



Administration Building

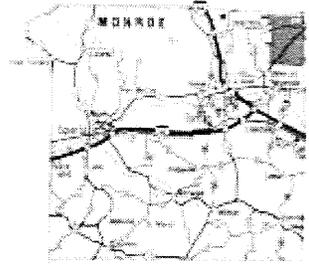
# MONROE COUNTY HIGHWAY DEPARTMENT

JACK DITTMAR, P.E., Highway Commissioner

803 Washington Street, Sparta, WI 54656

Phone: (608) 269-8740 Fax: (608) 269-8831

e-mail: jack.dittmar@co.monroe.wi.us



## NOTICE OF MEETING

**COMMITTEE:** Highway

**TIME:** 9:00 A.M.

**PLACE:** Highway Administration Building  
803 Washington Street, Sparta, WI

**DATE:** Monday, February 16, 2015

**!! NOTE: Monday !!**

### SUBJECT MATTER TO BE CONSIDERED

[all items are subject to Discussion & (except public comment) Action]

1. Period of Public Comment
2. Last Meetings Minutes
3. Review Payroll
4. Vouchers & Credit Card Charges
5. Commissioner's Report (copy attached)  
Projects, Equipment, Facilities, Budget, & Personnel
6. Monroe County Highway Department Standard Operating Policy No. 14-1 (SOP-14-1)  
Establishment of ATV/UTV Routes on County Trunk Highways (County Corporation Council revisions)
7. County Board Resolution – Amending Chapter 38 of the Monroe County Code to Include All-Terrain and Utility Terrain Vehicle Operation on County Trunk Highways (County Corporation Council revisions)
8. CTH Q Hill – Insurance Carrier Letter
9. Future Agenda Items

Date Notice Posted: February 12, 2015

**PLEASE NOTE:** A quorum of the Monroe County Board or other committees may be present at this meeting. No business of the County Board or other committees will be conducted at this meeting, only the business noted above.

**January 16, 2015 meeting of the Monroe County Highway Committee**

Meeting called to order at 9:00 a.m., by Chairman James Schroeder.

Members present: James Schroeder, Gail Chapman, David Pierce, Wade Blackdeer, and Nodji VanWychen.  
Members absent:

Others present: Highway Commissioner – Jack Dittmar, Office Manager – Becky Pitel, County Corporation Counsel – Andy Kaftan, County Residents – Junior Vieth & Lonee Greeno (Items I.-VI. *only*), Town of Little Falls Chairman – Don Herr (Items I.-VI. *only*), Town of LaFayette Board Members – Gordy Isensee & Rick Hansen (Items I.-VI. *only*), and all remaining for Items I.-IV. & VII. *only*: Road Runners ATV/UTV Club of Monroe County Vice President & Highway Department Employee – Mike Pierce, Joint County ATV Council President - Roger Bean, Bear Bluff ATV Club President - Gary Everts, Road Runner Club Member – Jim Pierce,

- I. Period of Public Comment – None at this time.
- II. Motion to approve the minutes of the regular December 19, 2014 meeting made by David Pierce, seconded by Nodji VanWychen. All ayes, motion carried.

III. Payroll presented as follows:

Check Date: 12/24/2014		Check Date: 1/8/2015	
• Field Personnel	\$65,596.62	• Field Personnel	\$65,259.05
• Administration	<u>\$11,388.83</u>	• Administration	<u>\$12,009.20</u>
• Total	\$76,985.45	• Total	\$77,268.25

IV. Vouchers presented as follows:

• Early Pay	\$127,101.73
• Credit Cards	\$ 2,381.44
• Month Vouchers	<u>\$ 63,359.11</u>
	\$192,842.28

\*\*Agenda rearranged to accommodate guests.

