

NOTICE IS HEREBY GIVEN that a regular meeting of the Village Board of the Village of Neosho shall be held on **Thursday, September 5**, 6:30 p.m. at the Neosho Village Hall, 210 S. Schuyler Street, Neosho WI.

The village hall is handicapped accessible.

REVISED AGENDA

- Call to Order/ Pledge of Allegiance to the Flag.
- Roll Call.
- Adoption of minutes of August 1,2024. Minutes are posted on the Village website in the September 5 packet.
- Public Comment. Any person recognized to speak under Public Comments limited to a period of 3 minutes, unless otherwise authorized by the Village President or presiding officer. Please complete the public comment card.
- President Report.
- Approval of Financial Report with Comparisons and Payment of Bills.
- Fire & EMS Report.
Statistical Report with Incidents including Training Exercises.
Status of Equipment.
- Police Dept. Report.
- Cemetery Sexton Report.
- Property Maintenance / Weed Commission Village Board Report.
 - 124 E Lehman Street.
 - 234 Milwaukee Street.
 - 412 S Schuyler Street.
- Clerk-Treasurer's Report.
 - Park Rentals.
 - Election Dates: August 13, and November 5.
 - Recreational Immunity.
 - Unsafe buildings ordinance.

DPW Report - Activity Report, including equipment update.

Discuss and/or ACT on the Following:

Discussion with possible action on school playground equipment transfer of ownership to Village as property in the open for insurance purposes.

Extraterritorial Minor Land Division Letter of Intent: 038-1017-2141-000, Steve and Nicole Grinwald.

Snow Clearing Bid with possible action and discussion of 2023 / 2024 snow clearing.

Discussion of Roth Professional Solutions Engineering Services Agreement.

Update with possible action of dam, dam fundraising opportunities and marketing / advertising, and extension of dam maintenance, repairs. Update with possible action of grants.

Discussion of dam fundraising and possible approvals.

Schedule special meeting for discussion with possible action of dam stop logs considerations.

Discussion with possible action on October meetings.

Adjournment.

Any person who has a qualifying disability as defined by the American's With Disabilities Act, that requires the meeting or materials at the meeting to be in an accessible location or format must contact the Clerk-Treasurer at the village hall at 920-625-3086 at least one day prior to the meeting so that any necessary arrangements can be made to accommodate each request. It is possible that members of or a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any other governmental body except by the governing body noticed above.

MEETING OF THE VILLAGE BOARD OF NEOSHO

August 8, 2024

President Oldenhoff called the regular meeting of the Village Board of the Village of Neosho to order at 6:30 p.m. Present were President Oldenhoff, Rodriguez, Weynand, Desmore, and Kelsey.

Adoption of the July 11, 2024, minutes.

Motion (Rodriguez/Kelsey) to approve the minutes. Motion carried unanimously.

Public Appearance and Comments.

Liz Desmore questioned the enforcement of the boat launch fee.

Discussion ensued to post the ordinance by the boat launch and agenda for October Village Board Meeting.

Martin Reynolds questioned how the dam is raised and lowered. Chad Mintzloff is the dam administrator.

Roth Engineering has communicated from the DNR to minimize vibration that impacts the water level.

President Report.

President Oldenhoff commented on preparation for the September Dam fundraiser. There will be a concert in the evening.

The two businesses in the Village, Terry of On the Rocks and Matt of the BP has been very helpful. Martin Reynolds commented on "Give me a Dam Shot".

Approval of Financial Report with Comparisons and Payment of Bills.

Motion (Rodriguez/Weynand) to approve the financial report with bills. Motion carried unanimously.

Fire & EMS Report

Fire Chief Chapman read the Fire Department report. 3151 to have DOT inspection updates. 3161 fiasco with Lake Mills as they welded on the truck without disconnecting the batteries and this fried the mother boards. Had to replace the motherboards. Working with Lake Mills Fire Service to pay for the motherboards as they were working prior to the welding. He is working on quotes for stand by generator. Working to remove equipment from the new truck and found a part on the truck is cracked in half. Fish Fry is on September 20th from 4pm-10pm.

Police Department Report.

The Police Statistics Report was read by Police Chief Linzenmeyer. The Police Department is working through an audit. A battery is needed for the defibrillator; cannot find a battery. There needs to be a plan for the parking for the Dam fundraiser event. May have hayrides from the churches.

Cemetery Sexton Report.

Trustee Desmore reported that she talked to Ken Chapman about brush pile burning. Ken has cut a lot of brush and there will be a lot of brush burning.

Property Maintenance / Weed Commission Village Board Report.

124 E Lehman Street.

234 Milwaukee Street.

412 S Schuyler Street. President Oldenhoff has followed up.

Clerk – Treasurer Report.

Park Rentals.

Election Dates: August 13, and November 5. Thank you to the Election Officials. Meeting with the Election Officials for training.

DPW Report.

