

# PECATONICA RAIL TRANSIT COMMISSION

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

## PRTC/WRRTC FORMAL FUNDING AGREEMENT WORKING COMMITTEE

### October 25, 2013

*Immediately following 1:00 PM PRTC Meeting*

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

**1. Call to Order – Harvey W. Kubly, Chair**

The meeting was called to order by Chair Harvey W. Kubly at 2:57 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>Excused</i>
<i>Wayne Gustina</i>	<i>Rock</i>	<i>Excused</i>

Achieved quorum

Also attending: Ken Lucht, WSOR, Mary Penn, SWWRPC, Troy Maggied, SWWRPC, Frank Huntington, WDOT, Kim Tollers, WDOT, Eileen Brownlee, Corp. Counsel

**3. Certification of Meeting’s Public Notice – Noticed by Penn**

- *Motion to approve notice of public meeting – Mrozinski/Anderson, Passed Unanimously*

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

Correct “Rob” to “Ron”

- *Motion to approve agenda with corrections – Anderson/Mrozinski, Passed Unanimously*

**5. Approval of draft July 2013 Meeting Minutes – Prepared by Penn**

- *Approval of draft July2013 Meeting minutes – Anderson/Mrozinski, Passed Unanimously*

**COMMITTEE BUSINESS**

**6. Continued Discussion Regarding Funding Issue.**

Harvey W. Kubly reminded the group they had discussed having Corp Counsel Eileen Brownlee attend the meeting. He said he had spoken with her and one of the things discussed was the ability of the Commission to levy or ask for a contribution from every county to support the budget. Brownlee said that each year the Commission was required to create a budget and the Commission should make a budget recommendation and each county should contribute but the amounts contributed did not need to be equal. She added that when the Commission submitted its budget to its counties it be a certain percentage and every county had the ability to say no or pay a different amount: the charter did not say what happened if counties did not pay or pay different amounts. She said that it might mean that other counties could make their payment contingent on other counties paying as well. Kubly said that in looking at the budget, the projected expenses to run the Commission was \$14,300 but it seemed that at least that amount of money

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should be divided four ways among the member counties to support the administration of the Commission. He said the “sticky” part was that Rock County gave their contributions to the WRRTC and Green contributed to the PRTC. However, if followed, it would be one way to receive money from Lafayette County. Ron Wolter said they were an equal partner and had an equal say in the Commission so they should pay an equal amount. Lafayette County had a voice in how the Commission funds were spent also. He added that since Lafayette had no connection to the WRRTC, their contribution would “stay here”. Kubly said at least it would be a contribution to the overhead of running the Commission. Kubly asked Brownlee or Frank Huntington to comment. Huntington said that overall it was a Commission decision and noted that Lafayette County had gotten benefit from being in the Commission; being asked to pay could cause them to pull out of the Commission.

Charles Anderson said that he had noted that there was no income from the TCTC in the draft budget. He suggested that perhaps the PRTC should join the WRRTC and be one Commission. Kubly said that they had discussed this in earlier Committee meetings. Anderson confirmed and asked Kubly if he had visited with Lafayette County about the issue. Anderson asked who in the past benefitted from the ATV survey and if it were broke down by county. Phillip Mrozinski said he had glanced through the survey and saw that Darlington was the city which received the highest number of restaurant customers by far. Anderson said that the Badger State Trail came down through Monroe as well. Kubly said that was basically a bicycle trail. He noted that it should be somewhat obvious that everyone at the table should contribute to the Commission’s overhead and for years that had not happened but there was a time when there was money left from salvage the PRTC used to get a decent amount of interest to pay for administration. He thought there was plenty of maintenance to be done, adding that he was not worried about the “bank getting too built up again” and that now was the appropriate time to address this issue.

Anderson asked if they should draft a letter or should Rock and Green split their money (\$13K one way, \$13K the other). Kubly said he was not thinking of the county contribution but rather money to operate the Commission. Mrozinski asked if that were over what was already received. Kubly said that maybe the counties contribution could subtract it from that. That way the outlay would be the same for Rock and Iowa, with \$3500 to PRTC and shorting WRRTC by that same amount. Anderson said there was some kind of agreement to provide the \$26,500 and that was with the railroad. Mary Penn said that \$26,500 was the county contribution. Wolter said that Lafayette County is on the Commission and they voted for the other counties to pay. He said somewhere along the line they needed to be made equal with the rest. He said to “start with equal” and see where it would go, particularly considering the \$15M benefit of the trail.

