Terrain Vehicle Ordinance at Wildhorse Saloon. The Town Board approved the ATV/UTV Ordinance #2016-01 at a Town Board Meeting on June 29th, 2016, which included designated Phase 1(a) Route on Tower Road (County U-Town Line Road). Other routes that were not implemented last year included: Phase 1 (b) Townline Road and Phase 2: 87th St.-Evergreen Ave.-90th St.-Wildhorse Saloon.

Copies of maps indicating routes and proposed routes were distributed along with Safety Data.

Comments below on Phase 1(b) Town Line Road and Phase 2: 87th-Evergreen-90th-Wildhorse Saloon:

- **Jon Scharbarth, WDNR:** Tower Road haven't seen any ATV's when in area, very light use at this time. Complaints received were on roads not on designated routes. Haven't had any problem associated with Town of Grant so far. ATV/UTV's not registered or are speeding fall on Sheriff's Department jurisdiction, DNR is secondary enforcement. License plates are required with registration and speed limit is set by municipality.
- **Anna Beth Reitter:** What is process to contact DNR or Sheriff's Department on complaints?
Jon Scharbarth, WDNR: Contact Sheriff's Department with pictures, video of registration or license plate, 3 or 4 wheels, location, color as much information as possible. Round yellow decal indicates Agricultural Use. Speed Limit is speed on particular road unless route is marked with lower speed limit. Enforcement is based on complaints or if in area. Warden phone #: 800-847-9367 (800-TIP-WDNR)
- **Chris Becker:** ATV speeding down 100th St. S (Timm Ave.-CTH W) on Tuesday, May 23, 2017.
- **Wayne Brody:** Can have restricted speed limit of 10 mph written in ordinance.
- **Mike Morgan, Portage County Sheriff's Department:** ATV patrol limited time, designated routes will be driven more often, one Deputy covers Wood Cty-Waupaca Cty-Wisconsin River. Logged hours for ATV in Grant and Plover were 9 hours for year. One citation for crash on County Road F and deputy patrolling area youth riding grandpa's ATV on 90th St./CTH FF.
- **Dorothy Raasch:** Update Ordinance for 10 mph speed limit, Agricultural ATV must be using for specific reason such as hauling product or equipment, not traveling from one property to another.
- **Wayne Brody:** In Marquette County they do not have any problems with Amish buggies and ATV's, 99% of riders doing the right thing and 1% causing problems tearing up roads and driving on private property.

- **Mike Morgan, Sheriff's Dept.:** At this time no routes will be on county roads per Portage County Safety Committee, Highway Commission and legal counsel. Safety Data collected indicate it is not safe to drive ATV's on county roads and are questioning how safe on town roads.
- **Terry Coplien, WI ATV Association:** State of WI has 10,000 miles of designated ATV routes, there are 850 Certified Patrol Members that patrol these designated routes, there were 22 fatalities on private property. 99% ride legally-following speed limits, wear helmets, and register ATV's. WI ATV Association will reimburse law enforcement for logged hours. ATV's are 96 decimals or below.

Phase 1 (b) Townline Road:

- **Chuck Hansen:** Town of Buena Vista does not want their section of Town Line Road (Griffith Ave-Buena Vista Dr) open to ATV's.
- **Paul Cieslewicz (via email):** T. Buena Vista would like to get together with municipalities and see if County-Wide Permit could be required to help offset cost to maintain roads that are designated routes.
- **Dave Kester:** Tower Road being torn up by pickup trucks and cars not ATV's.
- **Plan Commission** was looking for a straight route to connect to Town of Plover Routes.
- **Don Wagner:** Against ATV's on Townline Road, but lives in area maintained by Town of Pine Grove.
- **Chris Becker:** Thought ATV's were meant to run through woods, swamps etc. not on roads.
- **Sharon Schwab:** Town has no obligation to open roads for recreational vehicles.
- **Kent Hall, Aldo Leopold Audubon Society** against riding on roads adjacent to property know as Buena Vista Marsh. Number of endemic birds have been in these areas including Upland Sandpiper, 700-800 Prairie-chickens. If going to allow a compatible solution would be to lower speed limit and have routes closed April, May and June.
- **Motion: (Yetter, Winkler) Move forward to open Town Line Road (Mill Rd-Griffith Ave.). Amendment: Open May 1st – Nov. 1st. Amendment: Yetter, Winkler-Aye, Schwab-Nay. Approved Amendment. Roll Call Vote on Main Motion: Yetter-Aye; Winkler-Aye; Schwab-Nay. Main Motion Carried.**
- **Dorothy Raasch:** Townline Road route dead end to Griffith Ave.

Phase 2: 87th St.-Evergreen Ave. - 90th St. – Wildhorse Saloon:

- **Pat Wallner:** Commented on Supreme Court case where park manager was liable for injuries involving ATV's because he knew of risk and hazardous area.
- **Schwab:** Read email from Wis. Town Association legal counsel, regarding State Statue 893.80 (4) that if Ordinance is enacted and signage is properly posted, Town and Town Officials, employees are immune from liability. Also, copies of information from individuals and organizations that are collecting data on deaths & injuries caused by off-highway vehicles on public roads was available.
- **Sandy Wood:** (90th St.) dead set against opening 90th St., lived there for 9 years, kids on road, road conditions not good.
- **Joe Riederer (via email):** opposed to opening 87th St. and Buena Vista Grasslands, drag racing, Horse Riding Clubs use 87th St., birds disturbed, too remote to fix (87th St.) road but want to open to ATV's.
- **Marv Brahmstedt:** (87th St/Evergreen) against opening roads, ATV's disturbing people that live there, we pay the property taxes, if you have a boat you go to the lake.

