

**MINUTES FROM SPECIAL MEETING
TOWN OF LEON, PINE RIVER
APRIL 27, 2022 AT 7:00 PM**

1. CALL TO ORDER AT 7:00 P.M.

The meeting was called to order at 7:00 pm by Chair Chris Sorenson.

2. ROLL CALL, LIST OF AUDIENCE PRESENT

Present: Supervisors Russell Heise and Gordon Engel and Clerk Cindi Gotthart.

Audience present: Waushara County Deputy Sheriff Marty Weasner, Terry Barth, Gary Lawrence, Liz Page, Judy Newland, Joshua Macijeski, Cassidy Wilson, Brier Golz, Carla Haen, Jeff Haen, Ken Groskreutz, James Denk, Carl Timm, Gail Timm, Becky Horvath, Brian Petit, Jessica Reany, Michael Melland, Linda Forseth, Lewis McBair, Jane McBair, Erica Moore, Sarah Pinkall, Shawn Pinkall, Linda Leitner, Nich Thomas, Lisa Witt, Mary Schmidt, Rodney Schmidt, Tom Jewell, Lori Gabriliska, Gail Bush, John Bush, Jeff LaSure, Karen Syverson, Kevin White, Gary Rodencal, Steve Gurgel, Larry Stollmacher, Mary Stellmacher, Joe Horvath, Mike Messing, Beverly Messina, Linda Lashley and Ned Lashley.

3. OPEN PUBLIC HEARING REGARDING THE USE OF ATV AND UTV VEHICLES ON ROADWAYS IN THE TOWN OF LEON

Chair Sorenson opened the meeting to the public. Brier Golz gave a brief presentation outlining concerns that had been posed to him, such as insurance on the ATV,UTV's, signage requirements and maintenance, driver's licenses and DNR safety certifications requirements, lights required on the vehicles, being lit headlights and tail lights, the typical speed limit of 35 mph, how they could be on County Roads and how to consider connecting Town Roads with County roads and creating these with surrounding municipalities.

Nick Thomas, representative of the Pearl Lake District, indicated their group is meeting in late May to discuss this issue but did state there are many lake residents that have ATV/UTV's and would like to be able to use them. County highway EE would give them access.

A person between the ages of 12-15 can drive alone on the vehicle but there has to be an adult on an accompanying vehicle. A certificate of training has to be received by the driver.

People spoke on both sides of the issue. Liz Page expressed that there are safety, concerns and that ATV/UTV's are not registered as motor vehicles or meant to travel on paved surfaces, there is a cost to the taxpayers, an impact on property values, and what about the enforceability of the rules and regulations, hours of operation, and noise factors.

Sorenson said the township would determine the hours of operation.

Judy Newland asked who is responsible for the signs? The township would be, thus a cost to the taxpayer. Sorenson said the Town would need to determine how many signs would be required. She is opposed to the ATV's/UTV's being on the roads as they are not autos nor designated as vehicles allowed on the roadways. She sees a possibility of noise pollution along with carbon emissions, increases in traffic, a cost to the taxpayer's of the town.

Linda Leitner feels that if the ATV/UTV's are allowed on the roadways, we need to make sure the trails can connect with the neighboring communities and that the hours of operation coordinate with them so that people using the roads/trails can make it back to their homes.

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Deputy Weasner indicated that there have not been many ATV/UTV problems so far, although, there is a big increase in ATV/UTV registrations in the state of Wisconsin. The County now has an ATV, fully equipped and are able to go where there couldn't go before, which assists in law enforcement. The whole state has experienced an increased popularity of the use of ATV/UTV's, and without local trails, the residents are missing out on recreational activity, as well as landowners not being able to use the land they purchased, to use their ATV's. There have been some tickets written but enforcement is similar to the snowmobilers, boaters and motorcycle users. All officers in the County can enforce the law regarding the ATV's. People aren't trained like they should be, and it is their personal responsibility to be trained, have the proper registration displayed, have working head and tail lights, and follow the rules.

The new machines have an improved the safety of the vehicles. Riding ATV's/UTV's allow for improved business opportunities, and allow people to enjoy the beauty of the area.

