



## **AGENDA**

**Eau Claire County Highway Committee**  
Thursday, November 15, 2018 / 6:15 am  
Eau Claire County Highway Department - Room 101  
2000 Spooner Avenue, Altoona, WI 54720

1. Call the meeting to order.
2. Confirmation of meeting notice
3. Review/Approval of past committee meeting minutes (11/01) - Discussion/Action
4. Public Comment
5. Assembly Law AB442-Discussion/Action
6. State owned property for new facility – Discussion
7. 2019 CIP Projects – Discussion
8. CTH D Bridge Resolution for due consideration of bike & pedestrian – Discussion/Action
9. Tour of new Salt Brine Facility
10. Highway report
  - Highway Commissioner Update – Jon Johnson
  - Operations Update – Brian Spilde
  - Engineering Update – Rod Thorson
11. Payment vouchers (11/02, 11/09)
12. Future meeting dates, times, and agenda items
13. Adjourn.

\* the Committee may hear comments from the public for up to 30 minutes; not more than 5 minutes/person is allowed; this period is not considered a public hearing.

cc: Members, Media, Kathryn Schauf, Keith Zehms, Nick Smiar, Jon Johnson, Rod Thorson, Brian Spilde

Please note: Upon reasonable notice, efforts will be made to accommodate the need of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, 839-1669 (FAX) or 839-4735 (TDD) or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.



## MINUTES

Eau Claire County • Committee on Highway

Thursday, November 01, 2018 / 6:15 am

Highway Department Meeting Room 101 • 2000 Spooner Avenue, Altoona, WI 54720

Members Present: Chairman Ray Henning, Vice Chairman Steve Chilson, Supervisor Nathan Anderson, Supervisor Judy Gatlin  
Staff Present: Highway Commissioner Jon Johnson, Operations Coordinator Brian Spilde, Engineer Rod Thorson, Admin. Associate Rhonda Olson

1. **Call meeting to order**

Chairman Henning called the meeting to order at 6:15 a.m.

2. **Confirmation of meeting notice - Review**

Meeting notice confirmed.

3. **Past committee meeting minutes (10/18) - Review/Action**

Motion: Supervisor Gatlin moved for approval. Motion approved 3-0

4. **Public comment** – No public comment.

Supervisor Chilson arrived.

5. **Approval of purchase of State Highway property**

Commissioner Johnson presented the Fact Sheet and Resolution to authorize the purchase of approximately 42 acres of land to build the new Highway Department facility.

Motion: Supervisor Anderson moved for approval. Supervisor Gatlin seconded. Approved 4-0

6. **Winter maintenance: What is salt brine?**

A video presentation was shown explaining the benefits and uses of salt brine. Eau Claire County will be testing in a limited area this year. The State purchased the equipment and supplies, labor and training for this project.

7. **Highway Report**

- Highway Commissioner Jon Johnson spoke on the following:
  - Professional Development Leadership Conference will be held in December.
  - All signs on state highways will be replaced with a new approach. The project is state-funded and county-implemented. The amount of signs per project will increase dramatically and will require us to hire additional staff to complete the work.
  - Reviewed information discussed at the Board of Directors meeting.
  - He was a guest speaker at a recent township meeting that was very informative.

- Operations Coordinator Brian Spilde spoke on the following:
  - Paving jobs are complete for the year. They are currently finishing up detail work.
  - Crews are preparing for plowing season.
  - Winter training is complete.
  - A contractor trained our people on asphalt paving.
  - 2019 scheduling is underway
- Engineer Rod Thorson spoke on the following:
  - Two-thirds of bridge inspections are done.
  - Currently requesting bids on future bridge projects.
  - Reported condition of various bridges.

**8. Payment vouchers (9/10/19, 10/26)**

Vouchers were reviewed

**9. Future meeting dates, times and agenda items**

Future Meetings:

- Thursday, November 15, 2018 at 6:15 a.m.
- Thursday, December 6, 2018 at 6:15 a.m.

Future Agenda Items:

- Assembly Law AB442 – Discussion/Action

10. Adjourned at 7:18 a.m.

Respectfully submitted,

*Rhonda Olson*

Rhonda Olson, Administrative Associate  
Eau Claire Highway Department

Menu » 2017 » Related Documents » Proposal Text » AB442: Bill Text

LRB-3526/1

ZDW:kjf

## 2017 - 2018 LEGISLATURE

# 2017 ASSEMBLY BILL 442

July 14, 2017 - Introduced by Representatives JACQUE, RIPP, TRANEL, TITTL, FELZKOWSKI, SWEARINGEN, EDMING, E. BROOKS, BROSTOFF, MEYERS, NOVAK and SPIROS, cosponsored by Senators COWLES, BEWLEY, HARS DORF, LASEE and MARKLEIN. Referred to Committee on Transportation.