President Oldenhoff installed the hitch on the scag mower. Picnic tables will be brought up to the pavilion Friday in preparation of the weekend events. They will use the water for a sprinkler for the kids. Commented there needs to be enough supplies. The hand dryers are not working. Talk about action snow clearing of Village owned sidewalks.

Approve Operator's Licenses for the following:

Motion (Oldenhoff/Desmore) to approve Jennifer Rodriguez operator's license. Motion carried.

Opening of Snow Clearing Bids with possible action.

One bid submitted from Strobel.

\$195 per ton. Offering brine before snowfall.

Performance of the past year's removal was discussed.

Discussion ensued to extend the process.

Discussion ensued to bring Strobel in for a board meeting. Discussion ensued of a ride along and the expectation of Strobel completing. Ask Strobel to attend the September meeting.

This is post-poned to the September meeting.

Discussion of park pavilion repairs with possible action.

Discussion ensued of repairs to the stage. Mick LaCrosse inspected the stage and there are 2x6 under the stage and it is in good condition. There are boards on the front that need to be redone.

Trick or Treat date and time with possible action.

Motion (Weynand/Oldenhoff) to approve 10/26 from 2-4, parade at 1 pm. Motion carried.

Discussion of Roth Professional Solutions Engineering Services Agreement.

The quote was received and planning is by the hour.

Update with possible action of dam, dam fundraising opportunities and marketing / advertising, and extension of dam maintenance, repairs.

Discussion ensued that neither Roth nor the Village has had any communication from the DNR. The stop logs have not had DNR approval yet. If the tator gate fails, the stop logs are the back up.

The pond association has a quilt raffle. The Lion's Club is doing their fundraiser on September 21. Suzanne Derge is having a fundraiser on September 8th, with crafts and music.

Banners, flyers are ordered. The beer wagon is secured, beer includes: coors light, ocktoberfest, busch light, na busch light, high life and summer shanty. The bar or the distributor will take what is not sold. They will drop off on Friday. The provided cooler runs on a generator. There is a request from a food distributor for a cooler. Discussion of hamburgers, ham, hot dogs, and brats. The food will be delivered to the Fire Department on Tuesday prior to the event. OTR, Terry, is ordering. All discounted. Band is secured. Dennis Serfice band, Nobody's Hero. The pulls start at noon and go until 5 p.m. The band is from 5 p.m. until 9 p.m.

Discussion ensued to tag team with Wally Paul Whelan on the Tractor Pull.

Discussion ensued to advertise on the radio stations and they do so at a cost. There is a person that advertises small events.

Terry at On the Rocks is shutting her bar down and sending staff to assist with the event. Terry is paying for the band.

There are other fund raisers, on September 8th there is a music and craft fair at the pavilion. The Lions Club is hosting mini golf on September 21st.

Need to give special thanks to the businesses. T-shirts will be available for the volunteers.

Motion to adjourn (Rodriguez/Weynand) 8:01 pm. Motion to adjourn.

Respectfully Submitted,
Deanna Braunschweig, Clerk-Treasurer

Membership

- 26 Active Members
- 7 Associate Members
- 1 Member on leave of absence
- 2 New Applicants

Trainings

- Monthly Drill-INH Iron Ridge hosted Hazmat Training
- Saturday Drill-Officer Drill/ Radio communications

Schooling

- 1 member taking Firefighter 1
- 2 members taking firefighter 2.
- 1 member taking officer 1.

Fire Calls

- 8-10, Rescue Request, Hustisford, 2 vehicle accident.
Dispatched 16:23, Enroute 16:26, Arrived 16:33, Clear 17:36, **Total 1 hour 13 minutes 7 personnel.**
- 8-10, Rescue Request, Iron Ridge, Single vehicle accident
Dispatched 23:49, Enroute 23:56, Arrived 00:05, Clear 00:15, **Total 26 minutes 7 personnel.**
- 8-14, Fire Request, Iron Ridge, Ditch line on fire, cancelled incident
Dispatched 13:12, Enroute N/A, Arrived N/A, Clear 13:21, **Total 9 minutes.**
- 8-18, Fire Request, Hustisford, Possible house fire siding is discolored.
Dispatched 16:41, Enroute 16:49, Arrived 16:55, Clear 17:17, **Total 36 minutes 7 personnel.**
- 8-28, Rescue Request, Single vehicle rollover 2 occupants
Dispatched 00:41, Enroute 00:47, Arrived 00:53, Clear 02:24, **Total 1 hour 43 minutes 4 personnel.**

8-28, Fire Request, Honor Elementary, Fire Alarm, Cancelled

Dispatched 08:47, Enroute N/A, Arrived N/A, Clear 08:53, **Total 6 minutes.**

8-30, Fire Request, Hustisford, Manure on roadway county needs help washing off.

