

RESOLUTION NO. 2024-66

RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN RACINE COUNTY, KENOSHA COUNTY, AND THE WISCONSIN DEPARTMENT OF TRANSPORTATION (WisDOT) REGARDING A JURISDICTIONAL TRANSFER FOR PORTIONS OF COUNTY TRUNK HIGHWAY (C.T.H.) "KR", AND STATE TRUNK HIGHWAY (S.T.H.) "75",

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that a Memorandum of Understanding between Racine County, Kenosha County and the Department of Transportation, which is attached here as "Exhibit A" and incorporated by reference, for the jurisdictional transfer of portions of CTH "KR" and portions of STH 75, located in Racine County, Wisconsin, is authorized and approved; and

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the jurisdictional transfer as set forth herein is contingent on Kenosha County, and the WisDOT review and approval of the jurisdictional transfer.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that any two of the County Clerk, the County Executive, and/or the County Board Chairman are authorized to execute any leases, contracts, agreements, amendments, or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading _____

PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE

2nd Reading _____

BOARD ACTION

Eric Hopkins, Chairman

Adopted _____

For _____

Against _____

Absent _____

Scott Maier, Vice-Chairman

VOTE REQUIRED: MAJORITY

Taylor Wishau, Secretary

Prepared by: Public Works and Development Services Department

Ernie Rossi

Tom Rutkowski

Greg Horeth

3
4
5 _____
6 Gary Kolb

7
8 The foregoing legislation adopted by the County Board of Supervisors of
9 Racine County, Wisconsin, is hereby:

10
11 Approved: _____

12 Vetoed: _____

13
14 Date: _____

15
16 _____
17 Thomas E. Roanhouse, Interim County Executive

18
19 **INFORMATION ONLY**

20
21 **WHEREAS**, WisDOT is currently proposing a transfer of jurisdiction of portions of
22 C.T.H. "KR" and portions of S.T.H. 75; and

23
24 **WHEREAS**, the Public Works, Parks and Facilities Committee has considered a
25 proposal that the jurisdiction of approximately 5 miles of S.T.H.75 from its intersection
26 with the S.T.H. 20 southerly to the intersection with County Line Road be transferred to
27 Racine County as a C.T.H.; and

28
29 **WHEREAS**, WisDOT shall accept jurisdictional authority of the 1.4 miles of
30 C.T.H. "KR" between S.T.H. 31 and S.T.H. 32 previously under jurisdiction of Racine
31 County; and

32
33 **WHEREAS**, these jurisdictional transfers will take effect on November 15, 2024;
34 and

35
36 **WHEREAS**, Wisconsin Statutes enable the State and counties to enter into
37 jurisdictional transfers and to agree to terms and conditions which those units of
38 government deem necessary for the operation and maintenance of the highways
39 transferred; and

40
41 **WHEREAS**, Racine County finds and determines that good transportation policy
42 and the public good are served by the transfer.
43

Resol. No. 2024-66
Exhibit A

Memorandum of Understanding
between
Kenosha County
and
Racine County
and
Wisconsin Department of Transportation

This memorandum defines the agreement between Kenosha County, Racine County, and the Wisconsin Department of Transportation (WisDOT), collectively the parties ("Parties"), for a Jurisdictional and State Highway Change of CTH KR and WIS 75 as further described.

WHEREAS, Section 84.02(8), Wisconsin Statutes, enables WisDOT to enter into jurisdictional transfer agreements with local units of government, thereby facilitating alterations in jurisdictional highway systems; and,

WHEREAS, Vision 2050 Recommended Regional Land Use and Transportation Plan prepared by the Southeastern Wisconsin Regional Planning Commission recommends WIS 75 become a County Trunk Highway; and,

WHEREAS, WIS 75 was originally constructed to serve Bong Air Force Base which was never constructed; and,

WHEREAS, County Highway KR was reconstructed to accommodate anticipated development.