**VII. Resolution Amending Chapter 38 of the Monroe County Code to Include All-Terrain and Utility Terrain Vehicle Operation on County Trunk Highways (County Corporate Counsel issues & draft resolution attached)**

Corporation Counsel Andy Kaftan explained to the Committee that the present ordinance does not incorporate the Department policy into it and he recommended doing so as it would give people definition as to where they can travel, etc. Kaftan contacted the county's insurance company through County Clerk Shelley Bohl and our insurance carrier has liability concerns. Kaftan expressed that he has looked at the ordinance to make sure that it is clear and not too vague. He does have concerns with section 38-213 of the ordinance which addresses route signage. Kaftan reminded the Committee that the county is responsible for highway signing and he does not feel that the costs are clear on this subject matter. He also believes that it should be defined in the ordinance as to what the Commissioner's authority is in regards to signage. What happens if the signs are broken? What happens if the ATV group disbands? What kinds of costs are involved if the route is closed? He also stated that there should be a public interest showed. Should the county require an additional bond from the requesting groups of other costs incurred? Regarding the Departments policy, is the term "legally organized" clearly defined when used in reference to a group? Is the term "insured" a vague term? The policy is where Kaftan feels people should be able to go to answer these types of questions, as well as routes marked opened for access. Other things Kaftan would like the Committee to consider is procedures as to what to do if a group disbands, what to do to close a route and what kind of reporting do you expect from these groups. Do you want a form sent out yearly by the Commissioner to make sure that things are going well? What kind of criteria is established to determine that a route is properly maintained and not being abused? Usually there is an agent that is specified as a contact for the group. Kaftan also mentioned that he contacted the local DNR Warden, Matt Majeski, in regards to the routes being established. According to Majeski, these types of machines are not recommended for road use. Kaftan feels that it needs to be made clear that the signs are considered property of the county, so there are no issues later. This would

also give the county control. It is recommended that there be signatures on file of landowners willing to use their private property for routes. Is the policy definition of adequate parking clearly defined or is there an industry standard? Kaftan stated that he can redraft the policy and the ordinance to reflect and answer the questions he has raised, but he needs to know what the Committee's thoughts are and what they would like done. Wade Blackdeer inquired if the county highway is considered a route or a connector. Blackdeer also wondered what kind of costs would be involved to close a route and to take down signs. James Schroeder inquired if we needed to close a route just because a group disbands or if the sheriff could enforce issues related to the route. Kaftan explained to the Committee that the county is ultimately responsible for the routes. Road Runner Vice President Mike Pierce inquired if he could define some of the questions that have been raised. Mike Pierce feels that the requirement of a bond would be taxing club members who are already county taxpayers. Pierce also stated that he would be willing to do the signage himself and would be willing to put up more signs than legally required if necessary. Kaftan did not feel that it would be recommended for Mike Pierce to put the signs up himself, as it could be considered a "conflict of interest", since he is also an employee of the Highway Department. Members present also wanted it known that the Juneau County club has been around for 10 years already. Juneau County's club ambassadors can also assist with the monitoring of the Monroe County routes. The patrol ambassadors will be notifying and reporting concerns as well. Joint County ATV Council President Roger Bean stated that Juneau County installed their signs with the Signperson from Juneau County Highway Department to make sure that the signs were properly done. Bean also feels that the maximum would be about 5 signs per route, which would not take over an hour to take down if needed. Bean feels that to close a route it may cost approximately \$25. James Schroeder recommended that a club member should have to come to the Committee meeting every month as a form of dialogue. Schroeder is also concerned about the liability and if our present ordinance covers this concern. Corporation Counsel Andy Kaftan told the Committee that they needed to make a conscience choice if they wanted to leave the policy and/or ordinance more general. Kaftan also inquired if they Committee wanted to have the routes open year round or seasonal. He highly recommends that the costs of signage need to be tightened down. Does the Committee want to take on the costs of closing a route if necessary? Kaftan would like to see both the policy and ordinance be clear and understandable if someone reads it. Commissioner Jack Dittmar has concerns that the Committee is already not following their adopted policy criteria specifically: the applicants have not demonstrated that there are no other alternatives, routes are intended to be minimum lengths as connectors of existing town routes and the proposed numerous route requests are more for residential access than as only connectors, there is also supposed to be one certified trail patrol ambassador per 10 miles of approved routes and there have already been 60 miles of routes requested while the club only has 3 trail patrol ambassadors, and the amount of traffic and terrain of the highway are supposed to be a criteria which seems to only have been a factor on one proposed route. Kaftan pointed out that the Highway Department is responsible for the signage, the Highway Committee is responsible for the safety, the Sheriff's Department is responsible for the law enforcement and that the DNR has already expressed that they do not have the resources to help out with the county opening up ATV routes. Kaftan likes the idea of an emergency issue being able to be addressed by the Commissioner. Road Runner Vice President Mike Pierce stated that they can come forward with more trail patrol ambassadors and that Juneau County is willing to help out. Dittmar stated if that is the case then it should be incorporated into the policy that the club can share ambassadors. Wade Blackdeer asked Roger Bean if Juneau County has ever closed a route. Bean stated that there have been no routes closed in 5 years. Bean also stated that the trail ambassadors can patrol anywhere in the state as long as the local club is informed. Wade Blackdeer stated that when you look at the resolution it asks to determine restrictions of the route, such as the time of day. Blackdeer inquired if this was an issue that needs to be looked into further. Dave Pierce stated that at the Winter Conference the DOT recommended not to put a time limit on routes and to leave the speed the same as the speed of the highway. Nodji VanWychen inquired if the policy is connected to the resolution. Kaftan explained that the policy identifies how the Committee has decided to keep things consistent. The policy should provide definition as to when to close or disband a route, what the Commissioner's rolls are, when the ordinance should be changed and responsibilities. James Schroeder inquired if the Committee could accept the route and build the policy as they go. Kaftan stated that if he can identify the Committee's concerns he can redraft the policy and/or ordinance and bring it back next month. Nodji VanWychen inquired to Andy Kaftan if he had any concerns with the draft resolution. Kaftan feels that the costs are too vague and does not recommend sending it to the full county board this way. Again Kaftan addressed the costs of the signage with the following questions. Does the club buy the signs and the posts directly? Are the bolts included? Who pays for the publication of the ordinance? Do they want an employee doing the signage or is this a conflict of interest? Kaftan still recommends changing the resolution to reflect

