



Off-Road Vehicle Advisory Council
Meeting Minutes
Wednesday, September 1st, 2021
Dale's Weston Lanes, Weston, Wisconsin
And via Zoom

Council Members Present: Rob McConnell (Chair), Adam Harden (Vice Chair), Mike Biese, Bobby Donahue, Daniel Thole, Dave Traczyk, James Wisneski

DNR Staff: Jillian Steffes, Kurt Byfield, Annie Loechler, Faith Murray, Jeff Pennucci

Public: Randy Harden (WATVA), members of the Snowmobile Council (Dale Mayo, Sue Smedegard, Mike Holden, Don Mrotek), and members of the public

1. Call to order – 9:00 AM by Rob

2. Approval of previous meeting minutes

Draft minutes from July 1st, 2021 meeting are posted online.

Motion to approve minutes by Jim, 2nd by Adam. MOTION PASSED

3. Agenda Repair

- Revisions to Equipment & Labor Rates were passed by the Snowmobile Council yesterday, ORV Council should review and adopt these as well if ORV supports the changes.
- NOHVIS is a new applicant for ATV/UTV Trail Aids grant funding this year, Council members have some questions.

4. Public Comments

- Adam Harden, Rob McConnell (WATVA)
 - WATVA is busy working with Legislators on multiple propositions
 - Would like to increase the spending authority. The money is there in the program, but the spending caps prohibit the grant program from utilizing it for grants or local law enforcement.
 - The state budget did not include additional funding for county rec officers, working with legislators to try and increase this. Safety is key with the influx of new riders, and local law enforcement can help ensure safety
- Don Mrotek
 - ATV traffic has doubled or tripled in Sawyer County. Increased need for gravel to repair damage from increased traffic.

5. Chair Report – Rob McConnell

- None

6. DNR Report

- **Jillian Steffes (Grants)**
 - HANDOUTS
 - ATV/UTV Registration Summary for Last Years
 - ATV/UTV Trail Aids Program Financial Statement
 - Available Funding for 2021-22
 - Spreadsheet of FY22 Grant Requests
 - More funding requests this year that we typically see – in an average year we receive requests between \$5 and \$6 million. This year, we have \$6.7 million in non-maintenance requests.
- **Marty Stone (Law Enforcement)**
 - Wardens are seeing a GREAT increase of OHV use on our trails and roadways. There are approximately 42,000 miles of roadway routes in Wisconsin.

- There were 38 fatal ATV & UTV crashes during 2020 in Wisconsin. 20 involved ATVs and 19 involved UTVs. Wardens investigate all fatalities. However, due to staffing and workload, wardens were only able to investigate only 40% of the reported injury ATV crashes and only 60% of the reported injury UTV crashes.
 - 26 occurred on roadways
 - 9 occurred on private property
 - 2 occurred on public trails
 - 2 occurred on frozen waters
 - Seatbelts were not in use in any of the incidents
 - Helmet was in use in only ONE ATV fatal incident
 - Only 6 operators had ATV safety certification
 - Roll-overs or collisions with a fixed object were the leading cause of fatalities.
 - The number one contributing factor in all fatal crashes is alcohol and drugs use.
- Wisconsin DNR continues to partner with WATVA and local groups working together and collaborating on safety messaging, law & rule changes, Trial Ambassador Program, emerging trends, ATV safety training, and expanding OHV use in Wisconsin. This is a great partnership in which we've seen great dividends.
- We initiated "Think Smart Before You Start—OHV Safety Campaign" in 2021. Its intent is to promote safe OHV use & to get wardens & local law enforcement out onto the trails & road routes.
- We are also partnering the Department of Tourism to spread OHV safety messaging.
- Safety messaging put forth by Wisconsin DNR include:
 - Never consume alcohol or drugs **before or during ATV and UTV operation**. Consuming alcohol or drugs is a factor in ATV & UTV related fatalities.
 - **Wear your helmet!** It could save your life.
 - **Wear your seatbelt!** It could save your life.
 - Travel at a speed appropriate for the terrain, visibility conditions and your experience.
 - ATVs & UTVs are designed for off-road use. Operate an ATV or UTV on designated trails which may include public roads—use caution.
 - Don't exceed manufacturer's passenger or weight limits.
 - Wear protective clothing, including helmet, eye protection, boots, gloves, long pants, and a long sleeved shirt or jacket.
- This August we conducted sound level enforcement training for 30 conservation wardens and a county patrol deputy.
 - This training was all inclusive and included ATV sound level training and testing standards.
 - Training included sections on ATV mufflers & their modifications.
- A total 890 persons were certified in ATV in 2020.
- A total 15,241 persons were certified in ATV & OHM combination courses in 2020

