

February 8, 2016  
Town of Tomah  
Monthly Board Meeting

Those Present: Howard Hanson, Randie Johns, Allan Bartels, Richard Baumgarten, Breanne Zaremba, Mike Pierce (V.P. of Roadrunner ATV & UTV Club), Kasey Pierce (RRAUC), Bob Sherwood, Darrell Priellipp, Todd Zaremba, Terry Whipple, and Bob Stump.

The meeting was called to order at 7:30 p.m. by Chairman Hanson.

The clerk's report was read. Randie Johns made a motion to accept the clerk's report. Al Bartels seconded the motion. The motion carried.

The treasurer's report was read. Al Bartels made a motion to accept the treasurer's report. Randie Johns seconded the motion. The motion carried.

#### Request for ATV/UTV to operate on Town Roads

Mike Pierce, the Vice President of the Roadrunner ATV & UTV Club of Monroe County spoke to the board about making the Town roads ATV & UTV routes. This year the club is asking the county to approve 60 miles of county roads as ATV & UTV routes. The club will provide and place all signs on the roads the town chooses to approve as ATV & UTV routes. The club has 8 or 9 patrol ambassadors that check signs and act in policing and see that rules are followed. Currently there is a berry picking law that is supposed to protect landowners and the town from liability if any accidents occur. The County Hwy Committee will be going over the proposed roads on February 19.

- Bob Sherwood stated that he is in favor of making town roads ATV routes.
- Darrell Priellipp stated that he is in favor of making town roads ATV routes.
- Todd Zaremba stated he is against ATV routes. He feels the ATVs and UTV will drive too fast up and down roads and scare his cows. He is not interested in making the town a racetrack.
- Bob Stump would like to see town roads ATV routes so he can travel legally on the roads with his ATV.
- Terry Whipple said that he helped make Juneau County roads ATV routes. They negotiated speed limits and age limits that are stricter than the state. Juneau county roads have speed limits of 35 mph and minimum age requirement of 16 to drive on ATV routes. The routes in Juneau County help business.

Randie Johns asked if there will be a speed limit. Mike Pierce responded that the town can decide a speed limit for the routes, otherwise the speed limit will be the same as what a car can drive (55 mph on most roads).

Dick Baumgarten asked about age limits. Mike Pierce said that the minimum age is 12 years to drive, but they must have an adult riding with them. The must be on a legal ATV that includes turn signals, headlights, break lights. Farmers can drive legally on the roads as long as it is within the area of their farm.

Breanne Zaremba stated that there have been ATV speeding too fast down Hilldale Avenue already, how do we stop them, and how do we make sure children are safe. Mike Pierce stated that we are supposed to contact the Monroe County Sheriff or the DNR, or contact him and he will turn people in. Mr. Pierce said that they should have license plates, to get those

numbers. Breanne asked how do we get license if they are going too fast? He said the County could search for the individual.

Todd Zaremba asked what happens if there is an accident, will the Town be named as liable in the accident. Mike Pierce said that most accidents are 99% operator error, and the town should not be liable. Todd asked for a better way to police the system.

Howard Hanson asked what happens when an ATV gets to a state highway? Mike Pierce said the ATV can cross the highway, they just can't drive down it.

Mike Pierce added that the towns of Grant and Glendale are the only ones in the County that have speed limits for their ATV routes.

Randie Johns asked about the berry picking law and liability: if someone drives their ATV on your property, can they sue you if they get injured. Mike Pierce said that it is like the snowmobile trails...if you go off the trail, it is trespassing, so there should be no landowner liability. Howard Hanson asked who gets sued when the accident is a car versus an ATV on a town road.

Terry Whipple asked Mike Pierce if the ATV club was ok with setting speed limits. Mike Pierce said he would recommend no lower than 35 mph as a maximum speed.

Al Bartels stated that he asked his neighbors about their opinion of ATV routes on town roads. None of his neighbors were against it. He would like to see a speed limit set though.

Randie Johns said he would like to see copies of ordinances before making any decisions. Howard Hanson said they would not be making any decision tonight, they would look into the issue more.

Terry Whipple added that the clubs have been watching the routes in places like the village of Necedah, so the towns and villages are not having to spend extra on patrolling the ATVs on their roads.

Todd Zaremba asked if there was a way out of allowing ATV/UTVs to operate on town roads. Mike Pierce said if there are problems, the club will close down the roads in question. Howard Hanson and Randie Johns both said that the board can change an ATV/UTV route ordinance if there becomes a problem.

The issue was tabled for future discussion and decision.

#### Deloris Waege Property Zoning Change

The County Zoning and Planning Commission will hold a hearing on February 15, 2016 at 6pm. Surveying has been done to separate Deloris Waege's house from the Waege farm. The parcel containing her house also contained the driveway to the farm and a portion of one of the sheds. The new parcel will be 1.5 acres, and will be grandfathered in. They would like to change zoning from general ag to R-3 residential. Randie Johns made a motion to recommend the zoning change from general ag to R-3 residential to the zoning committee. Al Bartels seconded the motion. The motion carried.

#### Wisconsin Towns Association Meeting

February 18, at 6 p.m. at Pizones. Everyone on the Town board will be attending.

#### Employee Wage Review

Mark Cleaver has gotten through his 90 day probationary period. According to the board, if they were happy with his work, they would give him a \$.50 /hour raise. Randie Johns made a motion to increase Mark Cleavers wages by \$.50/hour effective 2/14/16. Al Bartels seconded the motion. The motion carried.

Monthly bills were reviewed and approved.

A motion was made by Randie Johns to adjourn the meeting. Allan Bartels seconded the motion. The motion carried.

Respectfully Submitted,

Breanne Zaremba