

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 July 24, 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 2:31 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>excused</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; Eileen Brownlee, Corp Counsel

3. Action Item. Certification of Meeting's Public Notice – *Noticed by Penn*

- *Motion to approve certification of notice – Sweeney/Gustina, Passed Unanimously*

4. Action Item. Approval of Agenda – *Prepared by Penn*

- *Motion to approve the agenda – Phil/Gustina, Passed Unanimously*

5. Action Item. Approval of draft Minutes from May, 2015 meeting – *Prepared by Penn*

- *Motion to approve May 2015 minutes with correction – Sweeney/Gustina, Passed Unanimously*

COMMITTEE BUSINESS

6. Continued discussion of possibility of Green County joining WRRTC

Harvey Kubly noted at the last meeting that he was to contact Green County corp counsel to work up a Memorandum of Understanding (MOU) and he had planned to meet with them at the Board meeting but the Board did not meet in June. However, after the receipt of an email from Mary Penn, he said they did not want to do that but rather pursue a Resolution and asked for Eileen Brownlee's input. Brownlee explained how counties join the WRRTC which involved a Resolution to join and then the WRRTC adopting a resolution accepting that county into the commission. This way there was no MOU, just resolutions adopted by each governing body. She said Jefferson County could be used as a template as she had prepped all those documents last year. She said she knew what to look for from the RTC standpoint so it went "swimmingly". She thought the same procedure could be used here, adding that in the WRRTC charter explained how to add additional counties. Kubly said the reason they thought they needed an MOU was because the PRTC wanted something in writing indicating that Green County would contribute to the PRTC. Brownlee asked Sweeney and Gustina if Rock County contributed to both. Sweeney said that was why he had brought up the point from the last meeting to forward copy of the draft check to the PRTC showing the \$28,000.00 contribution for the WRRTC was received. He said he was certain that Iowa County did the same. Brownlee said she did not think that that would be a problem and noted that WRRTC and SCWRTC both had counties in each. Kubly asked if that were in writing in some place and remarked about the 66 Agreement. Penn asked if the charter would explain this. Brownlee said the counties could establish how they would contribute. She said she had

never seen a three-party agreement between the RTC's (WRRRTC, SCWRTC, PRTC), nor had she seen language that explained how counties contributed.

Sweeney said he had thought an MOU would be useful related to the funding of projects and the consistent positive balance of the PRTC and the consistent zero balance of the WRRTC. He gave an example of a WRRTC bridge in Illinois and since PRTC had a vested interest in those, in those cases Green County could contribute to their funding in that case. Brownlee said she did not think there was any legal impediment to that. She said both SCWRTC and WRRTC own property in IL, while PRTC does not but she did not think there would be a problem with that. However, she noted it would probably have to be done on a case-by-case basis. She said if the MOU said that the two commissions agreed on a case-by case basis to share funding on projects with both, that could avoid arbitration, a review of the proposal would be necessary. If Green County joined WRRTC they would get "two kicks" at any sort of proposal. In a boiler plate resolution for Green County asking for membership in the WRRTC and the WRRTC allowing that membership would that be something Brownlee would address or wait until the issue came up. She said she would probably be reluctant to have language like that and mentioned Iowa County as an original member and suggested looking at Rock County's agreement. She did not think that joining but never paying would be odd. If there was language that allowed discussion in the event that happened, that might be good. Kubly asked Eileen to review Rock County's joining the WRRTC. She said she would do so.

Sweeney asked Kubly if he thought Green County was leaning towards joining. Kubly said the Board Chair thought it was ok and he, Kubly, did not think it would be a problem. Sweeney asked if Green County were prepared to pay \$28,000.00. Kubly said he did not think it was a problem and asked Penn if Green had paid promptly and she said they had. Kubly said they would wait until receiving guidance from Brownlee in regards to the Rock County joinder.

7. Discussion and possible action on Lafayette County Contribution

Kubly asked if Penn had heard from the County on the county contribution. Penn confirmed that Wayne Wilson had been sent a letter and invoice. Brownlee said that it was pretty clear that Lafayette was not buying in. Kubly said they had been remiss in not including them in a billing in the past. Penn described how she had billed all the member counties. Kubly said that this would probably be the status quo until Lafayette County wanted something.

8. Action Item - Adjournment

Motion to adjourn at 2:50 PM– Gustina/Wolter, Passed Unanimously