

PECATONICA RAIL TRANSIT COMMISSION

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

1:00 PM • Friday, October 23rd, 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
	Michael Lowery		Treasurer	X		Ricky Rolfsmeyer			X
Lafayette	Nancy Fisker			X	Rock	Wayne Gustina			X
	Eric Stauffacher			Absent		Alan Sweeney		Vice Chair	X
	Donna Flannery		Vice Secretary	X		Russ Podzilni			X
	John Reichling		Alternate	-					

Commission achieved quorum.

Other present for all or some of the meeting:

<ul style="list-style-type: none"> • Matthew Honer – Admin. • Lisa Stern, Chris Kern – WisDOT. 	<ul style="list-style-type: none"> • 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/Gustina. Passed Unanimously.*
4. Action Item. **Approval of Agenda** – *Prepared by Honer*
 - *Motion to approve the agenda – Anderson/Rolfsmeyer. Passed Unanimously.*
5. Action Item. **Approval of draft July and August 2020 Minutes** – *Prepared by Honer*
 - *Motion to approve draft July and August 2020 minutes – Podzilni/Gustina. 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*
Kubly offered commission members a newsletter from the Trolley Times that is about the East Troy Trolley and suggested Commissioners take the trip if they can.

REPORTS & COMMISSION BUSINESS

8. **PRTC Financial Report** – *Michael Lowery, Treasurer*
 Lowery reported on the checking account balance as of June 30th. He reported the receipts and disbursements since the June 30th meeting. Lowery reported the checking account balance.

 Lowery reported on the current savings accounts.

Lowery reported two bills to be paid one for Johnson Block and one for SWWRPC.

- *Motion to approve Treasurer’s report and payment of bills. – Ladewig/Anderson. Approved Unanimously.*

Kubly suggested that the Commission move its checking and savings account to Monroe and when he was searching for the best interest rates he stated that Woodford State Bank was the best bank to deal with.

- *Motion to change the checking accounts to Woodford State Bank. – . Anderson/Rolfsmeyer.*

9. WSOR Operation’s Report – Lucht, WSOR

Lucht stated that on the capital side, WSOR stated that CWR project on the Waukesha Sub. is nearly completed. The Waukesha Sub. is a vital link between the northern division and southern division of the WSOR system. This is phase four of the project. WSOR is currently doing the surfacing to finish the project. The old track is over 100 years old and is only suitable for salvage at this point. The scrap rail was awarded to the highest bidder. The last phase of the project from Eagle to Waukesha. Lucht stated that WSOR is working on an agreement with WisDOT for the Reedsburg Subdivision tie project. Engineering for the grade crossings is likely to begin. The contractor is working on a bridge in Crawford County. The Contractor is working on phase 2 of the Merrimac Bridge Project and expects phase 3 to begin next year. The project did receive a federal grant for phase 3 of the project.

Systemwide annual brushing and weed spraying was completed this year. This allow property drainage. Every year WSOR replaces 10 -12 grade crossing. Two were recently completed on the southern division and 3 were recently completed on the northern division. A rail greaser was added to the power switch in Madison to assist with maintenance of the new CWR on the Madison Sub. Contractors are currently working on crossings in Illinois and will be starting to work on the signals.

Lucht stated that he will be giving a presentation later on this meeting and plans to provide a presentation on Railroads at the January meeting and a presentation on the Janesville bridges at the May meeting. Lucht stated that the Janesville bridges are not up to the 286k weight standard. Lucht also stated that the WSOR photo contest is underway. Cash prizes are available for winners.

Anderson asked if both WSOR and UP have bridges in Janesville. Lucht stated that in the 1990s there was a bad washout and the decision at that time was to have a trackage rights agreement with UP rather than reinvesting in the trackage that was washed out. Anderson asked if an agreement could be made with UP to upgrade their bridges. Lucht stated that could happen but there are issues between state- and privately-owned infrastructure. Lucht stated that there is also an issue of the UP dispatching WSOR trains over the bridge. Lucht stated that it will likely cost the same amount of money to fix either set of bridges. Lucht stated that WSOR has submitted an application to WisDOT to fund the bridge project. Anderson asked if WRRTC tracks go into the former GM plant. Lucht stated that the auto loading tracks are UP controlled and WSOR comes into the north end of GM. Lucht added that there are plans for a spur into the plant.

Ladewig asked if there are any flooding concerns on the line. Lucht stated that there are no flooding concerns this year. Sweeney asked if the rail lines are on the same piers. Lucht stated that they do share piers and abutments. Sweeney asked if any work on the piers or abutments will require working with UP. Lucht stated yes, as well as a switch and diamond. Lucht stated that the piers and abutments are in good condition but the decking needs improvements. Lucht thinks the best case scenario is that this project will start in 2022. Sweeney stated that it makes sense that the PRTC should plan for its capital project fund to contribute to the Janesville bridge project. Sweeney stated that it makes sense to prioritize this project because it creates a bottleneck where heavier cars can be done on both sides of these bridges. Sweeney pointed out that the WRRTC contributed two years of capital expenditure to the Merrimac Bridge Project, which limits the WRRTC’s contribution.

Ladewig asked if there is any federal funding likely for railroads. Ladewig asked if a grant will be available for grant funding. Lucht stated that he thinks the Janesville bridges will be competitive and WSOR and WisDOT will continue to pursue federal

10. WisDOT Report – Lisa Stern, WisDOT

No report.

11. Tri-County Trail Commission Report – Nancy Fisker

Fisker reported that a grant was received between Ferndale and Tibbitts road from the WIDNR and they expect to be in touch with the Commission in the future to permit work within the right of way.