Dispatched 11:26, Enroute 11:31, Arrived 11:36, Clear 12:53, **Total 1 hour 27 minutes 3 personnel.**

Total= 26 Hours 57 minutes of work Hours

EMS Calls

8-04, EMS Request, 2-year-old having seizure

Dispatched 14:02, Enroute 14:05, Arrived 14:11, Clear 14:23, **Total 21 minutes 2 personnel.**

8-11, EMS Request, 10-month-old allergic reaction

Dispatched 13:58, Enroute 14:02, Arrived 14:03, Clear 14:18, **Total 20 minutes 4 personnel.**

8-14, EMS Request, Patient is dizzy

Dispatched 18:51, Enroute 18:58, Arrived 19:02, Clear 19:19, **Total 28 minutes 2 personnel.**

8-19, EMS Request, Lift assist

Dispatched 08:03, Enroute 08:07, Arrived 08:08, Clear 08:39, **Total 36 minutes 1 personnel.**

8-20, EMS Request, Difficulty Breathing

Dispatched 15:45, Enroute 15:52, Arrived 15:54, Clear 16:14, **Total 29 minutes 1 personnel.**

8-28, Rescue Request, Single vehicle rollover 2 patients

Dispatched 00:41, Enroute 00:47, Arrived 00:53, Clear 02:24, **Total 1 hour 43 minutes 3 personnel.**

8-29, EMS Request, Heat exhaustion on firefighter

Dispatched 01:42, on scene already, Clear 02:12, **Total 30 minutes 3 personnel.**

Total= 10 Hours 42 minutes

Repairs and Maintenance

3151 needs a couple of fixes.

Facility

Looking to replace the locks on exterior doors.

2 are not working springs broken.

Getting a quote for Stand-by generator and Service update

New Equipment

None

Misc.

Fall Fish Fry- September 20th 4-10.

Compeer Financial Grant application completed.

NEOSHO/RUBICON/ASHIPPUN POLICE DEPARTMENT

210 South Schuyler Street PO Box 208 Neosho, WI 53059 (920) 625-3284 Fax: (920) 625-2716 E-Mail: department@neoshopolice.org

September, 2024 BOARD REPORT

For the month of August our enforcement consisted of traffic warnings, speed citations, ordinance violations and building/bar checks.

In addition, some of the complaints we responded to consisted of:

- **Animal complaints**
- **911 Hangup**
- **Ordinance violations**
- **EMS Requests**
- **Welfare check**
- **Assist motorist**
- **Death investigation**
- **Civil matter**
- **Noise complaints**
- **Parking complaints**

Thank you.

Chief Linzenmeyer

Neosho/Rubicon/Ashippun Police Department

UNSAFE AND BLIGHTED BUILDINGS AND PREMISES.

(a) Whenever the Building Inspector finds or is made aware of any premises or structure within the Village which in the Building Inspector's judgment is blighted, dilapidated, unsafe or so out of repair to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy or use, the Building Inspector, subject to the approval of the Village Board, shall order the property owner to raze, remove or repair such structure or part thereof. If the structure can be made safe by repairs, the option of repairing or removing would be that of the property owner so long as repairs are to the satisfaction of the Village through the Building Inspector.

(b) The Building Inspector, subject to the approval of the Village Board, has the authority to order a property owner to remove any accumulation of junk, unsightly debris, inoperable vehicles, construction materials, accumulated rubble, dirt piles and equipment or materials which are stored outdoors.

(c) The Building Inspector, subject to the approval of the Village Board has the authority to ensure that the exteriors of all structures are maintained in appearance so as not to (i) depreciate property values within the Village or (ii) constitute a detriment to the health, safety or welfare of the residents of the Village.

(d) Any such orders of the Building Inspector, as approved by the Village Board, and proceedings resulting therefrom shall be in accordance with Section 66.0413 Wisconsin Statutes.

(e) Any person who fails to fully comply with an order of the Building Inspector, issued pursuant to this Chapter, shall be subject to the penalties set forth in Section 1.1(9), including a forfeiture for each day the violation or condition exists.

WISCONSIN'S RECREATIONAL IMMUNITY STATUTE: HOW MUCH PROTECTION DOES IT OFFER?

By: Claire Silverman, Legal Counsel

Many Wisconsin municipalities own property used to provide residents and visitors with opportunities for recreation. These include municipal parks, playgrounds, pools, beaches, golf courses, tennis courts, skating rinks, hills used for sledding, skateboard parks, and paths and trails used for various activities like biking, running, walking, rollerblading, skiing, and snowmobiling. Municipal officials often inquire whether the municipality or its officials are exposed to liability for injuries that occur while people are engaged in these various activities on municipal property. Generally speaking, the answer is no.

Section 895.52, commonly referred to as Wisconsin's "recreational immunity" statute, provides property owners, including municipal governments, with immunity against liability for any injury to a person engaged in a recreational activity on the owner's property. Although the statute provides broad immunity to municipal property owners, it is not absolute. There are statutory exceptions and some significant cases interpreting the law as it pertains to municipalities and other governmental bodies that a municipality must be aware of. This legal comment attempts to explain the general protections offered by the recreational immunity statute, as well as its limitations.

