

ENROLLED ORDINANCE 171-49

AUTHORIZE PARTICIPATION IN WISCONSIN OUTDOOR MOTORIZED
RECREATIONAL TRAILS AID FOR WAUKESHA COUNTY SNOWMOBILE TRAILS

WHEREAS, the Waukesha County Department of Parks and Land Use, in cooperation with the Waukesha County Snowmobile Association, Inc., utilizes the State of Wisconsin Department of Natural Resources – Outdoor Motorized Recreational Trails Aid for acquisition, insurance, development and maintenance of public snowmobile trails, and

WHEREAS, Waukesha County Snowmobile Association, Inc. acquires, insures and maintains snowmobile trails for public outdoor snowmobile trail use, and

WHEREAS, a Waukesha County Board ordinance indicating a desire to participate in the program is required to receive Outdoor Motorized Recreational Trails Aid for public snowmobile trails under Section 23.09(26), Wisconsin Statutes, and

WHEREAS, the State of Wisconsin requires Waukesha County to coordinate, apply for, disburse snowmobile funds, and execute a separate signed agreement with Waukesha County Snowmobile Association, Inc. that requires all required grant documentation for funding to be provided to Waukesha County, and

WHEREAS, the grant funds received and disbursed are incorporated in the 2017 Department budget.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that Waukesha County desires to receive Outdoor Motorized Recreational Trails Aid pursuant to Section 23.09(26), Wisconsin Statutes for program year 2016-17.

BE IT FURTHER ORDAINED that the Director of the Department of Parks and Land Use or his designee is authorized to act on behalf of Waukesha County to submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available pursuant to Section 23.09(26), Wisconsin Statutes.

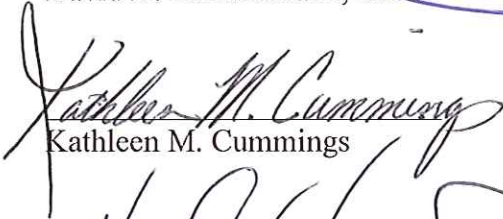
BE IT FURTHER ORDAINED that the Director of the Department of Parks and Land Use or his designee is authorized to execute an agreement on behalf of Waukesha County with Waukesha County Snowmobile Association, Inc. for the services it will provide Waukesha County and execute any other additional documents as may be necessary to effectuate the purposes of the agreement.

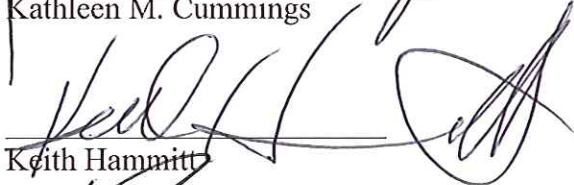
BE IT FURTHER ORDAINED that the Director of the Department of Parks and Land Use or his designee is authorized to take all necessary actions to undertake, direct and complete approved projects with State aid received.

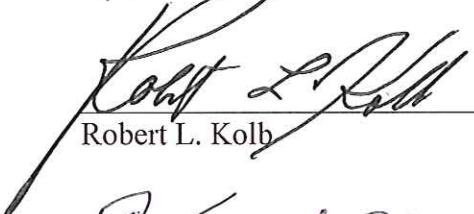
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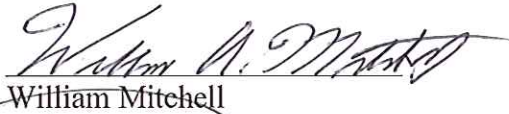
Presented by:
Land Use, Parks, and Environment Committee

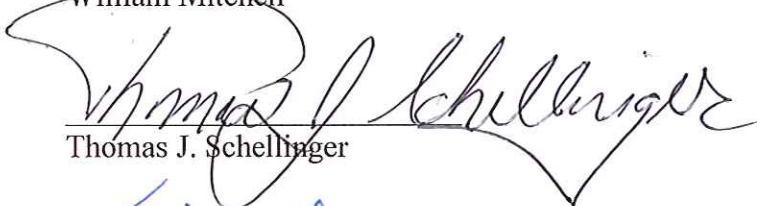

David D. Zimmermann, Chair

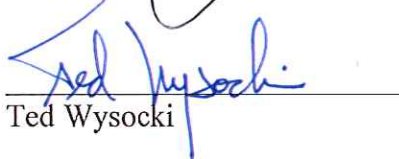

Kathleen M. Cummings


Keith Hammitt


Robert L. Kolb


William Mitchell


Thomas J. Schellinger


Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 10/25/16, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 10/31/16, 
Paul Farrow, County Executive

**Agreement Between Waukesha County Snowmobile Association, Inc. and Waukesha County
for Maintenance of Waukesha County Public Snowmobile Trails and
Distribution of Funds Under the DNR Snowmobile Aids Program**

This Agreement is made by and between Waukesha County Snowmobile Association, Inc. herein called "Contractor", and Waukesha County, herein called "County", a Wisconsin municipal corporation, for the maintenance of public snowmobile trails located within Waukesha County pursuant to §23.09(26) and §350.12(4), Wis. Stats.