RECITALS

- A. On November 13, 2008, Racine County and the State entered into a Jurisdictional Transfer Agreement (JT261) giving jurisdiction to WisDOT for the northern portion of CTH KR 1,685 feet west of I-94 Centerline to 1,098 feet east of the I-94 centerline; and intend to preserve this as State jurisdiction; and,
 - a. All terms are satisfied.
- B. On March 30, 2009, Kenosha County and WisDOT entered into a Jurisdictional Transfer Agreement (JT278) giving jurisdiction to the State for the southern portion of CTH KR 500 feet west of the relocated I-94 West Frontage Road to 500 feet east of the relocated I-94 East Frontage Road; and intend to preserve this as State jurisdiction; and,
 - a. All terms are satisfied.
- C. On October 30, 2017, Village of Mount Pleasant, Racine County, and WisDOT, entered into an agreement committing to a jurisdictional transfer giving jurisdiction to the State for CTH KR the West I-94 Frontage Road to 90th Street as well as commitments related to the reconstruction of the highway; and,
 - a. Term B.7. requires a payment from Racine County of up to [\$11,500,000], if TID #5 in the Village of Mount Pleasant closes prior to 2043. This term is still in effect.
- D. On November 2, 2017, Racine County and the State entered into a Jurisdictional Transfer Agreement giving jurisdiction to the State for CTH KR between the West I-94 Frontage Road and 90th St.; and,
 - a. Terms errantly duplicate transferring CTH KR to the State between the West I-94 Frontage Road and 500 feet east of the East I-94 Frontage Road.
 - b. Agreement was not fully executed, lacking Kenosha County signature.
- E. On April 16, 2018, Kenosha County, Racine County, and the State entered into a Jurisdictional Transfer Agreement (JTA#FC-03) giving jurisdiction to the State for CTH KR between the West I-94 Frontage Road and Old Green Bay Road; and

- a. Terms errantly duplicate transferring CTH KR to the State between the West 194 Frontage Road and 500 feet east of the East 194 Frontage Road.
 - b. Terms specify Racine County payment for construction of CTH KR segment between Wis 31 and Old Green Bay Road.
 - c. Terms specify the development of a long-range access management vision of the corridor which is provided by the design plan.
 - d. Terms specify that the Department shall be responsible for lane mileage recalculation and an agreement prior to transferring jurisdiction.
 - e. Terms specify that upon execution of an operations and maintenance agreement between the counties and the Village, continuous street lighting would be designed and constructed; the agreement dated November 11, 2020 was signed by Racine County but never fully executed and continuous street lighting was installed.
- F. Kenosha County and WisDOT signed Traffic Control Signal Operation and Maintenance Agreements between for the following:
- a. Kenosha County, CTH KR and CTH H, June 4, 2018
 - b. Kenosha County, CTH KR and 100th Street / Foxconn Driveway, June 4, 2018; and

Now, Therefore, the Parties agree to all of the following:

1. WisDOT will return and Kenosha and Racine Counties will accept jurisdiction of CTH KR between 500 feet east of the East 194 Frontage Road to Old Green Bay Road to satisfy prior agreements; and,
2. WisDOT and Kenosha and Racine Counties will swap jurisdiction of the following highways in their current condition without payment after the completion and acceptance of the State's Highway Safety Improvement Project at the intersection of Wis 75 and CTH A (2420-00-70) scheduled for 2024; and,
 - a. Jurisdictional Transfer of Wis 75 from Wis 50 (excluding the intersection) to Kenosha / Racine County Line to Kenosha County; and,
 - b. Jurisdictional Transfer of Wis 75 from Kenosha / Racine County Line to Wis 20 (excluding the intersections with Wis 11 and Wis 20) to Racine County; and,
 - c. Jurisdictional Transfer and State Highway Designation of CTH KR from 500 feet east of the East 194 Frontage Road to Wis 32 to the State; and
3. Racine County, or their designee, will remove continuous highway lighting (poles, arms, lights, wires) identified in Attachment A and referenced in E.e. above and return that equipment to the State at their designated location at County cost; and,
4. The Parties will revise signal agreements to indicate WisDOT operation and maintenance of Traffic Control Signals on CTH KR.

Signatures on the following page

Approved for the Wisconsin Department of Transportation by:

Rebecca Burkel, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

Approved for Kenosha County by:

Samantha Kerkman, County Executive
Kenosha County, WI

Date

Approved for Racine County by:

Thomas Roanhouse, Interim Racine County Executive

Date