definition of the costs in the policy. Kaftan pointed out that the policy can always be changed without county board approval. Lonee Greeno inquired why the resolution designates the routes. Gordy Isensee asked if the clubs carry insurance in reference to crossing private land. It was explained that if a landowner opens up their land they are covered under the state's recreational immunity statute (i.e. berry picker law). Dittmar inquired if the Road Runner Club had insurance. Mike Pierce responded that the individual rider has to have insurance, the club does not. Corporation Counsel Andy Kaftan stated that any defective signage would come back to the county if a liability issue was ever raised. Kaftan inquired what the policy would be for reviewing signs and to make sure that the clubs are conscience of costs. Club members stated that a 12"x12" signs only costs around \$1.50 each. Kaftan also inquired if there was a definition as to when the route has to be signed? Does the route get approved without an expectation of when it gets signed? James Schroeder recommended letting Corporate Counsel Andy Kaftan redraft the resolution and policy. Gail Chapman agrees that this would be best too. Chapman feels that if the Committee does not have these items addressed in print the county board is likely to turn it down. **Motion made by Wade Blackdeer to have Corporate Counsel Andy Kaftan review and amend the policy and resolution and bring them back to next month's meeting, seconded by Gail Chapman. All ayes, motion carried.**

**VIII. *Proposed ATV/UTV Routes – Jefferson Township, Road Runners ATV/UTV Club of Monroe County & Bear Bluff ATV Club***

Jack Dittmar stated that there have been additional ATV/UTV routes applied for in the Town of Wellington by the Road Runners. There are also applications for all the CTHs in the Town of Jefferson applied for by the township. Gordy Isensee inquired if the Committee should table approving these routes until after the policy is written. **Motion made by Gail Chapman to include the ATV route applications for both the Town of Wellington and the Town of Jefferson into the resolution, seconded by Dave Pierce. All ayes, motion carried.**

