



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

Original Post Date: 04/15/2021

Amended* Post Date: 04/19/2021

**The following documents are included in the packet for the
Multi Use Path Board on April 21, 2021:**

- 1) *Amended Agenda**
- 2) Memo of Understanding



GREEN LAKE COUNTY

OFFICE OF THE COUNTY CLERK

Elizabeth Otto
County Clerk

Office: 920-294-4005
FAX: 920-294-4009

MULTI USE PATH GOVERNING BOARD

Meeting Notice

Date: April 21, 2021 Time: 1:00 PM

**The Green Lake County Government Center, County Board Room
571 County Road A, Green Lake WI**

Amended AGENDA*

Committee Members

Barry Mashuda
Scott Weir
Barry Rogers
Todd Sharp

Elizabeth Otto, Secretary

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Election of Chair
5. Election of Vice Chair
6. Citizen-at-large Appointment
7. *Stuart's Landscaping Adjoining Property Owner Safety Concerns
8. Discussion regarding Path Fund
9. Liability Insurance for Accident and/or Injury
10. Easements recorded by the Register of Deeds
11. Committee Discussion
 - Future Meeting Dates: TBD
 - Future Agenda items for action & discussion
12. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication. Remote access can be obtained through the following link:

Topic: Multi Use Path Governing Board
Time: Apr 21, 2021 01:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95327578853?pwd=c3dxWm1BZUdHZ3pxWlJRejIDcDh0Zz09>

Meeting ID: 953 2757 8853
Passcode: 122888

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)

Kindly arrange to be present, if unable to do so, please notify our office.
Elizabeth Otto, County Clerk

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the County Clerk's Office, 294-4005, not later than 3 days before date of the meeting.

MEMORANDUM OF UNDERSTANDING
Between
Green Lake County; Town of Brooklyn; and Green Lake Greenways Inc.

1. Purpose

The purpose of this Memorandum of Understanding (MOU) is to have a written understanding of the agreement between the above parties. Additionally, this MOU will outline how a proposed multi-use path along State Trunk Highway 23 is to be constructed, funded and maintained throughout its useful life.

2. Opportunity

The County of Green Lake, Town of Brooklyn and Green Lake Greenways Inc., a registered non-profit organization in the State of Wisconsin, recognizes the proposed multi-use path as a valuable asset to the county. The multi-use path will accommodate non-motorized uses to include but, not be limited to bicycling, hiking, jogging, wheel chairs, roller skating, and in-line skating. The multi-use path promises to provide local citizens and visitors a place to safely recreate and exercise and at the same time provide all users an alternative method of transportation to reach destinations in the Cities of Green Lake, Ripon and Berlin for purposes of work, shopping, dining and any other activity they may choose. In addition, equestrian use including horseback riding, horse drawn carriages, snowmobiles and ATV's will not be permitted. The only motorized equipment authorized will be that used to maintain the multi-use path or by emergency response personnel.

3. Scope

The scope of the area covered includes a proposed multi-use path to be constructed within the STH 23 right-of-way alongside STH 23 to the Green Lake County and Fond du Lac County line at CTH PP.

Construction of the multi-use path shall begin along CTH A at the intersection of Commercial Avenue, in the City of Green Lake, and continue for approximately 1,000 feet on the west side of CTH A, to the intersection of STH 23.

The multi-use path shall then cross STH 23 via a controlled crosswalk on the west side of the intersection. The multi-use path shall then cross STH 49 via a controlled crosswalk on the north side of the intersection. This is to be included in the WisDOT STH 23 Reconstruction Project at no extra cost to the path project and not using Community Sensitive Solutions (CSS) monies.

The multi-use path shall then continue eastward 3 miles, on the north side of STH 23 to CTH PP.

4. Cost of Path

- a. The cost of the section of path along CTH A from Commercial Avenue to the intersection of STH 23 is estimated to be \$15,000. This section of the multi-use path is considered to be a vital connector and will be included in future grant requests.
- b. The cost of the multi-use path from the STH 23 intersection to CTH PP has been estimated to be between \$1,330,000 and \$1,780,000. This is based on the *Shared Use Path Feasibility Report* completed by WisDOT, dated 5/25/2011. Green Lake Greenways Inc. contacted OMNNI Associates and requested a second opinion to the feasibility study. OMNNI's response indicated that a 25% saving could be realized by placing the multi-use path on the fill slope of STH 23, between the highway and the ditch, bringing the estimated cost to be between \$1,000,000 and \$1,335,000.

5. Maintenance Costs

The Green Lake County Parks and Recreation Department will be responsible for maintaining the multi-use path with all costs associated with such maintenance to be reimbursed by Green Lake Greenways Inc. as requested by the Department. Maintenance responsibilities for the multi-use path include but are not limited to:

- a. Asphalt and shoulder repair. Examples of future repairs would be a result of prolonged usage, developed potholes and pavement cracks.
- b. Keep all cross-drain structures in good repair and free of debris.
- c. Mowing one swath on each side of the path as allowed and the use of weed control if needed.
- d. Any other maintenance issues that arise not specifically covered in this MOU will be determined as required.