A. SCOPE OF WORK:

Parties agree that the scope of work under this Agreement shall be limited to public snowmobile trails within the legal boundaries of Waukesha County. Contractor must obtain the County's written approval for any work performed outside the County's borders to be made part of this Agreement.

The Contractor shall perform the following services on an annual basis:

- 1) Verify with private landowners and the County that there are valid land use agreements on file with the County securing public access and use of land for snowmobiling by the public.
- 2) Prepare the trails for public use by grading, brushing, leveling, and performing other preparatory work necessary to provide safe riding conditions.
- 3) Install deck protection over surface of all multi-use trail bridges, to protect bridge decking and to provide for safe riding conditions. Inspect planking regularly, and close trail at bridge crossing immediately upon discovery of damaged or missing planking. Re-open bridge crossing only after repairs to planking are complete. All planking to be removed by April 1st each year.
- 4) Install and maintain snowmobile highway, trail, and guide signs conforming to NR 50.09 requirements. Coordinate signage with County and State departments.
- 5) Provide equipment and labor necessary to maintain and groom the trails in a safe riding condition.
- 6) Groom and maintain snowmobile trails to the minimum standards required under NR 50.09 and any other State or County rule or regulation.
- 7) Periodically inspect trails to ensure safe riding conditions. Notify Waukesha County Department of Parks and Land Use, Parks System Division of trail conditions as requested and provide current trail maps as requested.
- 8) Keep Snow Conditions Recorded Hotline up to date with trail condition/status. Indicate conditions as "Closed, Poor, Fair, Good, or Excellent", status as "Closed, Partially Open (indicate which trails), or Open", the amount of snow base in inches, and if the trails have been groomed. Inform County whenever conditions change so Department of Tourism website and County website can be updated.
- 9) Install and maintain approved trail open/closed signage that includes snow depth requirements at all major access points where snowmobile trail follows a multi-use trail corridor (i.e. Ice Age Trail, Bugline). Multi-use trail signs shall not be removed or covered without permission of agency placing the sign.

B. DISTRIBUTION OF FUNDS UNDER THE SNOWMOBILE AIDS PROGRAM:

The County shall distribute funds available under the snowmobile aids program as follows:

- 1) The County shall reimburse the Contractor for actual maintenance performed on Waukesha County public snowmobile trails up to an amount determined annually by multiplying the State of Wisconsin Department of Natural Resources approved Snowmobile Trail Maintenance rate per mile then in

by reason of any such claim or cause of action, the Contractor upon notice from Waukesha County shall defend Waukesha County and be responsible for payment of attorney fees and costs.

D. TERM OF AGREEMENT:

- 1) This Agreement is in effect from November 1, 2016 through March 30, 2017, renewable annually at the option of County. Any modifications to this Agreement must be in writing and signed by both parties. Parties understand that County does not control the availability of funds and that funds may not be available for each year of the agreement. Nothing in this Agreement shall bind County to fund the snowmobile maintenance program should State funds no longer be available. County shall notify the Contractor on an annual basis as soon as funding amounts for the following snowmobiling season become available.
- 2) This Agreement may be terminated by either party with 30-days' advance written notice to the other party.

In Witness Whereof, the parties hereto have executed this Agreement on the dates recited below:

WAUKESHA COUNTY

By: _____
Duane Grimm, Park System Manager

Date

WAUKESHA COUNTY SNOWMOBILE ASSOCIATION, INC.

By: _____
(signature)Date

(print name)

(title)

The above signatory on behalf of the Waukesha County Snowmobile Association, Inc. does hereby state that he is authorized to execute agreements and contracts on behalf of the Waukesha County Snowmobile Association, Inc. and to so bind the Waukesha County Snowmobile Association, Inc. to its terms.

Initials

Revised 9/29/16

Roll Call	Discussion	Voting...	Results	Agenda	Setup	Options
D1 - Kolb			AYE	D14 - Wood		AYE
D2 - Zimmermann			(M) AYE	D15 - Mitchell		(2) AYE
D3 - Morris			AYE	D16 - Crowley		AYE
D4 - Batzko			AYE	D17 - Paulson		AYE
D5 - Dondlinger			AYE	D18 - Nelson		AYE
D6 - Walz			AYE	D19 - Cummings		AYE
D7 - Grant			Notified	D20 - Schellinger		AYE
D8 - Michalski			AYE	D21 - Zaborowski		AYE
D9 - Heinrich			AYE	D22 - Wysocki		AYE
D10 - Swan			AYE	D23 - Hammitt		AYE
D11 - Howard			AYE	D24 - Whittow		AYE
D12 - Wolff			AYE	D25 - Johnson		AYE
D13 - Decker			AYE			

171-0-048

Passed (24 Y - 0 N - 1 Absent)

Majority Vote