STATUTORY PURPOSE AND COVERAGE

The legislature enacted Wis. Stat. sec. 895.52 at the same time that it repealed Wisconsin's first recreational use statute because judicial interpretation had created a number of exceptions which rendered the statute ineffective.¹ In enacting the current statute, the legislature expressly stated that it intended to overrule any previous Wisconsin supreme court decisions interpreting the predecessor to 895.52, if the decision was more restrictive than or inconsistent with the provisions of the new act.

The recreational immunity statute was enacted to "limit the liability of property owners toward others who use their property for recreational activities under circumstances in which the owner does not derive more than a minimal pecuniary benefit."² To that end, sec. 895.52, Stats., provides that no owner, officer, employee or agent of an owner owes to any person who enters the owner's property³ to engage in recreational activity:

1. A duty to keep the property safe for recreational activities;
2. a duty to inspect the property; or
3. a duty to give warning of an unsafe condition, use or activity on the property.

The statute further provides that "no owner and no officer, employee or agent of an owner is liable for the death of, any injury⁴ to, or any death or injury caused by, a person engaging in a recreational activity on the owner's property or for any death or injury resulting from an attack by a wild animal."

There are two statutory exceptions. Section 895.52(4) provides that the statute does not limit the liability of a municipality or any of its agencies or of an officer, employee, or agent for either of the following:

1. A death or injury that occurs on property of which a governmental body is the owner at any event for which the owner charges an admission fee *for spectators*;
2. death or injury caused by a malicious act or by a malicious failure to warn against an unsafe condition of which an officer, employee, or agent of a governmental body knew, which occurs on property designated by the governmental body for recreational activities.

Conduct is "malicious" when it is the result of hatred, ill will, or revenge, or is undertaken when insult or injury is intended.⁵

STATUTORY DEFINITIONS AND TERMS

Most of the specific terms used in sec. 895.52, Stats., are defined within the statute. "Owner" is defined as "a person, including a governmental body... that owns, leases or occupies property" or that "has a recreational agreement with another owner." The term "governmental body" includes a "municipal governing body, agency, board, commission, committee, council, department" or a formally constituted subunit of any such body.

Of all the terms used in sec. 895.52, "recreational activity" has spawned the most litigation. The statute broadly defines "recreational activity" as "any outdoor activity undertaken for the purpose of exercise, relaxation or pleasure, including practice or instruction in any such activity." Importantly, the term excludes any organized team sport activity sponsored by the owner of the property on which the activity takes place. In enacting the statute, the legislature provided an extensive list of the kinds of activities that are meant to be included within the term but noted that it was impossible to specify every activity which might constitute a recreational activity.⁶ Where substantially similar circumstances or activities exist, the legislature intended that sec. 895.52 be liberally construed in favor of property owners to protect them from liability.⁷

(CONTINUED ON PAGE 26)

RECREATIONAL IMMUNITY (CONTINUED)

SIGNIFICANT COURT DECISIONS

Over the years, the recreational immunity statute has spawned litigation. This litigation has involved, among other issues, whether the recreational immunity afforded by the statute is affected when municipalities undertake to provide services they are not obliged to undertake, like supervision, which are then performed inadequately; whether someone was engaged in recreational activity when the injury or death in question occurred; and the limits of the organized sports exception. Although space constraints prevent a comprehensive discussion of the case law interpreting the statute, it's worth noting a few things.

For the most part, the courts have been mindful of the recreational immunity statute's underlying purpose of encouraging property owners to open property to recreational users and, in light of the legislature's clear attempt to overrule judicially created exceptions to the predecessor statute, have not wavered in situations where application of the statute appears harsh because of alleged municipal negligence. The courts have

held that a municipality does not lose the protection of the recreational immunity statute by undertaking an obligation that it need not take, such as providing some sort of supervision of recreational activities on municipal property, and performing in a manner that's alleged to be negligent.⁸

The courts have had more difficulty, however, drawing the line between recreational and non-recreational activities in varied fact situations. The Wisconsin Supreme Court has said that it continues to be frustrated in its efforts to state a test that can be applied easily because of the "seeming lack of basic underlying principles in the statute."⁹ This difficulty makes it harder to predict with certainty, what the outcome will be in a given case. In determining whether someone is engaged in a recreational activity or not, the courts have held that the injured person's subjective assessment of the activity is pertinent, but not controlling. A court must consider the nature of the property, the nature of the owner's activity, and the reason the injured person is on the property. A court should consider the totality of circumstances surrounding the activity, including the intrinsic nature, purpose, and consequences of the




APPRAISAL SPECIALISTS
BOWMAR APPRAISAL INC.
Assessment Maintenance and Revaluation Services
BowmarAppraisal.com - bowmar@sbcglobal.net