**VI. *CTH Q Hill***

James Schroeder stated that on Christmas night there was a major rock fall on the CTH Q hill. Schroeder feels there needs to be some preventative maintenance performed, a plan developed and/or the wall needing to be scarified to make the rocks fall. Gail Chapman feels that the hill has severely deteriorated since it was constructed. Town of LaFayette Supervisor Rick Hansen presented pictures to the Committee from the night of the rock fall and the next day. Hansen stated that it was approximately 150 feet long. Town of LaFayette Chairman Gordy Isensee stated that he received a phone call stating that town cars could not meet on the highway the night of the rock fall. Two county crews were dispatched and a couple of sheriff's officers. Gordy stated that the gentleman heading north met a vehicle heading south and he thought that the driver was drunk because the car was on the wrong side of the highway. The northbound vehicle ended up running over the rock debris because he could not see it with the oncoming headlights shining at him. There was concern addressed to another crack that is opening up that will create a fall in the near future. Monroe County resident Junior Vieth wanted to know why the county does not taper the hill. Vieth stated that he was willing to go another 20 feet off the highway right of way as he already went 10 feet for tree cutting. Vieth is aware that this is going to cost the county money and he would prefer to not have to get anyone's insurance companies involved. James Schroeder stated the county doesn't have the financial resources for this project unless the county would bond for the money. Jack Dittmar stated that he feels it would cost at least ¼ of a million dollars. Gordy Isensee does not recommend associating a dollar value to this project. Isensee inquired as to how you put a dollar value to someone's life? Junior Vieth recommended bring it up another 10 feet and to taper it. Wade Blackdeer stated that he has looked at this hill with a couple of his engineers. The engineers that looked at this hill with Mr. Blackdeer referred to the hill as being "lust". According to the engineer, lust will weather and crumble and once you expose the wall it will just continue to crumble. Corporation Counsel Andy Kaftan stated that the county has already looked at this concern and reviewed it with the county's insurance carrier. The county insurance carrier has already cleared the county of any liability from this hill. Kaftan anticipates that industry standards would consider erosion. Jack Dittmar feels that Wade Blackdeer's previous statement about the "lust" is correct. Dittmar stated that we can go out and scrape the walls of loose material again and the face will just continue to weather like it always has in about 1-3 feet laminations. Dittmar also stated that the straight up wall design was on purpose so that rocks will do exactly what they have done for the past 8 ½ years, that is fall straight down into the ditch. Commissioner Dittmar feels that the hill will improve over time as the walls erode farther and farther away

## January 16, 2015 meeting of the Monroe County Highway Committee

from the pavement and we continue to remove the eroded material a little at a time. It was stated that the Christmas night fall was probably the largest that this hill has had and the highway was not completely blocked. Dittmar mentioned that we do have other areas on CTH Q in the Town of LaFayette that he feels are more of a safety hazard and priority than the hill cut. There is a curve about 3 miles to the south where three injury accidents have occurred over the last 9 years and there have also been 2 injury and 4 property damage accidents on the 3 mile stretch of CTH Q from the aforementioned curve to the hill in the last 9 years. Dittmar also stated that he feels this is more of a personal issue between himself and Mr. Vieth. Dittmar stated that he is aware of derogatory remarks that Mr. Vieth has made in reference to him, although he has never stated these remarks to Mr. Dittmar's face. James Schroeder feels that anytime rock falls on the highway surface, the county has responsibility. Nodji VanWychen inquired if we have barrels out there all the time. Concerns were addressed in regards to the gentleman's gas tank being ruptured from running over the rock debris. Mr. Isensee stated that he was not going to dispute who is right and who is wrong, he just feels that we need to deal with what we have. Isensee inquired if an independent consultant should come in and look at this concern to see how we could make this area safer. Corporation Counsel Andy Kaftan stated that the county has already had an independent consultant look at this concern and design. The consultant has determined that the design was done correctly. The Committee stated that they will have to make some financial budgeting decisions down the line. Gail Chapman feels that other accidents should not be compared to this one, but when something drops on the highway it is serious. Chapman is not sure what to do about the concern though. **Motion made by Nodji VanWychen to not have the correction of CTH Q hill come out of the present department budget and that it needs to be addressed by the full county board, seconded by Wade Blackdeer. All ayes, motion carried.** Andy Kaftan inquired as to who identifies what and how to fix this concern. Kaftan recommended that the Committee take responsibility for this concern to take the burden off of Commissioner Dittmar. Kaftan recommends that the Committee consider an independent engineer because of the liability. James Schroeder feels that even though the design of the CTH Q hill was approved, he feels that it is somewhat flawed because the rock is unstable. Gail Chapman inquired as to what they can do for safety measures. Can we put up concrete barriers? Dittmar stated that we could put our temporary concrete barriers up but we would have to taper the ends and put them far enough off the pavement so a car doesn't slide off in the winter and strike them. Town of LaFayette Supervisor Rick Hansen feels that the concrete barriers are a band-aid fix. Nodji VanWychen feels that the barriers might at least bring out awareness of the area. James Schroeder feels that this issue needs to come before the county board with costs and documentation and to let the full county board help the Committee make the decision on what needs to be done. Dave Pierce agrees that the barriers need to go up regardless. Wade Blackdeer inquired if it would be possible to have an independent engineer get some costs before the next county board meeting. **Motion made by Dave Pierce to have our temporary concrete barriers installed on the CTH Q hill, seconded by Gail Chapman. All ayes, motion carried. Motion made by Wade Blackdeer to have Committee Chair James Schroeder present and announce this concern at the next county board meeting to define what may be coming up with the CTH Q hill, seconded by Gail Chapman. All ayes, motion carried.**