1 **AN ACT** *to renumber 23.33 (8) (e); to renumber and amend 23.33 (8) (b);*  
2 *and*  
3 *to create 23.33 (8) (b) 2., 23.33 (8) (e) 2., 23.33 (8) (e) 3. and 23.33 (8) (e) 4.*  
of  
the statutes; **relating to:** all-terrain vehicle route signage.

### *Analysis by the Legislative Reference Bureau*

This bill makes changes to requirements for signs placed to mark all-terrain vehicle (ATV) routes.

Under current law, a town, village, city, or county (political subdivision) may designate highways or sidewalks as ATV routes. In addition, it may authorize the operation of utility terrain vehicles (UTVs) on ATV routes. Rules promulgated by the Department of Natural Resources require that all ATV routes be marked by signs at the beginning of the route and at intervals along the route as needed to enable ATV operators to follow the route.

The bill provides that, if a political subdivision designates specific highways within its territorial boundaries as ATV routes, the political subdivision is required to erect a sign at each point on a highway where the ATV route begins and at each point where the ATV route intersects a highway that is not part of the route. Alternatively, the bill authorizes a political subdivision to designate all highways within its territorial boundaries as ATV routes and to erect signs at the entrances to the political subdivision alerting motorists of this designation. The bill also

provides that if a political subdivision erects these entrance signs, DNR may not require it to erect or maintain additional signs along the ATV routes.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           SECTION 1. 23.33 (8) (b) of the statutes is renumbered 23.33 (8) (b) 1. and  
2 amended to read:

3           23.33 (8) (b) 1. ~~A-Subject to subd. 3.,~~ a town, village, city, or county may  
4 designate highways as all-terrain vehicle routes.

5           3. No state trunk highway or connecting highway may be designated as an  
6 all-terrain vehicle route unless the department of transportation approves the  
7 designation.

8           SECTION 2. 23.33 (8) (b) 2. of the statutes is created to read:

9           23.33 (8) (b) 2. Subject to subd. 3., a town, village, city, or county may  
designate  
10 all highways within its territorial boundaries as all-terrain vehicle routes.

11           SECTION 3. 23.33 (8) (e) of the statutes is renumbered 23.33 (8) (e) 1.

12           SECTION 4. 23.33 (8) (e) 2. of the statutes is created to read:

13           23.33 (8) (e) 2. Except as provided in subd. 3., if a town, village, city, or  
county  
14 designates specific highways within its territorial boundaries as all-terrain vehicle  
15 routes under par. (b) 2., the town, village, city, or county shall erect a sign at each  
16 point on a highway where the all-terrain vehicle route begins and at each point  
17 where the all-terrain vehicle route intersects a highway that is not designated as  
an  
18 all-terrain vehicle route.

19           SECTION 5. 23.33 (8) (e) 3. of the statutes is created to read:

20           23.33 (8) (e) 3. If a town, village, city, or county designates all highways  
within  
21 its territorial boundaries as all-terrain vehicle routes under par. (b) 2., the town,

1 village, city, or county may erect a sign on each highway that crosses its territorial  
2 boundary in a position to be viewed by motorists as they enter the town, village,  
city,

3 or county. The signs shall alert motorists that all highways within the town,  
village,

4 city, or county have been designated as all-terrain vehicle routes.

5           SECTION 6. 23.33 (8) (e) 4. of the statutes is created to read:

6           23.33 (8) (e) 4. If a town, village, city, or county erects and maintains signs  
7 under subd. 3., the department may not require the town, village, city, or county to  
8 erect any additional signs marking the all-terrain vehicle routes within the town,  
9 village, city, or county.

Petition for Annexation  
under Wisconsin Statutes 66.0217 (2)

To the City Council of the City of Eau Claire, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory legally described attached hereto the City of Eau Claire, Eau Claire County, State of Wisconsin.
2. Attached hereto is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing the City.
3. The current population of the territory to be annexed is \_\_\_\_\_.
4. The petition has been signed by the owners of all of the land within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.

Owners of all Lands within the Territory

Proposed to be Annexed:

Name of the Owner: Wisconsin Department of Transportation

Address of Owner: 4822 Madison Yards Way, Madison WI 53705

Date of Signing: 11/2/18

Signature: [Handwritten Signature]

Signature: Robert A. Sertz



1 Enrolled No.

2 RESOLUTION

3 File No. 18-19/090

4 - AUTHORIZING "ESTABLISHMENT OF BICYCLE ACCOMMODATIONS" ON CTH D  
5 AT THE BEAVER CREEK BRIDGE AS PART OF THE IMPROVEMENT PROJECT -

6 WHEREAS; the two adjacent bridges on CTH D over Beaver Creek, (B-18-202 & B-18-  
7 222) were recently constructed with bicycle accommodations consisting of a 36-foot wide clear  
8 width and 4-foot wide paved shoulder on the roadway approaches, in 2008 and 2014, respectively.

