

Resolution No. 9-0524

**JURISDICTIONAL TRANSFER by and between the COUNTY OF IOWA and the
TOWN OF ARENA REGARDING CTH CC from CTH C to STH 14 in the
Town of Arena.**

THIS AGREEMENT ("Agreement") is made and entered into by and between the County of Iowa, a quasi-municipal corporation in the State of Wisconsin (hereinafter referred to as "COUNTY"), the Town of Arena, a municipal corporation in the State of Wisconsin (hereinafter referred to as "TOWN" or "TOWNSHIP").

WITNESSETH:

WHEREAS, the County has taken over a number of rural township roads functionally classified as Local Roads over the years which has resulted in the County maintaining the 11th highest system of County Trunk Highways in the state when compared to other counties, And;

WHEREAS, the County has a large backlog of needed roadway pavement maintenance and improvement projects due to maintaining a large proportionate share of roadway infra-structure within the County compared to counties with similar demographics, And;

WHEREAS, due to County Highway Improvement fiscal constraints and the amount of higher priority infra-structure needs based on functional classification of the County Trunk Highway network; it is recognized improvement of CTH CC in the Town of Arena may not occur for several years if not decades, And;

WHEREAS, the State of Wisconsin General Transportation Aid (GTA) formula for townships is based on a flat rate per mile of roadway method of contribution (for 2021 determined as \$2681 / mile) and the state formula allows a maximum level of share of cost funding to be given equal to 85% of the townships actual 6-year average eligible costs (which was determined to \$183,217.78 for 2021 based on the prior 6-years of actual costs versus the townships current GTA level of \$84,570), And;

WHEREAS, by the state General Transportation Aids accounting method the Township could stand to receive additional funding for roadway maintenance (estimate based on the 2021 funding distribution of \$2,681 Rate per Mile for additional township mileage = \$1,020 +/- / year) related expenses, And;

WHEREAS, the County's State of Wisconsin General Transportation Aid formula is based on a rolling 6-year average share of cost formula; of which annual increases in County expenses for County Trunk Highway maintenance during periods of fixed local government tax levies results in declining GTA reimbursements for the County increasing the gap between project backlog and

available funding for improvements, And;

WHEREAS, CTH CC is classified as a low volume local road with average daily usage of less than 450 vehicles per day resulting in the types of traffic usage being more township local resident community related rather than regional county to county or county to state based trip generation movements, And;

WHEREAS, the proposed improvement for CTH CC should be at the level of the usage of the road being Low Volume Local system, And;

WHEREAS, the COUNTY has obtained consent from the TOWNSHIP as required by Wis. Statute 83.025(1) to delete this portion of CTH CC from the county trunk highway system and rename it as Helena Road within the Township via this Resolution, And;

WHEREAS, the COUNTY obtained the consent of the Department as required by Wis. Stat. 83.025(1) to Jurisdictionally Transfer this portion of CTH CC from the county trunk highway system to the Town of Arena system, And;

WHEREAS, pursuant to Section 66.0301 Wis. Stats.; the TOWN and COUNTY wish to formalize arrangements for the distribution of maintenance costs, reimbursements, maintenance, permit authority, and snow removal duties and responsibilities for CTH CC between CTH C and STH 14 measuring as 0.45 miles in length as measured along the centerline complete with all existing infra-structure assets including but not limited to culverts, signage, guardrail, roadway, right of way, and other miscellaneous attributes, And;

WHEREAS, only two adjacent parcels owned by the Frank Lloyd Wright Foundation and the Wisconsin Department of Natural Resources abut CTH CC and both properties abut other highways being CTH C and STH 14 from which to gain property access to or from, And;

WHEREAS, the County considered vacation of CTH CC between CTH C and STH 14 as a result of the road not providing any exclusive public access to any property, And;

WHEREAS, the Town of Arena Town Board has discussed the proposed vacation of CTH CC by the County, and the Town has voted retention of the right of way for a public road currently known as CTH CC is in the best interests of the residents and the township, And;

WHEREAS, the TOWN and COUNTY wish to formalize the transfer of Jurisdiction of CTH CC, in its' entirety from the intersection with CTH C to its' terminus at the intersection with STH 14 wholly in the Town of Arena;

NOW, THEREFORE BE IT RESOLVED, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, TOWN and COUNTY do hereby agree as follows:

The portion of County Trunk Highway previously known as CTH CC in the township of Arena between the intersection with CTH C and STH 14 will hereinafter be Jurisdictionally Transferred to the Town of Arena:

1. From henceforth forward; CTH CC shall be removed from the County Highway Listing in Iowa County and shall be added to the Town of Arena Road Mileage and herein renamed and to be known as Helena Road.
2. The township centerline roadway mileage summary for the Town of Arena will be increased by 0.45 miles from 77.54 (Total Road) miles to be 77.99 (Total Road) miles.
3. The County Trunk Highway system roadway mileage summary for Iowa County will be decreased by 0.45 miles from 86.72 (Total County Trunk Highways classified as Local Road) miles and 25.88 (of County Trunk Highway classified in the Township of Arena) miles to be 86.27 (Total County Trunk Highways classified as Local Road) miles and 25.43 (of County Trunk Highway classified in the Township of Arena) miles, respectively;
4. The Township herein agrees to be responsible for any and all future road maintenance, construction, right of way, permitting, and all other statutory authorities, costs, infra-structure, permits, agreements, and other ancillary related conditions for said described roadway from the date of implementation of this agreement as herein stated below and forward;
5. The County hereby agrees to the following investments into CTH CC during the 2024 season:
 - Provide wedging to repair 3 locations along CTH CC to the proper crown and cross-section estimated at 125 Tons.
 - Provide a fresh Sealcoat surface in 2024, full width of the pavement;
 - Remove and reset one existing culvert pipe (at the CTH C intersection) for proper drainage.

The total costs for the improvements as specified herein shall be borne by Iowa County and is estimated at \$28,000.

6. Per Policy #1120 County Trunk Highway Jurisdictional Transfers adopted on 09/19/2023; Iowa County commits to a lump sum payment of \$30,000 * 0.45 Miles = \$13,500.00. Payable to the Town of Arena upon completion of the action items above, or no later than December 31, 2024.
7. The County is working on a project to reconstruct and upgrade CTH C between STH 23 and STH 14. As part of that project, the CTH CC intersection will be re-constructed to re-align to the new grades and design for CTH C. This work will be performed as part of the CTH C project with no cost to the township.

Said Jurisdictional Transfer shall be considered adopted upon completion of the commitments or actions described above; being the final date of completion of the actions or commitments as listed, said date shall be no later than December 31 of the year of adoption as listed below.

Offered by action of the Public Works Committee:

Chairman, Dave Gollon

Date

Adopted by the Township Board of the Town of Arena:

Dave Lucey
Town Chair, Dave Lucey

4-29-2024
Date

Attested to by the Town Clerk

Date

Cheryl Schmidt

4/30/2024

Adopted by the Iowa County Board of Supervisors:

John Meyers
Iowa County Board Chair, John Meyers

5-21-2024
Date

Attested to by the County Clerk

Date

Kristy K Spurley

5-21-2024

