TOWN OF OSCEOLA

PUBLIC HEARING

REGARDING A PROPOSED ALL-TERRAIN VEHICLE ROUTE ORDINANCE
Thursday, March 15, 2012

MINUTES

The Board of Supervisors of the Town of Osceola met for a Public Hearing Thursday, March 15, 2012 at 6:45 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

THE PURPOSE OF THE PUBLIC HEARING IS TO LISTEN TO QUESTIONS AND COMMENTS FROM TOWN OF OSCEOLA RESIDENTS REGARDING A PROPOSED ALL-TERRAIN VEHICLE ROUTE ORDINANCE.

CHAIRMAN DOUG SCHMIDT CALLED THE PUBLIC HEARING TO ORDER AT 6.45 P.M.

A Public Hearing notice was published in the February 29, 2012 and the March 7, 2012 publications of the SUN newspaper and posted at the Town Hall, the Dresser Post Office, Frandsen Bank & Trust and the Town of Osceola Website.

ROLL CALL:

PRESENT: Doug Schmidt, Mike Wallis and Dan Burch

ABSENT:

ALSO PRESENT: Lorraine Rugroden – Clerk/Treasurer, Kay Burch, Brad Landgren, John Adam and E. R. Lindholm Wally Neumann, Jason DeMoe from the Osceola Sun, Ron Strom, Dan Strobach, Gary Brunclik, Linette Horn, Tom Horn, Jim Judkins, E. R. Lindholm, Sharon Waulk, Cecil Waulk, Pat Gibbons, Deanna Meyer, Kevin Austad, Barry Kunze, Kim Rud, Donna Cotter, Jim Willey, Brad Landgren, Lyn Linsmayer, Milt Hathcock, Rick Quist, Roger Peterson, Brad Landgren and Bruce Mortenson.

Chapter 19 All-Terrain Vehicle Route Ordinance

The Town is considering opening up some of the Town roads to ATVs. The Plan Commission, after many hours of discussion, determined which roads should be open to ATVs and recommended to the Town Board to approve the All-Terrain Vehicles on Town Road Ordinance.

Mike Wallis chaired a four member ATV citizens committee early on to gather information before bringing to the Plan Commission.

Dan Burch stated that the Plan Commission put a lot of time and consideration into this and after reviewing the proposed ordinance, noted a possible change to the proposed ATV ordinance to add driver's license or safety certificate to driver must be at least 16 years of age.

Chairman Schmidt said that the public was given many opportunities to comment on ATVs in the Town and only one resident commented against ATVs. Comments for the most part have been overwhelmingly in favor of ATVs in the Town.

Jim Judkins spoke in opposition to ATV's on Town roads. He was concerned with the liability and safety aspect and was questioning who would monitor and enforce requirements.

Dan Strobach stated that we can't police people who drive on roads, we need to rely on people to be respectful and police themselves to some extent.

Ron Strom said he would rather see ATVs on the road instead of in the ditches and is in favor of ATVs.

Gary Brunclik said that other communities have successfully implemented ATV routes and he doesn't see why it can't be done here. He stated that, everything else is on the roads including people walking and baby buggies, and doesn't see why ATVs shouldn't be allowed on the roads also.

Lyn Linsmayer is for ATVs and is also a horse owner. She would like for ATVs to slow down when they see horses.

Tom Horn was one of the original ATV Citizen Committee members and noted that other Towns have ATV trails and that he is for it. He said that ATVs should have insurance, the same as cars if they are going to be on the roads.

Cecil Waulk stated that a few years ago he rode his ATV to the neighbor's mail box and got a $150 ticket because roads were not open to ATVs. He said he is in favor of ATV Routes.

Kevin Austad from Eureka ATV Club said that they had some of the same concerns before the Town of Eureka's roads were opened to ATVs. They elected one Trail Ambassador and four Trail Bosses and after a year and a half they haven't had any problems.

Deanna Meyer from Eureka ATV club stated that in pursuing getting an ATV route ordinance she obtained many memos from other Towns stating that they have not had problems with adopting and ATV ordinance in their town and some have said that they have had less trouble since opening up ATV routes.

Roger Peterson member of the Polk County Snowmobile Council and is for ATV Routes.

Milt Hathcock stated that in the last year he logged about 4,000 miles on his ATV. He said that opening ATV trails will give the law abiding citizens something they can do. People are going to do what they want to do.

The remainder of those in attendance stated that they were in favor of Town roads being opened to ATVs.

Letters were read from Steve Stroshane, Jan Haralson, Jim Judkins and Rural Mutual Insurance.

Steve Stroshane stated that he was not opposed to the concept of ATV's on roadways. He went on to say that with the future Stillwater Bridge expansion, sooner or later the growth that we've seen in the past will continue and traffic will increase. He was against opening up 248th Street (from Education Avenue to STH 35), 240th Street (CTH M to south town line), and 210th Street (from 110th Avenue to 120th Avenue) due to high traffic volume and stated that these would be the roads that would first experience the increased traffic.

Jan Haralson expressed support for an ordinance to permit use of Town roads by ATV operators. When living in Montana ATVs were street legal and they continually used ATVs more for service than recreation. She has family members living in the Town of Farmington and said that they have not sensed abuse of their ATV ordinance that has been in effect for more than a year.

Jim Judkins had questions about Town liability, ATV rider insurance and stated that ATVs are off road vehicles and lack the safety equipment and lighting systems that road-ready vehicles require. He said that it was not in the best interest of the Town to jeopardize its citizens and expose itself to such potential liability.

Rural Mutual Insurance responded to Jim Judkins letter by stating that it is up to the owner to get liability insurance. It's not up to the Town to make sure cars on the road have liability insurance, why would ATV's be different? Insurance cost will not increase if the Town passes the ATV ordinance and as long as the ordinance follows the recommendation of Wisconsin Towns Association, Rural Mutual has no problem with it.

ADJOURNMENT:
MOVED AND SECONDED BY WALLIS/BURCH TO ADJOURN THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

The Public Hearing was adjourned at 7:25 PM.

APPROVED: 04/10/2012

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Lorraine Rugroden, Clerk-Treasurer