9  
10 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of  
11 Supervisors determine that bicycle accommodations consisting of a 4-foot wide paved shoulder  
12 and a clear width of 36-feet will be included on CTH D at the Beaver Creek bridge B-18-234 as  
13 part of the improvement project as defined in Wis. Stat. § 84.01(35).  
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Highway Committee

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29 KRZ/yk

30 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

31 ORDINANC/18-19/090



## FDM 11-46-1 Bicycle and Pedestrian Elements Affecting Complete Streets

March 16, 2018

### 1.1 Introduction, Purpose, Definitions, Overview

"Complete streets" are broadly defined as roadways designed and operated to enable safe, convenient, and comfortable access and travel for all users. Pedestrians, bicyclists, motorists, and public transport users of all ages and abilities can move along and across a complete street with safety and comfort.

Federal policy for providing bicycle and pedestrian accommodation - per the 2010 "US DOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations" (Memorandum) (1) - is as follows:

*"The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes."*

Federal legislation currently requires that bicycle and pedestrian needs must be given due consideration under Federal Surface Transportation law (23 U.S.C. 217(g)(1)), and this should include, at a minimum, a presumption that bicyclists, pedestrians, and persons with disabilities will be accommodated in the design of new and improved transportation facilities. In the planning, design, and operation of transportation facilities, bicyclists, pedestrians, and persons with disabilities should be included as a matter of routine, and the decision to not accommodate them should be the exception rather than the rule. There must be exceptional circumstances for denying bicycle and pedestrian access (23 U.S.C 217(g)(1)). Federal Highway Administration (FHWA) policy requires the inclusion of bicycle and pedestrian accommodation on all new and reconstruction projects, with three exceptions:

1. Bicyclists and pedestrians are prohibited by law from using the roadway.
2. The cost of establishing bikeways would be excessively disproportionate to the need or probable use. Excessively disproportionate is defined by FHWA and state statutes as bicycle and pedestrian facilities together exceeding 20 percent of the cost of the larger transportation project.
3. Sparsity of population or other factors indicate an absence of need.

The FHWA Wisconsin Division Office directs that the WisDOT shall follow federal policy on all projects on the National Highway System (NHS), and should follow federal policy on all federally funded projects off that system.

WisDOT policy, in conformance with Federal laws and policy, State Statute Section 84.01(35),

<https://docs.legis.wisconsin.gov/statutes/statutes/84/01/35>

and Connections 2030 (2) (3), requires that projects must give due consideration to establishing bicycle accommodations and pedestrian facilities on all new construction and reconstruction highway projects funded in whole or in part from state or federal funds. After giving due consideration, if WisDOT determines that bike and pedestrian facilities are required on a project funded in whole or in part from state funds, then WisDOT is authorized to include those facilities only if each municipality<sup>1</sup> in which the project is located adopts a resolution authorizing WisDOT to establish a bikeway or pedestrian way. The state statute also states that the need for WisDOT to obtain a municipal resolution(s) does not apply if FHWA provides written notice that establishment of a bikeway or pedestrian way, as part of a project, is a condition of the use of federal funds for that project (s.84.01(35)(d)(2), Wis. Statutes.)

FHWA has indicated that when the results of due consideration show that bicycle and pedestrian facilities are to be provided, the signed final National Environmental Policy Act (NEPA) decision document is FHWA's written notice to WisDOT that establishment of a bikeway or pedestrian way as part of the project, is a condition of the use of FHWA funds, consistent with State Statute 84.01(35)(d). Therefore, for projects with any federal funding and those on the NHS, WisDOT's compliance with the FHWA written notice provision are satisfied by receipt of a completed environmental document from FHWA. However, even if the project does not require a resolution,

<sup>1</sup> Municipality is defined as a city, village, or town (Wis. Statutes Section 990.01(22)).

the planning and design processes will still provide opportunities for public input and to evaluate environmental impacts of project alternatives that may include bike and pedestrian facilities. Municipalities may adopt resolutions that authorize the inclusion of facilities on the NHS or federal funded projects where WisDOT does not need to obtain them. These resolutions will be included in the environmental document.

