

PECATONICA RAIL TRANSIT COMMISSION

20 S Court Street • PO Box 262 • Platteville, Wisconsin 53818

MEMBER COUNTIES: GREEN • IOWA • LAFAYETTE • ROCK

1:00 PM • Friday, May 29, 2015 • Green Co. Courthouse, 2nd Floor Courtroom, 1016 16th Ave • Monroe, WI

1. 1:00 PM **Call to Order** – *Harvey Kubly, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn, PRTC Administrator*

Commissioners present for all or part of the meeting:

	<i>Commissioner</i>	<i>Position</i>	<i>Present</i>		<i>Commissioner</i>	<i>Position</i>	<i>Present</i>
<i>Green</i>	<i>Harvey W. Kubly</i>	<i>Chair</i>	<i>x</i>	<i>Iowa</i>	<i>Charles Anderson</i>	<i>Secretary</i>	<i>x</i>
	<i>Oscar Olson</i>		<i>x</i>		<i>William G. Ladewig</i>		<i>x</i>
	<i>Ron Wolter</i>	<i>Treasurer</i>	<i>x</i>		<i>Philip Mrozinski</i>		<i>x</i>
<i>Lafayette</i>	<i>Leon Wolfe</i>		<i>x</i>	<i>Rock</i>	<i>Ben Coopman</i>	<i>Alternate</i>	
	<i>Larry Ludlum</i>				<i>Wayne Gustina</i>		<i>x</i>
	<i>Gerald Heimann</i>	<i>Alternate</i>			<i>Alan Sweeney</i>	<i>1st Vice Chair</i>	<i>x</i>
	<i>Ted Wiegel</i>		<i>x</i>		<i>Terry Thomas</i>	<i>2nd Vice Chair</i>	<i>x</i>

Commission achieved quorum.

Other present for all or some of the meeting:

- | |
|---|
| <ul style="list-style-type: none"> • Mary Penn, SWWRPC • Ken Lucht, WSOR • Kim Tollers, WDOT |
|---|

3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn*
 - *Motion to approve certification of public meeting – Anderson/Ladewig, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
 - *Motion to approve agenda with administrative correction on item 15 to delete “triangular-shaped” – Mrozinski/Wolfe, Passed Unanimously*
5. Action Item. **Approval of draft Minutes from January 2015 meeting** – *Prepared by Penn*
 - *Motion to approve minutes of January 2015 meeting – Wiegel/Sweeney, Passed, Mrozinski abstained*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
 There were no public comments.
7. Updates. **Correspondence & Communications** – *Discussion may be limited by the Chair*
 Mary Penn listed the Commission correspondence she had dealt with since January.

REPORTS & COMMISSION BUSINESS**8. PRTC Financial Report – Ron Wolter, SCWRTC Treasurer**

- *Motion to approve Treasurer's Report – Sweeney/Gustina, Passed Unanimously*
- *Motion to approve payment of bills – Mrozinski/Anderson, Passed Unanimously*

Ron Wolter gave the Treasurer's Report to the Commission and listed the checks to be paid. Oscar Olson asked about the payment to the Town of Clarno. Ladewig asked if any major bills were coming due and if so, should some money be put into a cd. Wolter said the Commission was saving money in cds. There was discussion about the interest rates on cds vs prime time checking and the wisdom of putting the Commission's money in which place.

Wolter noted the bridge project costs from Juda of \$26,000 to WSOR. There were some questions on the payment of this and whether payment to it had been approved in the past. Ken Lucht gave some background and history on Bridge 108 in Juda. He explained that the PRTC's contribution was approved in the 2014 capital projects report. He added that the other five bridges on the sub were already completed. The location of the bridge in Juda was clarified. Alan Sweeney asked about the status of the seventh bridge. Lucht said the F30 (the 7th) Bridge work was for this year. Sweeney asked about the dollars to contribute after the F108 Bridge in Juda. Lucht confirmed that no more dollars would be billed to the PRTC after the 2014 bridge replacement work. Sweeney asked Ron if the total project allocated was equal to the amount paid. Harvey Kubly said the Green County contribution was usually 26,500.