- **Diana Luecht:** (90th St.) Can ATV's cross county roads if they aren't routes? Yes they can.
- **Mike Molepske:** (90th St.) who is in charge of putting up signs? Wayne Brody is doing signs.
- **John Knoll:** (90th St.) against opening route, increase in traffic, accidents-road is narrow
- **Dave Luecht:** (90th St.) UTV is meant for work
- **Pat Barten:** (90th St.) Town doesn't have enough money to fix roads now without having increased traffic with ATV's.
- **Hollie Molepske:** (90th St.) has ATV, horses close to road, worry about blowing horns, concerns about enforcement of speed limit, narrow road concerns ATV/car meeting.
- **Club Member:** (non-resident) Tower Road was cleaned up by picking up garbage, cans, bottles by club members, which was done by others.
- **Wayne Brody:** (90th St.) roads designated as routes can be monitored by Road Patrol Members that are certified.
- **Dale Winkler, Supervisor:** Tried Tower Road, move forward with Phase 2, this is privilege that can be taken away, trial basis.
- **John Knoll:** (90th St.) if goes through 10 mph speed limit
- **Dorothy Raasch:** (100th St.) whole snowmobiles objection years ago, further with ATV's, will get to snowmobiles.
- **Motion: (Winkler, Yetter) Move to open Phase 2 Route (87th St.-Evergreen Ave.-90th St.-Wildhorse Saloon) from May 1st – Nov. 1st. No implementation on Phase 2 until meeting held with law enforcement and residents on Phase 2 roads to reset speed limit.**
Roll Call Vote: Yetter-Aye; Winkler-Aye; Schwab-Nay. Motion carried.
- **[Note: Supervisors Winkler and Yetter both live on county roads]**

Other roads/routes requested:

- **Pine Street**
 - **Sandy Wood:** No
 - **Jay Goska:** No –noise concern
- **Mill Road**
 - **Lee Chipman:** ATV's running now, noise, dust problem, Pine Grove property had to put up gates to keep off ATV's.
 - **Mitch Zimmerman:** land owners since 1837, 4 wheelers riding now, OK with neighbors not nonresidents, dirt road have to keep windows closed in summer, prairie chickens disturbed. Deny Mill Road- residents don't get to enjoy peace & quiet.
 - **Jeff Zimmerman:** (land owner-nonresident) dust, traffic, wildlife sanctuary, bluebird boxes, noise, not his hobby. Already 10,000 miles in WI can use those trails.
- **100th Street**
 - **Todd Hanneman:** ATV owner, would like 1 year trial for 100th St.
 - **Chris Becker:** against – Board Members voting yes, doesn't affect them
 - **Greg Dahl:** against – Also, agrees that Board members voting yes, do not live on any routes, doesn't affect their life style.
 - **Keith Kardash:** (Quarry Rd.) Lived in Town of Rome 10 years ago, ATV Clubs great, got old real fast, wasn't fun after a while. Moved to Town of Saratoga-trails opened noise, not in my backyard moved to Town of Grant for peace and quiet, ATV owners can quit when they are done, if trail goes near your house there will always be riders, don't want to move again.

- **Lesia Kardash:** ATV Club wanted connection to Pine Grove and Plover routes, Tower Road is that connection point. That was a fair compromise, looking at condition of roads in Town of Grant, don't need more traffic.
- **Vicky Zimmerman:** No routes on 100th St. have Alpaca Farm with Great Pyrenees, guardian dogs, enjoy the peace & quiet of nature & calming effect of alpacas.

Public:

- **Heidi Wallner: "Town Board not listening to residents"** property owners are saying no to opening up additional routes and two board members are voting yes.

[Note: Clerk Zimmerman needs to leave, so Heidi Wallner will continue taking notes].

- **Dale, do you own ATV? Response:** No, so nonresidents have greater weight than town residents. **Supervisor Winkler response:** I'd like to see it tried.
- **Dorothy Raasch:** Original ordinance Dale Winkler wanted it as a trial? Implemented after a meeting with residents, law enforcement, re-do ordinance.
- **Chairperson Schwab:** Revision to ordinance, Tower Road route reviewed in April and reopened. All residents on Mill Road and 100th St. against opening roads.
- **Chairperson Schwab:** read emails from Darcy Held on CTH W just off of 100th St. against and email from Dane County Conservation League against opening more routes.
- **Supervisor Yetter:** Meet with Paul Cieslewicz, Town of Buena Vista, to see about opening Townline Road (Griffith Ave-Buena Vista Rd.).
- **Supervisor Winkler:** doesn't see the need to increase in the middle of town. Phase 1 (b) to be looked at.
- **Lance Priml, Wood County Board Chairperson:** indicated very few roads open in Wood County. 1st Choice would be trails, then county roads, last paved roads.
- **Deputy Mike Morgan:** from Traffic Safety Commission, meeting discussion with DOT & DNR action being taken at the State level for universibility.
- **Chairperson Schwab:** We try to make deliberate, informed decisions. Those of you that are upset about it, we need to hear from you. This is the option as Supervisor Winkler mentioned it's a privilege, not a right. We need to find common ground, language changes, speed changes. Need every land owner, residents present to attend upcoming meetings. Maybe there is growth in this area through the town and county. We need the county taking the lead.
- **Pat Barten: (90th St.) "You have heard from many who didn't want it, but the Town Board voted it in anyway."**

Motion: (Schwab, Winkler) Move to adjourn @ 9:23pm. Unanimous Ayes. Carried.

Respectfully submitted by,

Vicky Zimmerman

Vicky Zimmerman, Clerk

Approved: June 14, 2017