3005 W. Brewster St.
Appleton, WI. 54914
920-733-5369

2706 Birch St.
Eau Claire, WI. 54703
715-835-1141

304 Division St.
Altoona, WI. 54720
715-834-5801



Giertsenco
Restoration Specialists Since 1918

Chuck Griggs
Commercial & Municipal Division
chuckg@giertsenco.com
www.giertsenco.com

FULL SERVICE RESTORATION CONTRACTOR
24/4 Emergency Service: 262-522-1918
Fire • Water • Wind • Biohazard

Services Include:
Multiple Site Project Management, Project Consultation
Environmental Building Remediation, Mitigation & Drying



McCANN'S UNDERGROUND
611 N Burr Oak Ave., Oregon, WI 53575
(608) 835-7767 (608) 222-6007 Fax 835-2497

Trenchless Pipe Repair
C.C.T.V. Inspections (Robotics)
Jet-Vac Service

Cured In Place Pipe Services (CIPP)
Hydro Excavation
Grouting: Manholes/Pipe Joints

E-mail: mccannsundergnd@aol.com Website: mccannsunderground.com



Water Tower Painting & Repair - Inspections
Power Washing & Expansion Joints
Ladder Safety Devices

LANE TANK CO., INC.
PO Box 500
Menomonie, WI 54751

Office: (715) 235-3110
Cell: (715) 308-9665
Fax: (715) 235-5385



JEWELL engineers • architects • surveyors
associates engineers, inc.

560 Sunrise Drive
Spring Green, WI 53588
608-588-7484

310 E. Jackson Street
Wisconsin Rapids, WI 54494
715-424-2424

www.JewellAssoc.com



McMAHON
ENGINEERS ARCHITECTS
Since 1909

NEENAH WISCONSIN
PHONE 920.751.4200
WWW.MCMGRP.COM
MACHESNEY PARK & VALPARAISO

Municipal Environmental Land Surveying Stormwater Transportation Construction Services GIS Architecture Funding Strategies Design/Build

ONE COMPANY.
Countless Solutions.



KUNKEL
ENGINEERING GROUP

BUILDING RELATIONSHIPS THAT BUILD COMMUNITIES.™

- ENGINEERING
- SURVEYORS
- ARCHITECTURE
- PLANNERS

107 Parallel Street
Beaver Dam, WI 53916
(920) 356-9447
Kunkelengineering.com



Mead & Hunt
1-888-225-6323
meadhunt.com

LEADERS & innovative

- Architecture
- Planning
- Environmental
- Engineering
- Survey
- GIS

Green Bay • La Crosse • Middleton • Wauwatosa

RECREATIONAL IMMUNITY (CONTINUED)

activity. A court should apply a reasonable person standard to determine whether the person entered the property to engage in a recreational activity. Finally, a court should consider whether the activity in question was undertaken in circumstances substantially similar “to the circumstances of recreational activities set forth in the statute.”¹⁰

In some cases, the issue has been whether the intrinsic nature of the activity is commercial rather than recreational so that the recreational immunity statute might be held inapplicable. Profit earned by a governmental body does not, in itself, convert a recreational event into a commercial one for purposes of the recreational use statute.¹¹

Other court decisions with significance for municipalities involve cases where the courts have interpreted the exclusion from the definition of “recreational activity” of any organized team sport activity sponsored by the owner of the property on which the activity takes place. In *Hupf v. City of Appleton*,¹² a participant in a recreational softball league sued the city, alleging negligence, after he was struck in the eye by a softball while leaving the city park. The court held that the City was the “sponsor” of the softball league within the meaning of the recreational immunity statute, even if the city did not have a profit motive, where the city took team registrations, maintained the grounds, and provided umpires, scoreboards, bases, and softballs. As further evidence of the City’s sponsorship, the court looked to a exculpatory contract signed by participants releasing the city from any damage claims and referring to the city Parks and Recreation department or the school district as “sponsoring” the league.

The City argued that because Hupf was injured while leaving the park and not while participating in the organized sport, the exclusion didn’t apply. The court rejected that argument, holding that although a walk in the park for the purpose of exercise, relaxation, or pleasure is an activity for which the owner is immune, “the legislature did not intend to create a corridor of immunity from the ball field to the parking lot when the walk is inextricably connected to a non-immune activity.” The court noted that this same logic applies equally when someone is engaged in a recreational activity that is covered by the statute, so that a momentary diversion such as going to the bathroom or taking a brief break from a recreational activity does not remove the protection of the recreational immunity statute.

In another case involving the organized sport exclusion, the Wisconsin Supreme Court held that the exception from landowner immunity extends not only to participants, but to spectators as well.¹³

CONCLUSION

Wisconsin’s recreational immunity statute, sec. 895.52, Stats., provides municipalities with broad immunity against liability for any injury to a person engaged in a recreational activity on municipal property. While the immunity is broad, it is not absolute. Municipal officials and municipal attorneys should be aware of statutory exceptions and case law interpretations that might expose a municipality to potential liability so that the municipality can secure the requisite insurance or implement measures to avoid such liability.

