

RESOLUTION NO. 2012-56S

**RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE
ACCEPTING RESTORATION MONEY FROM WISCONSIN ELECTRIC POWER
COMPANY (WE ENERGIES) FOR MRK RECREATIONAL TRAIL SYSTEM**

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

BE IT RESOLVED by the Racine County Board of Supervisors that the acceptance of a grant not to exceed \$23,500.00 from WE Energies to reconstruct a portion of the original MRK Recreational Trail between 7 Mile Road and County Line Road, is hereby authorized and approved.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that Racine County shall reconstruct the original recreational trail to its satisfaction between Seven Mile Road and County Line Road as noted on Exhibit "A" which is attached hereto.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that terms and conditions as previously agreed to between the parties and set out in "Exhibit B" which is attached hereto, are authorized and approved:

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that any two of the County Executive, the County Clerk, and/or the County Board Chairman are authorized to execute any contracts, agreements 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

Katherine Buske, Chair

Adopted _____

For _____

Against _____

Robert D. Grove, Vice-Chair

Absent _____

VOTE REQUIRED: Majority ME

Mike Dawson, Secretary

Prepared by:
Corporation Counsel

Monte G. Osterman

Jeff Halbach

5
6 _____
Daniel F. Sharkozy
7

8
9 _____
Kiana K. Johnson
10

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12
13
14 **The foregoing legislation adopted by the County Board of Supervisors of
15 Racine County, Wisconsin, is hereby:**

16 **Approved:** _____

17 **Vetoed:** _____

18
19 **Date:** _____
20

21 _____
22 **James A. Ladwig, County Executive**
23

24
25
26 **INFORMATION ONLY**
27

28 **WHEREAS**, in 1976, Racine County entered into a license agreement to develop
29 a trail system on WE Energies fee-owned right of way lands, in return for Racine
30 County's promise to perform certain obligations and duties; and
31

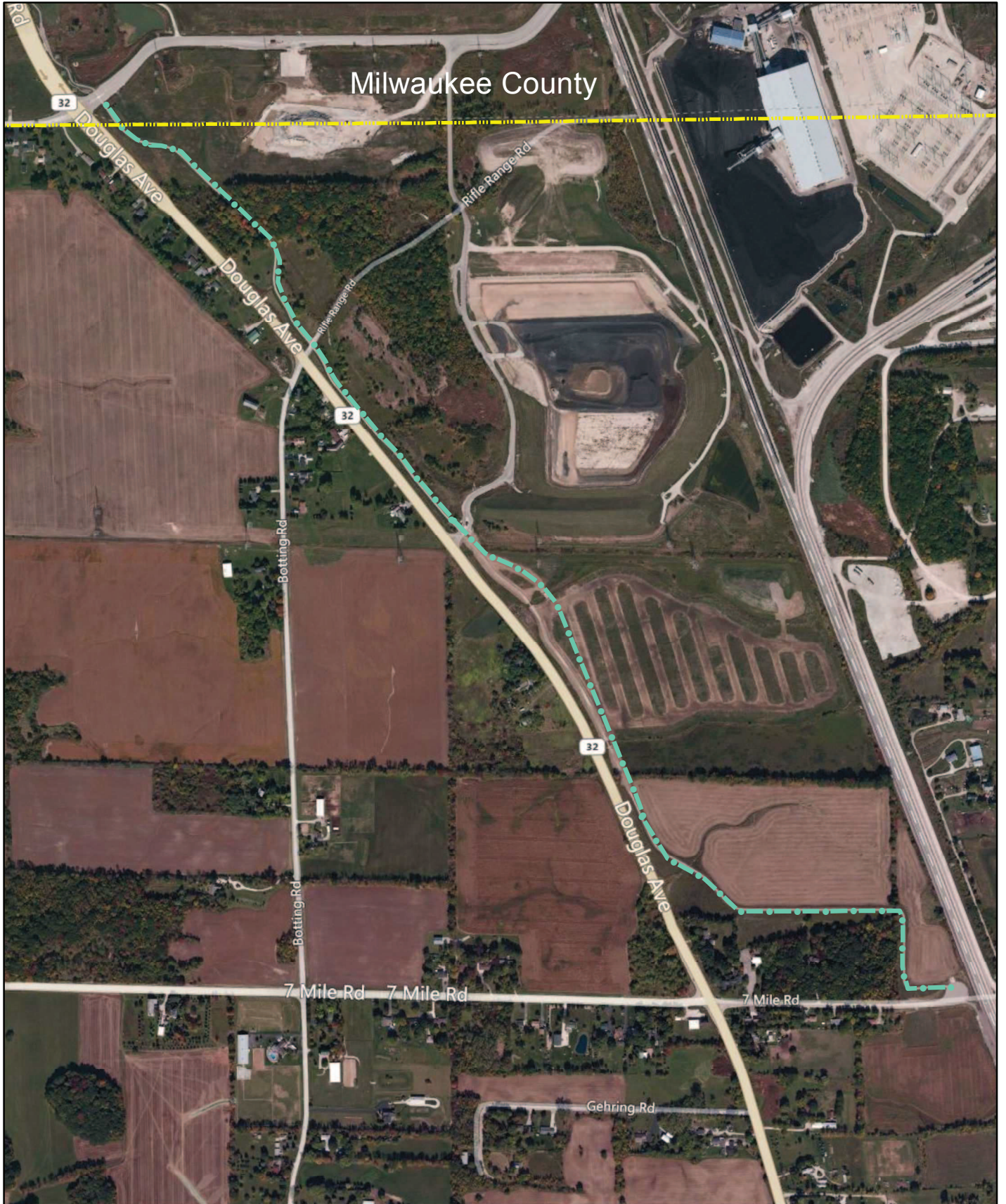
32 **WHEREAS**, the developed recreational trail between Seven Mile Road and
33 County Line Road does not meet the standard of the remaining portions of the MRK
34 Recreational Trail and may not be suitable for all bicycles; and
35