V. *Commissioner's Report (copy attached)*

• **Projects:**

- Winter maintenance was the major focus of all crews over the last month and during the holidays.
- County crews: also hauled sand, patched potholes, performed year-end inventory, cut brush, and cut back a bank on CTH F to fill behind the guardrail on the other side of the highway.
- State crews: also fixed highway fencing, patched potholes, cut brush, hauled salt, and repaired guardrail.

• **Equipment & Facilities:**

- Two new section truck cab & chassis bids will be awarded soon.  
\*\*The bids are for one county tri-axle and one interstate quad axle plow trucks.

• **Budget:**

- Nothing to report.  
\*\*We just received our final 2015 General Transportation Aids (GTA) payment letter. 2015 final GTA is \$2,667 less than the October estimate that was used for our 2015 budget.

## January 16, 2015 meeting of the Monroe County Highway Committee

- **Personnel:**

- We interviewed/tested 7 public works laborer applicants on New Year's Eve to fill our one current vacancy and to have an eligibility list for future vacancies. A new employee is expected to start around the end of January.

\*\* = added to report during meeting

**IX. 20 year County Highway Improvement Funding Plan including Low Maintenance Highways (draft priority list attached)**

Jack Dittmar presented the Committee with a proposed reconditioning needs list with 123.8 low maintenance miles of county trunk highways. Jack feels that this needs to be published to draw attention to the dire straits of our CTHs and for public comment. Jack does not feel that any one budgeting tactic is going to fix our serious CTH underfunding situation. Dittmar stated that he would like to put this information in a more presentable format and publish it in the local papers. The Committee agrees with Jack.

**X. Alternative Hwy Improvement Funding continued (tax levy, bonding, wheel tax)**

Agenda item has been tabled until next month meeting

**XI. Future Agenda Items**

Future agenda items recommended are the alternative highway improvement funding, the CTH Q hill project and the resolution and policy for ATV/UTV routes. The Committee also discussed an alternative meeting date as some members have conflicts with the normal date. The next Committee meeting was moved from Friday, February 20<sup>th</sup> to Monday, February 16<sup>th</sup> at 9:00 a.m.

Motion to adjourn at 12:18 p.m. by Nodji VanWycken, seconded by Dave Pierce. All ayes, motion carried.

## February 05, 2015 SPECIAL meeting of the Monroe County Highway Committee

Meeting called to order at 9:00 a.m., by Chairman James Schroeder.

Members present: James Schroeder, Gail Chapman, David Pierce, Wade Blackdeer, and Nodji VanWychen.

Members absent: none

Others present: Highway Commissioner – Jack Dittmar and Highway Patrol Superintendent – Jon Pauley.