Mrozinski asked about the possible repercussions if Lafayette walked away from the PRTC. Huntington said they could do that but they would lose their voice on the Commission and lose their participation. He did not know if there were any long term repercussions. Brownlee said that the Charter required they pay for 2 years prior to leaving the Commission. She did not know if that would lead to the corridor changing but Lafayette would not be able to cordon off “their” part of the trail. By losing their voice they would lose their ability to say what could happen. Wolter said the Commission could not see into the future, but if railroad were to go back in the corridor was necessary. Huntington said there would have to be a reason to justify it going back in and it would be sizeable based on the cost of reanimating track. Wolter said the PRTC is charged with maintaining the corridor and the ability of putting rail back in. Huntington said that one county could run the Commission. Brownlee said that it might be possible that municipalities be interested in joining the Commission, such as Darlington, if Lafayette County was not. She did not think that was desirable in the past but it could be possible today.

Kubly said it was unfortunate that the Commission wasn’t getting any revenue from the trail, adding that the PRTC had contributed many times to trail projects. He said that this went back to dealing with trail issues in Lafayette County and therefore there should be some funding coming from them. The County received a benefit from the railroad although it did not have active rail and certainly the farmers in Lafayette County benefited because there was an outlet for corn. However it would probably be impossible to get the same amount of money from them. Huntington said that adding money to the budget was a tough thing to do and for the County, the PRTC would be a line item and probably a hard sell. Huntington asked if there were a Lafayette County person on the Committee. Kubly said no since another issue was contribution for rail projects and because Lafayette County had no rail and did not contribute they were not represented on the Committee. Mrozinski said he did not see the Committee moving ahead and asked whether they were going to approach somebody. Kubly said they were making progress because counsel had confirmed they could do something. Wolter said it was too late to send them a notice to add this to this year’s county budget but they could work on it for next year. Mrozinski said that he thought they should request the entire amount because they had to be fair about the issue. He added that if the Committee wanted to negotiate they could but they should aim high and have it be a tiered opt-in by year until it hit where everyone else was. Wolter asked if they should draft a letter to the County Clerk. Kubly said first the Committee would have to pass something and then go to the full Commission because ultimately Lafayette County members needed to have their say too. Kubly asked Huntington if this was a unique situation with a county without rail being in a rail commission. Huntington said there are counties that had rail service but had not joined an RTC but the PRTC was the only one to have a county without service and did join. Anderson asked if they could request an item on the PRTC agenda to discuss the formalization of a draft to Lafayette

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County with the Lafayette County Commissioners present, get a legal review of same and if so done, then discuss with the formulation of the draft and everyone would know ahead of time. Mrozinski said that he would prefer this Committee make a motion and vote and then send a recommendation to the Full Commission.

- *Motion to recommend to the full Pecatonica Rail Transit Commission requesting Lafayette County contribute the amount equal to the county contribution the other member counties of the PRTC contribute – Mrozinski/Wolter, Passed Unanimously*

Discussion: Mrozinski clarified that he wanted this motion be made to the full commission.

Kubly noted that he agreed but the reason he was looking at the budget before was that he believed that was all the Commission could request: a contribution to the overhead. Brownlee said they could ask for more and noted that the Charter talked about the budget but thought that they were not confined to that because from year to year they could have funds that needed to be expended or have been budgeted in the past.

Kulby said last time there seemed to be a desire at least from Al Sweeney that Green County become a member of the WRTC but Kubly said he had not had an opportunity to pursue that question with the county and the full county board would have to consent to it. He asked that this issue be an agenda item for the January meeting.

Wolter asked if they would meet in January and Kubly said yes. At that time he could present what he would learn from the County Board Chair. Mrozinski asked if it would be ok for him to ask someone he knows at Lafayette County to find out where the request for funding would go but Kubly recommended he should until after the January meeting.

### **7. Action Item - Adjournment**

- *Motion to adjourn meeting at 3:38PM – Anderson/Wolter, Passed Unanimously*