New Agenda Item #1. NOHVIS Questions

- **Is NOHVIS a qualified applicant?** Yes, [2019 Wisconsin Act 183](#) made qualified non-profits eligible for certain funding categories.
- **Does NOHVIS receive other grants?** Yes, NOHVIS receives [Safety Enhancement](#) grant funding annually.
- **Who would be the owner of any assets purchased by NOHVIS with grant funding?** NOHVIS
- **Would contracts need to be bid out?** NOHVIS intends to follow the same requirements as other grant applicants.
- **Would any of these funds be spent outside of Wisconsin?** NOHVIS intends to keep things inside of WI
- **Potential conflict of interest from Adam and Randy as NOHVIS employees serving on the Governor's Council?** Adam and Randy intend to abstain from voting on NOHVIS grant requests.
- **Will the NOHVIS grant requests under this program overlap with the Safety Enhancement requests?** No, the requests submitted to ATV/UTV Trail Aids will be different than the Safety Enhancement proposals.

- **Should the Statewide Digital App be submitted under the Maps category?** It was decided that the existing Maps category is more aimed at printed maps. Additionally, the “app” has more features than just map related content.
- **Would the Statewide Digital App have advertising that would contribute to the development/maintenance?** No plans at this time, may list businesses but not at a fee to the business.
- **Would the Statewide Digital App be developed for national use?** Not at this time, being developed with a focus on Wisconsin.
- **What sort of oversight/reporting would NOHVIS be held to?** NOHVIS may not be subject to single audit (dependent on how much grant funds they receive annually), but NOHVIS would still have to submit documentation of expenses (invoices, cancelled checks, timesheets) to the Department in order to receive reimbursement under this grant. Would probably also have to get “state audit” annually.
- **Is NOHVIS a 501(c) (3)?** No, not technically a 501(c) (3) non-profit but is a not-for-profit (c)(4) education entity. Not tax exempt.

New Agenda Item #2. Equipment and Labor Rates

- Snowmobile Council adopted some equipment rates changes to bring in line with current and recent DOT rates, after being reviewed by an ad hoc committee. No changes to grooming rates.

Motion to adopt revised Equipment and Labor Rates as adopted by the Snowmobile Council by Jim, 2nd by Adam. MOTION PASSED

7. ACTION ITEM: Review of and funding recommendations for grant applications

- a. Below are recorded explicitly noted comments/questions. Funding motions and more details on each project available in the **meeting attachments**.

App #	County	Discussion/Questions	Motions
Amendment Requests			
91	Forest		Funded, see funding spreadsheet for details.
Rehab			
1 – 8, 10-31, 65	Multi Counties		Funded, see funding spreadsheet for details.
9	Langlade	Council would like to see a report 1 year after completion on how the recycled asphalt worked in this application.	
New Year Round Trails			
32, 66	Multiple Counties		Funded, see funding spreadsheet for details.
33	Douglas	Duplicate, see Winter Only #43	
New Summer Trails			
34, 35, 38 – 41, 64	Multiple Counties		Funded, see funding spreadsheet for details.
36	Vilas	Application withdrawn	
37	Vilas	Council has concerns with large price tag.	No action taken
Winter Trail			
42-44	Multiple Counties		Funded, see funding spreadsheet for details.
Troute			
46	Polk	More review needed by Department to verify if each segment meets the trail-to-trail or trail-to-services requirement.	Funded pending review by DNR.

Intensive Use Areas			
47	Kewaunee		Funded, see funding spreadsheet for details.
New Support			
50, 54, 67	Multiple Counties		Funded fully, see funding spreadsheet for details.
51, 52, 53, 55-56	Multi Counties	Not funded at 100% as users are not 100% ATV/UTV	Partially funded, see funding spreadsheet for details.
Maps			
57-58	Multi Applicants		Funded, see funding spreadsheet for details.
Communication Equipment			
59-60	NOHVIS	Discussion but Council reluctance regarding future ownership of radios	No action taken
Safety Signage			
61-62	Multi Applicants		Funded fully, see funding spreadsheet for details.
Statewide Digital App			
63	NOHVIS	Application functionally withdrawn by applicant, not discussed	No action taken

Motion to set aside a minimum of \$100,000 for future cost increases or storm damage by Jim, 2nd by Mike. MOTION PASSED

8. Council members' matters

- Jim Wisneski – Can land purchased or developed with ATV funds be sold?
 - Jillian – If ATV funds purchased the land, we retain interest in the land. They would need our permission to sell or would need to reimburse us. If ATV funds paid for development, we'd need to evaluate the useful life and possibly work with legal for partial reimbursement.
- Jim Wisneski – Would like Jeff Anderson from Dept of Tourism to attend our future meetings.

9. Housekeeping matters

- Date for summer funding meeting 2022 TBD. Will try to avoid conflict with first days of school.

10. Adjourn

Motion to adjourn by Rob, 2nd by Jim. Motion carries.