Liability 390R1

¹ See 1983 Wis. Act 418, repealing sec. 29.68 which was created in 1963.

² 1983 Wis. Act 418, sec. 1.

³ “Property” means real property and buildings, structures and improvements thereon, and the waters of the state. Section 895.52(1)(f), Stats.

⁴ “Injury” means an injury to a person or property. Section 895.52(1)(b), Stats.

⁵ *Ervin v. City of Kenosha*, 159 Wis.2d 464, 464 N.W.2d 654 (1991)

⁶ “Recreational activity” “includes hunting, fishing, trapping, camping, picnicking, exploring caves, nature study, bicycling, horseback riding, bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain vehicle, operating a vehicle, as defined in s. 340.01(74) on a road designated under s. 23.115, recreational aviation, ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding, snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or removing wood, climbing observation towers, animal training, harvesting the products of nature, sport shooting and any other outdoor sport, game or educational activity.” Sec. 895.52(1)(g), Stats.

⁷ 1983 Wis. Act 418, sec. 1.

⁸ See *Johnson v. City of Darlington*, 160 Wis.2d 418, 466 N.W.2d 233 (Ct. App. 1991) and *Ervin v. City of Kenosha*, 159 Wis.2d 464, 464 N.W.2d 654 (1991). But cf. *Linville v. City of Janesville*, 184 Wis.2d 705, 516 N.W.2d 427 (1994), where a vehicle was accidentally driven into a municipal pond while the occupants were looking at a fishing spot, and the paramedics allegedly were slow to respond or alleged to be negligent in other respects. Wisconsin Supreme Court held that sec. 895.52, Stats., did not afford the municipality immunity for injuries sustained by the recreational land users. The court reasoned that the claims were based on allegedly negligent emergency rescue services provided by the municipality which were unrelated to the municipality’s ownership of the recreational land or were based on the allegedly negligent actions of municipal employees whose employment was unrelated to the recreational land.

⁹ *Auman v. School Dist. of Stanley-Boyd*, 2001 WI 125, 248 Wis.2d 548, 635 N.W.2d 762.

¹⁰ *Id.*

¹¹ *Fischer v. Doylestown Fire Dept.*, 199 Wis.2d 83, 543 N.W.2d 575 (Ct. App. 1995). But cf. *Silingo v. Village of Mukwonago*, 156 Wis.2d 536, 458 N.W.2d 379 (Ct. App. 1990).

¹² *Hupf v. City of Appleton*, 165 Wis.2d 215, 477 N.W.2d 69 (Ct. App. 1991).

¹³ *Meyer v. School District of Colby*, 226 Wis.2d 704, 595 N.W.2d 339 (1999) (school district was not immune from liability when spectator watching a high school sponsored football game was injured when the bleachers broke under her as she descended following the football game. Although watching a high school football game is a recreational activity, and the school district had not charged spectators admission to watch the game, the organized team sport activity exception to the recreational use statute extends to spectators who are not participants and whose injuries do not arise out of team sport activity or the actions of participants in that activity).

DID YOU KNOW?

197 municipalities have administrator positions,
88 of which are purely administrators and 109
of which combine the position with other titles.

PLAYGROUND SAFETY SELF INSPECTION CHECKLIST

THIS CHECKLIST DOCUMENTS THE PERIODIC SAFETY CHECKS OF THE OUTDOOR PLAY AREA CONDUCTED TO REDUCE THE POTENTIAL FOR ACCIDENTS AND INJURIES:

- CHECK THE EQUIPMENT FOR CRACKS, BENDING, WARPS, RUSTING, OR BREAKAGE OF ANY COMPONENT
- CHECK FOR ANY CRACKED ITEMS THAT MAY POSE A PINCHING HAZARD
- CHECK FOR LOOSE NUTS, BOLTS, AND CAPS OR PROTRUDING BOLTS WITH SHARP EDGES AND NO CAPS
- CHECK FOR RUSTY EQUIPMENT
- CHECK THE CHAINS ON SWINGS TO SEE THAT THEY ARE SECURELY ATTACHED
- CHECK FOR VANDALISM
- MONITOR PLAY AREA FOR ANIMAL FECES, POISONOUS PLANTS OR OTHER DEBRIS
- CHECK THE ENERGY ABSORPTIVE MATERIAL UNDER AND AROUND THE PLAY EQUIPMENT, RAKE IF NECESSARY
- CHECK FOR TRIPPING HAZARDS, SUCH AS EXPOSED FOOTINGS, ROOTS, ROCKS, ETC.
- CHECK FOR SLIPPING HAZARDS, INCLUDING ACCESS PAVEMENT
- CHECK FOR BROKEN SUPPORTS/ANCHORS
- CHECK FOR LACK OF LUBRICATION ON MOVING PARTS
- CHECK FOR POOR DRAINAGE AREAS
- CHECK FOR CHIPPING OR PEELING PAINT ON ALL EQUIPMENT
- CHECK FOR SHARP EDGES AND POINTS ON FENCES, PLAY EQUIPMENT, ETC