9. WSOR Operation's Report – Ken Lucht, WSOR

Ken Lucht thanked the PRTC's support of the six bridge projects mentioned during the Financial Report. He said WSOR picked the lowest bid but most competent contractor and that WSOR was happy the bridges were complete. He said the F30 Bridge would be fully funded by WSOR and WDOT and was slated to be done later this year. Also later this year three crossing replacements scheduled: one in Juda to go out to bid (Hwy K), one in Brodhead, and the 3rd and 4th street complete replacements. Also, Lucht said there were three public at-grade road crossings and the F30 Bridge on the Monroe sub. He said there would be some more bridges and crossings come up in the future, as well as a possibility for a CWR project to the sub. However, with only 35 miles of track, CWR would be very expensive.

Routine maintenance such as inspections and tie replacements was ongoing Lucht reported. He said business was pretty "status quo" on the sub, and grain was moving pretty well. He said WSOR was thinking about bringing on about 10 more people for grain service to the track. He noted that sand and aggregate were moving well too, as well as lumber, an improvement over the last 2 years. Kubly noted that the crossing in Juda should be noted as "KS".

10. WisDOT Report – Staff may include Kim Tollers, Marty Morin, Roger Larson

Kim Tollers reported that WDOT was waiting on the budget and the Joint Finance committee was taking it up soon. She also said that Frank Huntington had been approved to work 1 day a week and will work on the FRIP and FRRPP programs. Lucht asked Tollers about the budget but she said WDOT had received no news.

11. PRTC Administrator's Report – Mary Penn, PRTC Admin.

Penn gave her report, including updating the Commissioners on a potential mapping project. She distributed a map to show the Commissioners an idea of the project outcome. There was some discussion about the nature of the Cheese County users and Badger State trail users.

12. Tri-County Trail Commission Report – Leon Wolfe

Leon Wolfe said that there was not much new on the trail although he noted that it needed some grading which was to be expected, due to use. He said the TCTC coordinator was going to pursue grants to widen the bridges and that the state now required bridges to be 12'. Funds were being requested to widen four bridges (all near Gratiot) at this time. He said the money was not available unless the bridges needed repair.

Phil Mrozinski brought up a question about the trail in Mineral Point. He said a snowmobile group had applied to the City for a sign near the trail head (near the train depot) and the City had approved it thinking it was on their property but it was on the PRTC property. Mrozinski said that the sign permit came through him (as the City Zoning Administrator) because he had been told it was city property. However, he wanted to know if the PRTC needed to approve or if it were the TCTC

that assigned property. He said that Paul McCarvil had got permission from the TCTC. Penn said she would check the management agreement to see if the TCTC has responsibility for signage. Kubly said if it was a structure, should not a lease be involved. Mrozinski said it was about 3-4' wide and 7-8' wide. Kubly said this sounded permanent. Mrozinski confirmed it would be permanent. Kubly asked Penn to talk to Eileen Brownlee about this. Penn would check with the TCTC. Kubly said they better have something in place. Wolfe asked Penn to forward and information found to Tom Jean.

Olson asked if there were any problem on the width of the trail. Ted Wiegel said ATVs were now 5' – 5.5' (older ones were 4'). Wolfe said some folks were putting tracks on their side-by-side machines which was illegal in the summer.

13. Discussion and Possible Action on WSOR's 2015 Capital Plan – Ken Lucht, WSOR

Ken Lucht said he was not yet ready to go ahead with this item so asked for the issue to be on the July agenda.

14. Discussion and Possible Action on approval of support letter for WisDOT's TIGER VII Grant Application for Freight Rail Improvement – Ken Lucht, WSOR

- *Motion to approve a letter of support for the WisDOT TIGER VII Grant Application – Ladewig/Wolfe, Passed Unanimously*

Ken Lucht distributed handouts. He said that in the past few years, the PRTC had supported WSOR's efforts to get a Tiger grant. He gave some background on the grant, noting that in 35 years, Wisconsin had never received federal dollars for rail infrastructure. He said that WSOR had applied to this program five times and been turned down every time. However, he said WSOR had been working with congressional reps and federal DOT personnel. Lucht said the PRTC's support as a regional transportation agency would be valuable to the effort and walked the Commission through the project application's scope. He said not much had changed since last year and listed some specific areas the project could address, particular replacing old, worn rail with continuous welded rail (CWR).

