

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 22nd, 2020 • 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** – *Matthew Honer, Administrator*

Commissioners present for all or part of the meeting:

Commissioner		Position	Present	Commissioner		Position	Present
Green	Harvey W. Kubly	Chair	X	Iowa	Charles Anderson	Secretary	X
	Oscar Olson		X		Bill Ladewig		X
	Aaron Withee	Treasurer	X		Ricky Rolfsmeyer		X
Lafayette	Nancy Fisker		X	Rock	Wayne Gustina		X
	Eric Stauffacher		X		Alan Sweeney	Vice Chair	X
	Donna Flannery	Vice Secretary	X		Russ Podzilni		X
	John Reichling	Alternate	absent				

Commission achieved quorum.

Other present for all or some of the meeting:

<ul style="list-style-type: none"> • Matthew Honer – Admin. • Teri Beckman, Lisa Stern – WisDOT. 	<ul style="list-style-type: none"> • Eric Fisker – Resident. • Paul Beach – Outgoing Treasurer. • Ken Lucht – WSOR
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Honer*
 - *Motion to approve certification of public meeting – Ladewig/Rolfsmeyer. Passed Unanimously.*
4. Action Item. **Approval of Agenda** – *Prepared by Honer*
 - *Motion to approve the agenda –Gustina/Fisker. Passed Unanimously.*
5. Action Item. **Approval of draft January 2020 and March 2020 Minutes** – *Prepared by Honer*
 - *Motion to approve draft January 2020 and March 2020 minutes – Olson/Anderson. Passed Unanimously.*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
None.
7. Updates. **Announcements by Commissioners** –*Discussion may be limited by the Chair*
8. Action Item **Officer Elections** - *Honer*

Honer stated that the charter of the commission requires that elections take place each year and that the commission shall have a chair, vice-chair, secretary, and treasurer. The executive committee is made up of the officers and each county shall have an officer. Honer asked for a chair nomination.

- *Motion to nominate Harvey Kubly as chair – Sweeney/Gustina. Motion to close nomination – Sweeney/Anderson. Passed Unanimously.*

PRTC MAY 2020 MINUTES – APPROVED

- *Motion to nominate Al Sweeney as vice-chair – Anderson/Rolfsmeyer Motion to close nomination – Anderson/ Podzilni. Passed Unanimously.*
- *Motion to nominate Charles Anderson as secretary – Ladewig/Rolfsmeyer. Motion to close nomination – Sweeney/Ladewig. Passed Unanimously.*
- *Motion to nominate Aaron Withee as treasurer – Olson/Sweeney. Motion to close nomination – Rolfsmeyer/Ladewig. Passed Unanimously.*
- *Motion to nominate Donna Flannery as vice-secretary - Withee/Ladewig. Motion to close nominations - Anderson/Rolfsmeyer. Passed Unanimously.*

REPORTS & COMMISSION BUSINESS

9. PRTC Financial Report – Paul Beach, PRTC Treasurer

Paul Beach presented the treasurer's report. The checking account balance at the end of 2019 was \$114,539.16. Total receipts received since that time was \$3,357.20. Total disbursements were \$2,803.19. The checking account balance at the end of April was \$115,093.17. The Savings CD total was \$25,000 bringing the total commission funds is \$140,093.17.

Sweeney asked if the commission is considering another cd savings account. Lucht stated WSOR is not anticipating billing the Commission for a capital project in 2020. Sweeney asked if WSOR sees a benefit of PRTC contributing to the Janesville bridge project. Lucht stated that project is likely to be in a two – three-year workplan. Lucht explained the project. There are five bridges in Janesville on the Wisconsin River Rail Transit network that are in need of significant repairs. Rather than using those bridges, WSOR is currently using bridges on a nearby network that are owned by another railroad, Union Pacific, who is not willing to make improvements to their own bridges. Currently WSOR has an application in with WisDOT to receive grant funding to upgrade the state-owned corridor and the five bridges on it so that WSOR no longer needs to use the other railroad's bridges to get over the Rock River. Lucht stated that once they hear back from WisDOT, they will let the commission know their funding plan.

Sweeney suggested that the commission invest in three staggered savings CDs of \$25,000.

- *Motion to approve Treasurer's report. – Olson/Anderson. Approved Unanimously.*
- *Motion to approve the bill – Ladewig/Olson. Approved Unanimously.*
- *Motion to approve the transfer of \$75,000 from the checking account into three staggered \$25,000 savings CDs with the treasurer's discretion to the best interest of the commission – Sweeney/Anderson. Approved Unanimously.*

10. WSOR Operation's Report – Lucht, WSOR

Lucht stated that WSOR has been operating business and normal. Systemwide maintenance that WSOR has undertaken since January includes scheduling weed spraying for late May and early June. Geometry and rail testing will take place on the entire system in late May and early June. New ties were delivered for installation this summer. Eight crossings upgrades are scheduled for this year. A bridge cap was replaced near Juda. The Shafner Rd public crossing was replaced this past weekend. Lucht stated that he will provide a written report to the commission in the next few days.

Lucht reported that the Waukesha Sub. project to install continuous welded rail (CWR) is ongoing. Several public crossings were closed on the subdivision through a voluntary program. Between Whitewater and Eagle, tie plates were delivered for the continuous welded rail, Lucht expects the CWR to be on site in the coming week. The CWR work between Milton and Whitewater is being finished up, with some surfacing yet to be completed. Whitewater to Eagle is being done this year, and Eagle to Waukesha will be done next year. Lucht stated that this is an important subdivision because it is a key corridor between the northern and southern divisions with over 40k cars every year. The rail being replaced had the highest number of internal defects on the entire network.