CHECK FOR INFESTATIONS OR NESTS OF INSECTS, SPIDERS, BEES

ANY OBSERVED ISSUES REQUIRING CORRECTIVE ACTION:

SIGNATURE AND POSITION OF PERSON COMPLETING THE ABOVE INSPECTION CHECKLIST

DATE OF INSPECTION



Dodge County Land Resources and Parks Department

127 East Oak Street · Juneau, WI 53039-1329
PHONE: (920) 386-3700 · FAX: (920) 386-3979
EMAIL: landresources@co.dodge.wi.us

DATE SENT TO VILLAGE: **AUGUST 13, 2024**

**DEADLINE FOR
VILLAGE DENIAL:** **SEPTEMBER 12, 2024**

LETTER OF INTENT NOTIFICATION

Please find attached a copy of the minor subdivision letter of intent(s) submitted to our department for approval.

OWNER
EUGENE & SUSAN
GRINWALD

VILLAGE
NEOSHO

ACTIVITY NUMBER
2024-0637

Please notify our department of your Village Boards position on the enclosed letter(s) of intent. If your Village Board does not return the completed form by the above deadline or file a request that the County review be delayed until a date after which your Village Board has reviewed the proposal, we will assume that the Village Board is in favor of the land division request and we will then proceed with scheduling County Planning Committee review at their next available meeting.

CONTACT: Land Resources & Parks Department
ATTN: Land Division
127 E. Oak Street
Juneau, WI 53039

Phone: (920) 386-3700
FAX: (920) 386-3979

Thank you!

VILLAGE'S RECOMMENDATION

APPROVE DENY NO RECOMMENDATION

LAYOVER TO DATE: _____

COMMENTS: _____

VILLAGE REPRESENTATIVE



DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT
 127 E OAK STREET • JUNEAU, WI 53039
 PHONE: (920) 386-3700 • FAX: (920) 386-3979
 E-MAIL: landresources@co.dodge.wi.us

**MINOR LAND DIVISION
 LETTER OF INTENT FORM**

THIS AREA FOR OFFICE USE ONLY	
Activity No. 240637	Expiration Date
Application Date: 8-12-24	Receipt #: 10071-0009

Application Fee: \$75 (Non-Refundable)

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION				
Applicant (Agent) Steve & Nicole Grinwald		Parcel Identification Number (PIN) 038-1017-2141-000				
Street Address N3420 Jefferson Rd		Town Rubicon	T 10N	N 17E	R 17E	
City • State • ZipCode Rubicon, WI 53078		1/4 NE	1/4 SE	Section 21	Acreage of Parent Parcel 40	Acreage of Proposed Lot(s) 6.01
Property Owner (If different from applicant) Eugene & Susan Grinwald		Subdivision (Name, lot and block) or CSM # (Volume/Page/Lot) N/A				
Street Address W1038 Pond Rd		Site Address Of Property (DO NOT include City/State/ZipCode) Jefferson Rd				
City • State • ZipCode Rubicon, WI 53078		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

CONTACT PERSON

Name and daytime phone number (include area code) of a person we can contact if we have any questions about your application.

Name Nicole Grinwald Daytime Phone (414) 587 _ 1114

CURRENT PROPERTY USE

PROPOSED USE

- Vacant Property
- Single Family Residential
- Duplex (Two-Family Residential)
- Multi-Family Residential
 - Number of residential units: _____
- Active Working Farm Operation
- Recreational / Wetlands / Wooded Parcel
- Business / Industrial / Commercial Use (Describe Below)
- Other (Describe Below)

- Single Family Residential
- Duplex (Two-family Residential)
- Multi-Family Residential
 - Number of residential units: _____
- Agricultural Use Only – No residential structures
- Open Space Recreational / Wetlands - No residential structures
- Business / Industrial / Commercial Use (Describe Below)
- Other (Describe Below)

A SKETCH PLAN SHOWING THE PROPOSED LAND DIVISION IS REQUIRED TO BE SUBMITTED WITH THIS APPLICATION.

CERTIFICATE

I, the undersigned, hereby apply for Minor Land Division approval and certify that all the information both above and attached is true and correct to the best of my knowledge. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my request.