#### I. CTH Q Hill

Chair Schroeder explained that he called this special meeting due to the immediate need to do something on the CTH Q hill. Jim explained that after the January Committee meeting he talked with County Board Chair Kuhn about the Committee's motion to have him announce the CTH Q hill concerns at the January County Board meeting and make the Board aware of a possible request for additional funding to fix the hill. Jim said that with the county's Justice Center and Radio Tower multi-million dollar projects underway, he feels the Board isn't going to put additional unbudgeted funds towards the CTH Q hill especially since the Department created this ongoing problem. Therefore, Jim decided to not address the full Board with this issue last week. Jim said he met with Chad Gerke of Gerke Construction at the CTH Q hill and Chad said that if he removed 100,000 cubic yards of material he could take care of the problem. Chad said that it would cost \$3/c.y. to remove and haul the material if there was a close haul (to adjacent landowner Junior Vieth's old quarry) and \$4/c.y. if the material also has to be blasted. Gerke has a new excavator that is so large it would be able to reach up to the top of the banks. When asked where the \$300-400k will come from, Jim said the Department machinery fund. Patrol Superintendent Jon Pauley questioned Gerke's estimate and what happens if more than 100k cubic yards need to be moved. Jon also questioned using machinery funds as he feels we are already not replacing equipment at quick enough cycles. Dave Pierce asked if the temporary concrete barriers have been installed as discussed at the January meeting. Jack said they were going to be installed this week, but he held off when Chair Schroeder called Monday to set up today's special meeting. Dave asked if anything else can be done. Jack Dittmar takes exception to the idea that the hill is a continual problem as it has been over 8 ½ years since the hill was completed, with only one minor incident, we take care of rocks on the highway very timely, fallen rock signs are in place, a third party engineer has evaluated the hill and determined that the design & construction met all applicable standards, and lastly the County's insurance carrier has gone on record stating that we are doing everything we need to do to minimize our liability. Wade Blackdeer said that this is a serious issue and morally needs to be addressed even if or insurance carrier is not concerned. Jon Pauley said that if motorists fear rocks falling into the highway or on top of their vehicle, that will not happen as all of the rock slides in the past (on average 2/yr) fall straight down into the ditches and only a few of the slides pile up high enough to cause rocks to spill out into the highway. The rock walls were constructed 17' away from the edges of the pavement and over the years have eroded back and are now 19-22' from the edges of the pavement. Rocks breaking loose from the walls cannot jump over twenty feet out into the traffic lanes, they fall pretty much straight down into the ditch, pile up and spill out into the highway if there is a large enough pile. Jack and Jon both mentioned that there are hundreds of miles of CTH that need reconditioning and spending \$300-400k on the hill is not a priority. If we only had 5-10 miles of highway that needed reconditioning, then putting off one mile of reconditioning to spend on the hill may be justified, but not when we have 200 miles that need reconditioning. Nodji VanWychen stated that she feels CTH EW is more of a priority as the eastern approximate 3 miles of this highway has severe wheel ruts which create a safety hazard when driving during or shortly after rain. Dave Pierce again asked about a concrete wall along the edges of the highway. The added time and cost of cleaning fallen rock out of the ditches with a wall or temporary barriers in place was discussed. The Committee asked whether our insurance carrier knows about the recent Christmas day rock slide and the existing rocks that are hanging partially loose from the wall. Jack mentioned that yes they know about both and also the vehicle that drove over rocks and was damaged on Christmas day. They have yet to receive any claim. Jack mentioned that our insurance carrier representative will be coming through the area next week and stopping in the highway office. The Committee asked for another letter from our insurance carrier on the current condition of the cut. Jack said that they should be able to take a trip up to the hill and review it again. The Committee asked that Chair Schroeder also be present during the insurance representative meeting. The visit is scheduled for Tuesday February 10<sup>th</sup> at about 1:00 pm and Jack will contact Jim the morning of the meeting to verify the time. This item will be addressed again at the regular February Committee meeting on Monday the 16<sup>th</sup>.

Motion to adjourn at 9:53 a.m. by Dave Pierce, seconded by Nodji VanWychen. All ayes, motion carried.

## ***County Highway Commissioner's Report for: February 16, 2015***

### **Projects:**

- Winter maintenance was the major focus again of all crews over the last month.
- County crews: also mixed & hauled sand, patched potholes, cut brush, and finished year-end inventory.
- State crews: also fixed highway fencing, patched potholes, hauled salt, and repaired guardrail.
- The WDOT opened the CTH BC bridge replacement bids last week and the low bidder was about \$40k less than the engineer's estimate of \$290k.

### **Equipment & Facilities:**

- Two new section truck cab & chassis bids were awarded.

### **Budget:**

- Nothing to report.

### **Personnel:**

- A new Public Works Laborer started (with the Maintenance Dept.) at the beginning of the month.
- Our Assistant Mechanic was let go during his introductory period. We will be re-interviewing 2 Mechanics who are on our eligibility list from interviews that occurred about a year ago to see if they would be a good fit for the open Assistant Mechanic position.
- Sick leave incentive payouts will be included in this week's paychecks. There were a record number of Department employees eligible for the incentive payout in 2014. Ten hourly employees and all five salaried management were eligible. Two hourly employees used no sick leave in 2014!
- Ten hour days are scheduled to start on Monday April 06.