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

Honer stated that he made a site visit in Calamine on a WIDNR enforcement with Tom Jean from Tri-County Trails Commission. Lee McCarville from Tri-County Trail Commissions assisted adjacent landowner with redirecting a stream into the trail ditch and wetlands and culvert issues were also addressed. Honer believes this will not affect the PRTC but the trails commission will need to address the issue

Honer stated that the Depot in South Wayne was removed. A new owner purchased the property and removed the building. While honer discussed with the new owner the need for a permit and safety agreements, he moved ahead and removed everything from the PRTC property and staked out the property boundaries.

Honer provided his work report over the next two years in the meeting packet. Honer stated that much of his work over the past year focused on the trail and he expects a lot more of his work to focus on it in the next two years.

13. Discussion and Action on MOU between PRTC and SWWRPC for notice to landowners adjacent to Cheese Country Trail - Honer, Admin.

Honer stated that he was able to provide the MOU agreement between PRTC and SWWRPC. This work will be billed outside the regular contract at a rate of \$60.00/hr. Honer expects it be 10 – 15 hours.

Fisker asked the purpose of sending out the notice to the adjacent landowners. Honer stated that there are examples of encroachment and trespassing on the trail that include unlicensed crossings and access, dumping, planting of crops, and unpermitted uses. Honer stated that this is an issue that the Tri-County Trails Commission should be addressing according to the agreement that the PRTC has with the Tri-County Trails Commission. Nancy suggest that the Commission and Tri-County Trails should sit down and discuss these issues.

Lucht stated that the Commission is on the correct track by advising adjacent land owners and working with the Tri-County Trails Commission to live up to the agreement.

Fisker asked the width of the right-of-way. Honer stated that it varies from 50 ft (25 ft from center) to 100 ft (50 ft from center) and that he explains in the letter that the landowner can contact him if they are not sure of the property boundaries.

- *Motion to approve MOU between PRTC and SWWRPC for notice to landowners adjacent to Cheese Country Trail.- Sweeney/Rolfsmeyer. Passed Unanimously*

14. Discussion and Action on fees for private crossing applications on the Cheese Country Trail- Honer, Admin.

Honer stated that it a private crossing application is currently \$500 for both rail and trail crossings. Honer stated that the application fee has prevented the PRTC from licensing crossing because most people are not willing to license their crossing for a \$500 application fee. Honer is asking the commission to consider a private crossing application waiver for the next two years for crossings on the Cheese Country Trail. Gustina asked if there can be a way to lower the cost of the crossing application based on the amount of time that it takes to review the application. Honer stated that most of the crossings on the Cheese Country Trail are agricultural or residential and take approximately 2 hours to review and prepare for the meetings. What takes the majority of the time is talking with potential applicants who then decided to not apply because of the fee.

Ladewig suggested that Honer discuss this with the Tri-County Trails Commission in partnership to begin to bring the crossings into compliance.

Kubly stated that he feels that providing a waiver is sending the wrong message. Sweeny thinks that the liability is more important than the money. Kubly feels that it is not about the money but that the applicants should be aware that the PRTC owns the property.

Lowery asked about using a permit fee vs. an application fee. Honer stated that the first question he receives from those inquiring or approached about a private crossing application is what is going to cost. Honer stated that the other RTCs have application fees and he suspects that is likely for a reason and that there may be issues with charging a permit that may cause it to be considered more of a lease or other type of access agreement.

Anderson asked about the change of ownership. Honer stated that whenever ownership changes the new owner needs to have a private crossing agreement for legal access the property.

- *Motion to waive application fees for private crossings on the Cheese Country Trail for 2020 – 2022, if people continue to cross or access the trail without a permit, they need to be informed that they are trespassing.– Sweeney/Gustina. Passed Unanimously. Ladewig Opposed.*

15. Discussion and Action on private crossing agreement for Kevin and Carisa Baker on the Cheese Country Trail in Willow Springs Township, Lafayette County, WI - Honer, Admin.

Honer stated Tom Jean informed the landowner that they would need a crossing agreement to install an access. Honer assisted with completing the application. Honer explained that this was an example where the applicant asked the commission to waive the fee for the private crossing application.

- *Motion to deny the private crossing application, and inform that if use continues it would be considered trespass. – Sweeney/Anderson. Motion Withdrawn.*

Honer explained that the applicant will be using the access to the trail for his ATV and his lawnmower. Anderson pointed out that the license permit states crossing and not access. Honer stated that the property directly across the trail from his land is a public parking lot. Flannery stated that she spoke with the applicant and the applicant feels that it is unsafe to enter into the county road which is the other access to his property.

Anderson asked if there are standards that the Commission has for how close crossings can be. Honer stated that the PRTC has no standards other than what are listed in the existing trail crossing agreements for the trail. The costs and standards are much different from an active rail crossing.

- *Motion to approve private crossing application for a private crossing agreement for Kevin and Caris Baker on the Cheese Country Trail in Willow Springs Township, Lafayette County, WI and waive the application fee – Lowery/Fisker. Passed Unanimously*

16. Discussion and Action on 2019 PRTC Audit – Kubly, Chair.

Kubly stated that Audit had some errors including identifying Lafayette County's contribution as a user fee. Kubly contacted the Auditor this morning to get the draft changed.

- *Motion to acknowledge 2019 Audit – Kubly/Ladewig. Passed Unanimously*

17. Presentation by WSOR: Background and Current Trends in Wisconsin – Lucht, WSOR.

Lucht presented a background and trends of the WSOR to the Commission.

Ladewig asked if WSSOR will have electrical locomotives in the future. Lucht stated that the technology is far away from a locomotive being electric because of the tons that need to be moved. WSOR is fully operational on positive train control. The industry has responded.

18. Adjournment

- *Motion to adjourn at 3:11 pm – Gustina/Olson. Passed Unanimously.*