6. Agreement

Green Lake County will own the multi-use path. Ownership of the path will allow for future communications and negotiations with the WisDOT and Wisconsin DNR. The Green Lake County Parks and Recreation Department will maintain the path. Green Lake Greenways Inc. will collaborate on grants and will fundraise to pay for the design and construction, and future maintenance costs of the multi-use path.

- a. Engineering design costs are estimated to be \$70,000. This is for the path from Commercial Avenue to CTH PP.

- b. Construction of the multi-use path along CTH A from Commercial Avenue to the STH 23 right-of-way.
 - (1) The path will be located in the ROW on the west side of CTH A and funded by private donations and grants. Contracts for construction of the path will be sought from local firms.
 - (2) The Green Lake County Highway Department will grant permission for the construction of the multi-use path.
- c. Design and construction of controlled crosswalks at the STH 23/49 intersection.
 - (1) WisDOT will be responsible for 100% of the engineering design costs and constructing traffic controlled crosswalks for bicycles and pedestrians at the STH 23 and CTH A intersection and the STH 23 and STH 49 intersection.
- d. Funding of the multi-use path along STH 23 from the STH 23/49 intersection to CTH PP.
 - (1) The Town of Brooklyn has agreed to contribute all available CSS monies towards the project. A portion of these monies has already been designated for culvert extensions to be placed at the time of the WisDOT STH 23 Reconstruction Project. (See attachment).
 - (2) Green Lake Greenways Inc., the Green Lake County Highway Department and the Green Lake County Parks and Recreation Department will be responsible for writing grants (DNR, T.E.) for the remainder of funds needed for the construction of the multi-use path along STH 23.
 - (3) Additional funding sources will include private donations.
- e. Construction of the multi-use path along STH 23 from the STH 23/49 intersection to CTH PP.
 - (1) The path will be located in the ROW on the north side of STH 23. Contracts for construction of the path will be sought from local firms.

7. Multi-Use Path Management

A *Multi-Use Path Governing Board* is to be established immediately upon review and agreement signature of the MOU by all partners. The Multi-Use Path Governing Board shall consist of the following members:

- The Green Lake County Highway Commissioner.

- A member of the Green Lake County Parks and Recreation Department.
- Green Lake Greenways Inc. - since Green Lake Greenways Inc. is a countywide organization it is recommended that 2 members appointed by the Greenways Board will serve on the Multi-Use Path Governing Board.
- A citizen at-large elected and approved by the 4 members of the Path Governing Board.

Other major contributors may also request to have a representative on the Multi-Use Path Governing Board. Such appointments will be at the discretion of the Multi-Use Path Governing Board members.

The Multi-Use Path Governing Board will meet monthly during the grant acquisition and funding phase as well as the construction phase of the multi-use path project. The Board will be responsible for planning and overseeing the path construction, acquiring grants and path maintenance. The Multi-Use Path Governing Board will determine the use of the remainder of the Community Sensitive Solutions monies for the future multi-use path.

The Multi-Use Path Governing Board shall initiate a Path Fund for costs associated with construction of the path, future maintenance and repairs of the path surface and for any other routine path maintenance issues. The Path Fund shall be held in trust by the Multi-Use Path Governing Board and invested for the benefit of the Path Fund. Guidelines for making contributions to and for taking expenditures from the Path Fund shall be created by the Multi-Use Path Governing Board. Path Fund investment guidelines shall also be determined by the Multi-Use Path Governing Board or agent(s) thereof.

8. Liability for Accident and Injury

The Path will be located on public property and adjacent landowners are not liable for injuries that might occur to people using the multi-use path. Liability is limited and capped per Wisconsin Statutes. Any user leaving the path and going onto private property is subject to the trespassing laws of the State of Wisconsin.

9. Patrol and Emergencies Procedures

The Green Lake County Sheriff's Department will act as primary patrol for the multi-use path as it is within their jurisdiction. Emergency and rescue crews may operate vehicles on the path as necessary in the course of responding to an emergency.

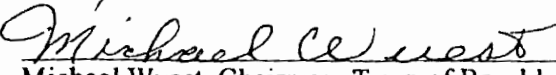
10. Effective Date

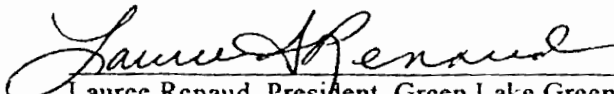
This Memorandum of Understanding will become effective once all parties listed have


completed the approval process and the appropriate representative of each party has signed below. This agreement shall remain in force until superseded or suspended at a later date.

11. Signatures

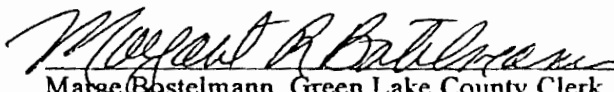
 Date: 7-25-13
Jack Meyers, Green Lake County Board Chair

 Date: 7/23/13
Michael Wuest, Chairman, Town of Brooklyn

 Date: 7/23/13
Lauree Renaud, President, Green Lake Greenways

 Date: 7/23/13
Amy Brooks, Green Lake County Highway Commissioner

 Date: 7/23/13
Scott Weir, Green Lake County Parks

 Date: 7/23/13
Marge Bostelmann, Green Lake County Clerk