Chair Sorenson indicated that if the Town of Leon did decide to go along with this, the Town would definitely make sure the ordinance and rules would comply with the law and any state statutes/regulations necessary. He talked with the Sheriff and asked if there have been issues in other municipalities, and received the response that there have been very few.

Resident Terry Bahr, living on Rustic Road, bought the property for its peace and quiet and feels the use of the ATV's would disrupt that peace and quiet, cause more motorized vehicles and noise on the road and could potentially, lower his house and land values.

Comments were made to support this recreation in the county and on personal land. Lewis McBriar said that he had been operating ATV's for years, particularly in northern Wisconsin and even Canada, the equipment and the rules have improved over the years and most people abide by the laws, and didn't feel it was right to shut down everybody from enjoying the recreation because of a few.

Many in the audience felt that for the most part, driver's are responsible and abide by the law and the town would benefit by allowing the ATV's and UTV's to operate on the roads.

Joe Horvath has been in the township 32 years and feels that it is important to allow both sides to look at the process and determine rules, hours of operation, what is allowed, etc. that would be a good compromise for all that live in the Town.

The question was asked if there can be alcohol consumption while riding the vehicle and the answer is, yes, it is allowed.

Mike Mellen said he has 34 years of law enforcement and there are 39 other states that allow licensed vehicles on their roads.

Gary Lawrence read some points of concern to allowing the ATV/UTV's on the Town's roads and asked the Board vote NO on the issue. The vehicles aren't licensed for paved road use, there are no insurance requirements, and the noise factor is still a concern. There have been 47 deaths in the State, but of course, not in Leon because the vehicles are not allowed on the roads in the Township.

Linda Leitner asked if this was something that would be considered for a referendum? She is concerned that people don't know what is being considered.

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Supervisor Heise said that he come to the meeting with an open mind and although he wasn't ready to vote on a decision tonight, he was willing to allow the issue to move forward to gather more information.

Supervisor Engel said that there were good points raised in the public discussion, and recognized that there can be problems, but that we could move forward and gather information.

Chair Sorenson said that five years ago when this issue was brought up, he didn't feel things were handled properly and the Town didn't have enough information at that time, but he is ready to look at doing something on this to perhaps allow the use of ATV's and UTV's on the town roads. He said that all three of the board members have ATV's and are allowed to use them due to Ag privileges.

Deputy Weasner had data that showed there were 331,869 ATV registrations and 134,718 registrations in the State of Wisconsin in 2021.

He suggested that a committee be created as there are many questions to be considered, such as should it be allowed at all, and if it is, do we open the entire township, do we create corridors that work with the County, hours of operation, signs required and who maintains them, and if there is abuse, then the privilege can be taken away.

Karen Syverson asked that whoever deals with this that they think about the impact to the environment and be responsible so that all can enjoy the natural beauty of the area.

4. CLOSE PUBLIC HEARING

Sorenson closed the public input part of the meeting at 8:40 p.m. and indicated that the Board would now discuss the issue.

Heise suggested that the Town set up a committee to look at the feasibility of allowing ATV's and UTV's to use Town roads.

Sorenson said the Brier Gohlz should be on the committee as he has done the research on the issues and the board members would also be on the committee. Others in the audience volunteered to be on the committee. Sorenson created a committee to do the investigating and work together to make recommendations that would take both side of the issue into consideration for the Town of Leon residents. The committee is: Briar Gohlz, Liz Page, Joe Horvath, Mary Schmidt, Joshua Macijeski, Lewis McBair, Gordon Engel, Russell Heise and Chris Sorenson.

5. BOARD DISCUSS/ PROPOSE POSSIBLE PLAN OF ACTION, DENY/APPROVE ALLOWING THE USE OF ATV AND UTV VEHICLES ON ROADWAYS IN THE TOWN OF LEON

Motion by Engel, second by Heise to move forward and have the committee investigate an ordinance to pertain to allowing ATV's and UTV's to use roads in the Town of Leon. All ayes, motion carried.

6. ADJOURNMENT

Motion by Sorenson, second by Heise to adjourn the special board meeting at 8:50 p.m. All ayes, motion carried.

Submitted by Clerk Cindi Gotthart