36 **WHEREAS**, this area of the trail shall be reconstructed by Racine County with
37 limestone screenings in a 10-foot wide riding surface to a depth of three inches; and
38

39 **WHEREAS**, the trail will be reconstructed to provide a uniform riding surface for
40 the entire MRK Recreational Trail, with a completion of reconstruction by the Fall of
41 2014; and
42

43 **WHEREAS**, that WE Energies will pay Racine County after said work is
44 completed with the understanding that payment is its full, final payment and in full
45 satisfaction of WE Energies for the trail restoration; and
46

47 **WHEREAS**, that Racine County shall agree to indemnify, protect, save and hold
48 harmless WE Energies for any liability arising out of said project.
49



1 in = 800 ft

**MRK Recreation Trail System
7 Mile Road to County Line Road
Village of Caledonia**





We Energies
 231 W. Michigan St.
 Milwaukee, WI 53203
 www.we-energies.com

August 15, 2012

Ms. Julie Anderson
 Director of Public Works and Development Services
 Racine County
 14200 Washington Avenue
 Sturtevant, WI 53177

RE: AGREEMENT FOR RECONSTRUCTION OF 7 MILE ROAD AND COUNTY LINE ROAD TRAIL

Dear Ms. Julie Anderson,

As part of the Oak Creek Power Plant Expansion, We Energies installed a recreation trail from the County Line south to 7 Mile Road as part of the MRK Recreational Trail. It is our understanding that Racine County is now requesting reconstruction of this portion of the MRK Recreational Trail between 7 Mile Road and County Line Road in Caledonia as this portion of the trail does not meet the standard of the other trails that you have installed in the past and may not be suitable for all bicycles.

We Energies agrees to reconstruct the portion of the trail between 7 Mile Road and County Line Road based upon the following:

1. Design: We Energies agrees to your recommendation that a ten (10) foot wide limestone screening riding surface be installed to a depth of three (3") inches, from 7 Mile Road and the County Line, to provide a uniform riding surface for the entire MRK trail.
2. Cost: We understand that in 2008, Racine County completed a similar project on the MRK Recreational Trail between 5 Mile Road and 6 Mile Road (approx. 5615 LF). We Energies reimbursed the County in the amount of \$16,278.00 for all supervision, labor, equipment and materials related to the project. Based on those figures, the lineal foot (LF) cost for the project was \$2.90/LF. We have received your email stating that the Racine County Public Works Department estimates that they could perform similar work between 7 Mile Road and the County Line (approx. 8040 LF) for a not to exceed cost of \$23,500.00. This cost includes all supervision, labor, equipment and materials related to reconstruction.
3. Timing: We understand that the work on the reconstruction of this portion of the trail will be completed in a timely manner but no later than the fall of 2014.

Based on the foregoing, We Energies agrees to issue you a check for 50 percent of the cost of the project 30 days prior to commencement of construction of the project. The remaining balance of the cost of the project will be paid upon completion. If the project does exceed the cost of \$23,500.00 Racine County agrees to cover the remaining balance to reconstruct the trail.

If you are in agreement, please sign and date below.

Sincerely,

Linda Sodemann
 Local Affairs Account Manager
 (414)221-3033

RECEIVED

AUG 20 2012

RACINE COUNTY

I agree to accept terms and conditions set forth hereinabove.

RACINE COUNTY

By: _____
 Julie Anderson, Director of Public Works and Development Services

Date: _____