Department policy for other project types, such as resurfacing or reconditioning, requires an evaluation to include bicycle and pedestrian accommodations where possible/practical within the scope of the project. In addition, certain bicycle and pedestrian design practices are required when applicable, e.g., curb ramps and bicycle-acceptable grates.

The purpose of this procedure is to explain the requirements and applications of the state statute, WisDOT policy and federal laws and policies as they pertain to highway projects in Wisconsin.

### 1.1.1 State Statute

State Statute 84.01(35) was originally created in 2009 and was modified in 2014. The modifications to the state statute became effective on July 14, 2015. Projects with approved environmental documents as of July 14, 2015 will follow through on the commitments identified during the public involvement and environmental processes including bike and pedestrian commitments<sup>2</sup>. The state statute requires that WisDOT shall give due consideration to establishing bikeways, as defined in State Statute 84.60(1)(a), and pedestrian ways, as defined in State Statute 346.02(8)(a), on new highway construction and reconstruction projects funded in whole or in part from state funds or federal funds. The statute also states that the WisDOT may not establish bicycle and pedestrian ways if any of the following apply:

1. Bicycles and pedestrians are prohibited by law from using the highway; or
2. The project is wholly or partially funded with state funds, unless the governing body of each municipality within the project has adopted a resolution authorizing the department to establish the bikeway or pedestrian way. This subdivision does not apply if the federal government provides written notice to the department that establishment of a bikeway or pedestrian way as a part of a project is a condition of the use of federal funds for that project.

If after giving due consideration it is determined that establishment of bicycle and pedestrian facilities are proposed on a reconstruction (including pavement replacement) or new construction improvement project that is not part of the NHS system and has no federal funding, then WisDOT cannot establish those facilities unless each municipality<sup>3</sup> involved in the new construction or reconstruction project adopts an official resolution authorizing the establishment of those facilities as part of the improvement project. This requires consensus amongst all the governing bodies in which a portion of the project will occur. For this situation, WisDOT will not finalize an environmental document that recommends providing a bike or pedestrian accommodation unless the aforementioned resolutions have been adopted.

As stated previously in FDM 11-46-1, for projects with any federal funding and those on the NHS, WisDOT compliance with the FHWA written notice provision are satisfied above by receipt of a completed environmental document from FHWA. Therefore, WisDOT will not seek municipal resolutions on these types of projects (NHS or federal funded).

Further, a resolution is not required when bicycle and pedestrian facilities already exist and are to be replaced as part of the reconstruction or new construction improvement project.

For stand-alone bike and pedestrian projects funded using federal or state funding programs it is presumed that bike and pedestrian facilities are incorporated on the project and geometric design standards applied accordingly.

### 1.1.2 Construction Definition

As stated in above, State Statute 84.01(35) applies to NEW CONSTRUCTION projects and RECONSTRUCTION. These includes PAVEMENT REPLACEMENT projects which have a design life of 15 years or more, on the State Truck Highway system (STH) and on local roads<sup>4</sup>. WisDOT policy for other project types, such as resurfacing or reconditioning, requires an evaluation to include bicycle and pedestrian accommodations where possible/practical within the scope of the project. In addition, certain bicycle and pedestrian design practices are required when applicable, e.g., curb ramps and bicycle-acceptable grates.

<sup>2</sup> FAQs to Bicycle & Pedestrian State Statute 84.01(35); <http://wisconsindot.gov/Documents/projects/multimodal/bike/8401-faq.pdf>

<sup>3</sup> Municipality is defined as a city, village, or town (Wis. Stats. Section 990.01(22)).

<sup>4</sup> Historically, Local Program pavement treatments have generally been one of three types:

(1) reconstruction, (2) total pavement layer removal and replacement, (3) a thin (less than half the pavement thickness) mill and overlay.

**RESOLUTION**

No. \_\_\_\_\_

**RESOLUTION AUTHORIZING AN "ESTABLISHMENT BICYCLE ACCOMMODATIONS" ON CTH D AT THE BEAVER CREEK BRIDGE AS PART OF THE IMPROVEMENT PROJECT**

**WHEREAS**, the two adjacent bridges on CTH D over Beaver Creek, (B-18-202 & B-18-222) were recently constructed with bicycle accommodations consisting a 36-foot wide clear width and 4-foot wide paved shoulder on the roadway approaches, in 2008 and 2014, respectively; and

**NOW, THEREFORE, BE IT RESOLVED**, the governing bodies of the Town of Washington, Wisconsin, determined that bicycle accommodations consisting of a 4-foot wide paved shoulder and a clear width of 36-feet will be included on CTH D at the Beaver Creek bridge B-18-234 as part of the improvement project as defined in State Statues 84.01(35).

PASSED: \_\_\_\_\_  
Date

SIGNATORIES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_