Contact Person (Print) Nicole Grinwald Daytime Contact Phone (414) 587 _ 1112 Email: ngrinwald@wbmi.com
 Signature Nicole Grinwald Digitally signed by Nicole Grinwald Date: 2024.07.02 15:53:11 -0500 Date 7/8/24

OFFICE USE ONLY

- CUP Required (App _____)
- REZONE Required (App _____)
- Restriction Release Required

Notes:

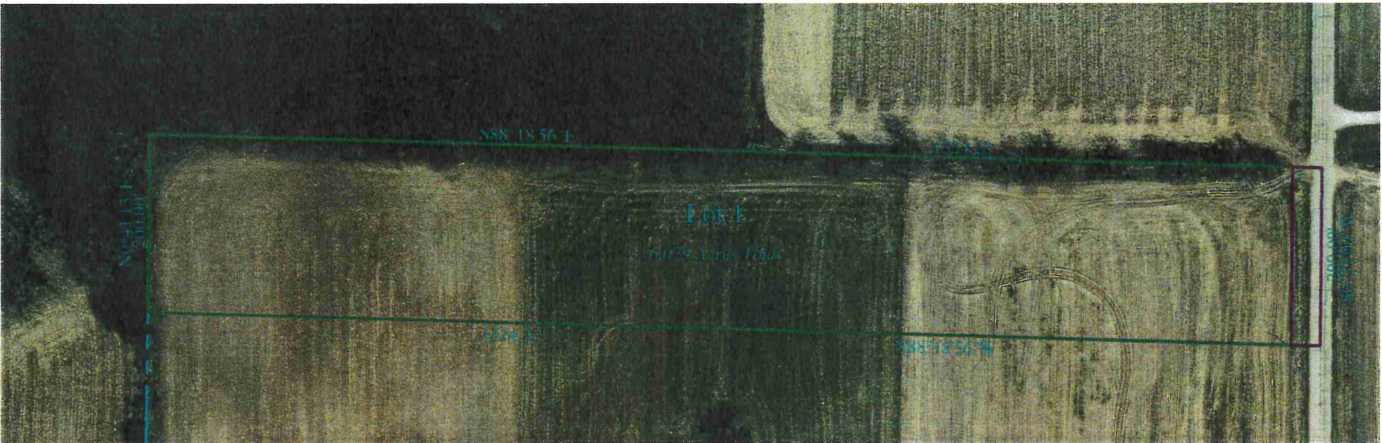
APPROVED

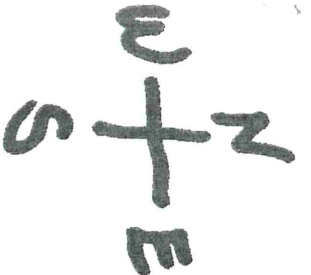
DENIED

LAND RESOURCES AND PARKS DEPARTMENT

Date

The 6.079 acre parcel below is off the north end of Parcel No. 038-1017-2141-000



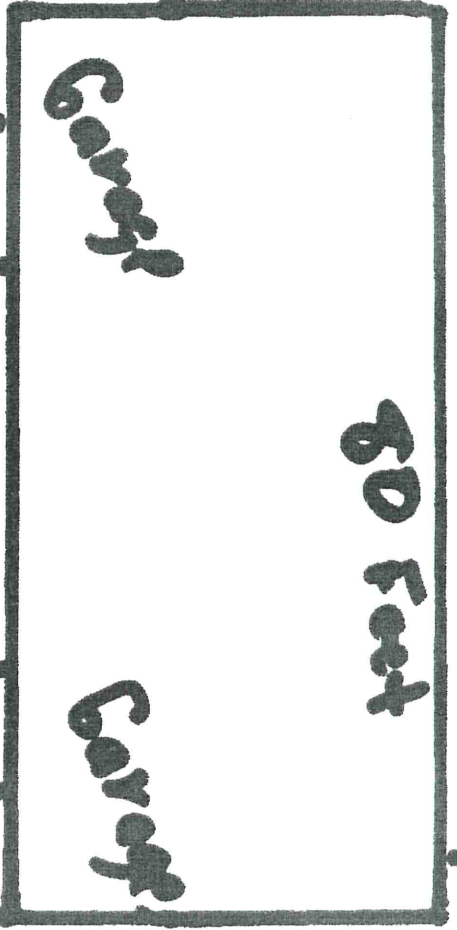


200 ft

42 Feet

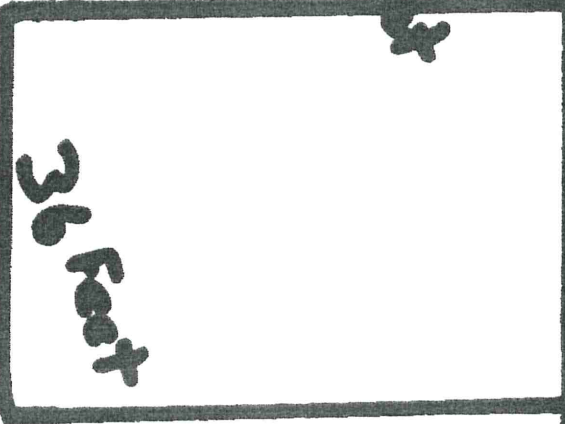
1308 ft

23 feet



80 Feet

50 Feet



36 Feet



Circle Driveway

25 Feet

Home Driveway
Apt. 600
Lan