Lucht showed them the funding strategy which included a commitment from WRRTC of \$500,000.00 if the Tiger grant were approved. He said having matching funds like this helped make the application very competitive and noted some of the strategic benefits of this project. Lucht said if this system was upgraded from 5 mph up to 40 (max train speed) it would help WSOR be much more competitive.

Sweeney pointed out this was a multi-year commitment on the part of the WRRTC to help fund the local match. Ladewig asked if there was a prepared letter. Lucht confirmed Penn had it

15. Discussion and Possible Action on Selling a triangular-shaped parcel of property located in the SE ¼ of the SW ¼ of Section 4, T1N, R6E, Green County, WI for \$1.00, Cost of Certified Survey, and Cost of Preparing and Recording Deed to the Village of Browntown – Mary Penn, PRTC Administrator, Oscar Olson, PRTC, Eileen Brownlee, Corp. Counsel

Penn said Brownlee had been asked to attend the meeting but had been sick so was not attending. Penn updated the Commission on this issue, including a handout with the timeline of the parcel, starting back in October of 2014. Olson said he had been in touch with the village board. Tollers talked about parcel sales on corridors and suggested asking Brownlee about the sale of corridor property in relation to the Rails to Trails project. Lucht said that it was part of the regular corridor and that there was a steep grade and that might be part of the problem. He said any agreement the Commission might make with the Village would probably need to include liability protection in the case of a car going over the bank. Wiegel said he thought they should not sell it. Kubly said it had been a problem forever. Wiegel said to just let them use it like all the other TCTC trail which was used without lease payment. Olson said it impeded snow removal for the Village. Wiegel said let them lease it at a lesser amount. Kubly asked Lucht if he had run into anything like this.

Tollers suggested a temporary access permit which could establish rules and there would be no exchange of money. It could hold the Commission harmless and establish some boundaries. Lucht agreed and suggested looking at some previous permits. He said if the Commission did not sell, they should have some legal permit in place to protect themselves. Mrozinski said even if it were free it sounded like the Village would not sign it. He suggested putting signs

up that would remove liability from the Commission if the signage were clear enough. Kubly said that was a question for Brownlee. Anderson said that putting up a sign may not be the answer.

Sweeney said he would move to postpone action to confer with Brownlee and to look at WDOT's permit idea and come up with some use agreement.

- *Motion to postpone item 15 to confer with Corp Counsel – Sweeney/Olson, Passed Unanimously*

Ladewig asked Penn to contact the Village to see if they wanted to buy it.

16. Action Item - Adjournment

Motion to adjourn at 2:07 PM – Gustina/Wiegel, Passed Unanimously

DRAFT

PECATONICA RAIL TRANSIT COMMISSION

PO Box 262 · 20 S Court Street · Platteville, Wisconsin 53818
MEMBER COUNTIES: GREEN · IOWA · LAFAYETTE · ROCK

PRTC/WRRTC FORMAL FUNDING AGREEMENT WORKING COMMITTEE May 29, 2015

Green Co. Courthouse 2nd Floor Courtroom, 1016 16th Ave • Monroe, WI

1. **Call to Order** – *Harvey W. Kubly, Chair*
The meeting was called to order by Chair Kubly at 2:14 PM

2. **Establishment of Committee Members Present** – *Mary Penn, PRTC Administrator*

<i>Commissioner</i>	<i>County</i>	<i>Present</i>
<i>Harvey W. Kubly</i>	<i>Green</i>	<i>x</i>
<i>Ron Wolter</i>	<i>Green</i>	<i>x</i>
<i>Philip Mrozinski</i>	<i>Iowa</i>	<i>x</i>
<i>Charles Anderson</i>	<i>Iowa</i>	<i>x</i>
<i>Alan Sweeney</i>	<i>Rock</i>	<i>x</i>
<i>Wayne Gustina</i>	<i>Rock</i>	<i>x</i>