The Merrimac bridge is in Phase 2. The work has been bid out and awarded. There are a few bridges on the Prairie Sub. where work will begin in June and July. A bridge on the Fox Lake sub will also be worked on this year.

Generally, traffic is down in part due to COVID-19. There is a decline in sand, but an uptick in plastic pellets, scrap steel, and consumer food products.

Anderson asked about the project on Fox Lake Sub. Lucht stated that it is a bridge replacement project in order to bring the bridge up to Class 3 standards and it is taking place in Wisconsin.

11. WisDOT Report – Lisa Stern, WisDOT

Stern stated that WisDOT has a new crossing engineer that is a recent UW Platteville graduate. Stern reported on a project in Janesville at the Court Street crossing, a five point crossing, where WisDOT is updating the crossing and the signals. It is a project ten years in the making, there are variety of factors that cause the project to take so long. Stern stated that there will be \$10M in grant funding FY 2021 for the freight rail preservation program. Gustina asked about who to contact for a grade crossing. Stern provided the contact information for Chris Sommers. Stern stated that the Fox Lake bridge project is located near Darien in Wisconsin.

12. Tri-County Trail Commission Report – Nancy Fisker

Fisker provided a report on the Cheese Country Trail. It was opened on May 1st with limited access to facilities and campgrounds. Social distancing was recommended. There was a bit of a problem with crowd control. The DNR has been assisting with enforcing social distancing. Campgrounds are beginning to open. There was an accident on May 19th that required a repair to the bridge 19 near Slough Lane and Redrock Rd, north of Darlington.

The trail is in good condition. The calamine picnic area has been refinished by the TCTC. There was a ditch dug and culvert installed in Calamine. A major project is a riprap project near Ferndale and Tibbets Road with an estimated cost of \$180k, the TCTC expects funding from WIDNR this year and the project will go out for bids.

13. PRTC Administrator’s Report – Honer, PRTC Admin.

Honer stated that he has been working on the Commission requested follow ups to the lease report that he presented in January. Some of those items are on the agenda for this meeting. Honer stated that because of the large turnover on the PRTC he has been working hard to get the new commissioners up to speed on the Commission. Honer reported that work on the Commission’s files was taking place prior to the SWWRPC office closing in March. Honer stated that once that work is completed a records retention schedule will be created and presented to the Commission for approval.

Ladewig asked about the GIS project that cataloged all of the infrastructure and agreements on the Monroe Subdivision. Honer stated that the Monroe Sub was a pilot project and that work began with WisDOT to expand the project but is now on hold. Stern stated that they are working in house on a similar and related project but it is on hold for the moment.

Sweeney asked about the Commission needed to provide the State Historical Society with documents. Honer stated that it is a requirement of the required records retention policy that will take place this year.

14. Discussion and Action on Permit Assumption and Consent to Transfer Agreement with Brewery Creek Holdings, LLC – Honer, Admin.

Honer stated that this is a follow up from the January meeting and discussion regarding the existing Commission leases. Honer stated that the Commission’s counsel helped to draft the agreement and suggested the commission consider a fee. Honer stated that when he approached the new owner, he presented the issue in a manner that allowed the new owner to take over the existing lease for the remaining two years of the existing lease without a cost but will need to update the lease in the next two years. Honer stated that he does not believe that a fee should be applied at this time but that the Commission should revisit the cost of the lease when considering a new lease in 2023 as it is likely that the cost of the lease didn’t cover the costs of it when the lease was initially drafted.

- *Motion to approve the permit assumption and consent to transfer agreement with Brewery Creek Holdings, LLC – Ladewig/Rolfsmeyer. Passed Unanimously*

15. Discussion and Action on Private Crossing Permit in the Village of South Wayne – Honer, Admin.

Honer stated that he received an application from Pecatonica Oil Co-op shortly after the meeting in January. Honer stated that he worked with Commission’s counsel to draft the private crossing agreement because the existing templates for private crossing agreements the commission has are aimed towards private crossings on active rail. Honer sent the agreement to Steve from the Co-op on Monday along with the general liability requirements that the Co-op will need to maintain.

- *Motion to approve private crossing application and agreement with Pecatonica Oil Co-op– Sweeney/Olson. Passed. Ladewig and Anderson Opposed.*

16. Discussion and Action on Staff Services Agreement – Honer, Admin.

Honer stated that the amount of the agreement has not increased since last year. The only change to the agreement is the inclusion of records retention as part of regular staff services.

- *Motion to approve the agreement 2:20 pm – Sweeney/Anderson. Passed Unanimously.*

17. Discussion and Action on notice to Cheese Country Trail Neighbors– Honer, Admin.

Honer stated that he believes that it is in the interest of the PRTC to inform neighboring property owners that the PRTC is the owner of the right-of-way. Honer provided a draft letter to the commission. He stated that Tom Jean, Tri-County Trail Commission Coordinator, is in favor of the letter, as well as the Commission’s counsel.

Honer stated that this project is not a small endeavor to locate the addresses of all the adjoining landowners and send them letters and then the potential response to the letters. Honer stated that SWWRPC believes that this is outside of regular staff services and if approved it would be billed outside of our regular contract. Honer stated that estimated costs of the project are \$750 considering time to collect the addresses get the material out. Honer stated that he does not believe that this work needs to be done on an annual basis, but should be considered every other year.

Ladewig stated that it was a good project and he would like to see a memorandum of understanding to see what was agreed to regarding the work and billing.

- *Motion to approve the project of sending out the notice to neighboring landowners – Sweeney/Anderson. Passed Unanimously.*

18. Adjournment

- *Motion to adjourn at 2:13 pm – Gustina/Ladewig. Passed Unanimously.*