Also attending: Kim Tollers, WDOT, Mary Penn, PRTC Administrator

3. **Call to Order** – *Harvey Kubly, Chair*
4. Roll Call. **Establishment of Committee Members Present** – *Mary Penn, PRTC Administrator*
5. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn*
- *Motion to approve certification of notice – Mrozinski/Sweeney, Passed Unanimously*
6. Action Item. **Approval of Agenda** – *Prepared by Penn*
- *Motion to approve the agenda – Gustina/Mrozinski, Passed Unanimously*
7. Action Item. **Approval of draft Minutes from January, 2015 meeting** – *Prepared by Penn*
- *Motion to approve January 2015 minutes – Sweeney/Anderson, Passed Unanimously, Mrozinski abstained*

COMMITTEE BUSINESS

8. **Continued discussion of possibility of Green County joining WRRTC**
Harvey Kubly said that in the past he had been hoping to resolve the Lafayette County issue but seeing as how it was going so slowly, they should think about moving ahead on the issue. He said he had spoken to Art Carter about making a formal request to the County Board. He said he thought the Board would want some sort of understanding (i.e. MOU) that the Green County contribution should go to Green and therefore the PRTC. Alan Sweeney concurred, given the projects were somewhat equal and the PRTC recognized that the rail benefits did not stop in Janesville. He said language in an MOU to that effect would certainly go a long way to have everyone on the same page. Kubly said the first step would be to draft an MOU. He said either Eileen Brownlee or the County’s corporation counsel could to do that. Sweeney said obviously it would have to come to both commissions and all the counties involved so it would not be done by the next

meeting: there could not be a big rush in getting it done. Kubly said he thought that the County's corp counsel could draft it. Sweeney agreed and said Brownlee would review it anyway. Kubly said that would not be a bad idea. Charles Anderson asked for clarification. Sweeney said that there may be some support needed for issues and capital improvement outside the PRTC line, within the WRRTC track ROW. Kubly said he thought that before the County gave money to the PRTC, if the PRTC decided to invest in infrastructure outside their corridor that would be ok. Sweeney said if the MOU stated that, it would be helpful in getting the other nine counties to go along with this and have the contribution for the PRTC stay in the PRTC unless the MOU stated a project that needed PRTC support. Kubly said the MOU could state that any requests be made to the PRTC, not Green County. Sweeney said Green County corp counsel would be looking out for Green County and in that case, the "view would have to be broadened".

Kubly said to some extent this was a "chicken and an egg thing". He said he thought the Board would not agree unless there were assurances. Sweeney said the WRRTC pretty much ran on a zero balance and as he had said in the past, if the WRRTC commissioners saw a treasurer's report from the PRTC with a high balance and there was a project (e.g. bridge project elsewhere outside of PRTC), there could be an opportunity for the WRRTC to request a "certain amount" from the PRTC. He did not say what exactly that amount could be because there was no way to know but there would need to be language to address those situations as they came up: an MOU would need to reflect that.

Ron Wolter said when he started, he believed the PRTC was giving their contribution to the WRRTC. Kubly agreed that in the past they had given directly to the WRRTC. Wolter said they needed to make sure they kept enough funds in the PRTC to administer. Sweeney said he thought it important to make a start and see what sort of a document could be developed and see the response of the parties involved. Kubly said if he could have a document in hand by July that would be a start. Sweeney said corp counsel could also draft a letter requesting Lafayette County's contribution.

9. Discussion and possible action on Lafayette County Contribution

Penn distributed minutes from a 2005 meeting and a draft economic analysis to the Committee. Sweeney said if Lafayette County could show some response to not support, legally that would formally establish their position. Penn said that she was planning on sending out the county contribution request letter to all counties in July, regardless of past payment history. She noted that she had sent a letter to Lafayette County Board Chair Jack Sauer formally inviting him to the Commission meeting. She asked Kubly if he had spoken to Jack Sauer about Lafayette County paying administrative costs. Kubly confirmed that he had and if nothing else, it would be an acknowledgement that Lafayette County was part of the Commission and needed to pay. He said Sauer had said he would try to make the January meeting and that Sauer was formally invited by Penn. Sweeney asked if the Green County Board was aware of the arears situation. Kubly confirmed that they were for the most part, in particular Mike Doyle, the Clerk and Art Carter, the Board Chair. He said one good thing about this was that if the bill was sent in July it was not tax time and he could go to Lafayette County if need be.

10. Action Item – Adjournment

- *Motion to adjourn at 2:38 PM – Gustina/Wolter, Passed Unanimously*