

# PECATONICA RAIL TRANSIT COMMISSION

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

1:00 PM • Friday, July 23<sup>rd</sup>, 2021 • Green Co. Courthouse, 2<sup>nd</sup> Floor Courtroom • 1016 16<sup>th</sup> Ave, Monroe, WI

1. 1:05 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
	John Buol			X		Ricky Rolfsmeyer			X
Lafayette	Nancy Fisker			Excused	Rock	Wayne Gustina			X
	Eric Stauffacher			Absent		Alan Sweeney		Vice Chair	X
	Donna Flannery		Vice Secretary	Excused		Russ Podzilni			X
	John Reichling		Alternate	-		*indicates zoom attendance.			

Commission achieved quorum.

**Other present for all or some of the meeting:**

<ul style="list-style-type: none"> <li>• Matthew Honer – Admin.</li> <li>• Becky Olson – Village of Belleville.</li> </ul>	<ul style="list-style-type: none"> <li>• Ken Lucht – WSOR</li> </ul>
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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*  
 Honer stated that item 16 should state the 2020 draft audit and not the 2022 draft audit.
  - *Motion to approve the agenda – Sweeney/Gustina. Passed Unanimously.*
5. Action Item.            **Approval of draft April 2021 Minutes** – *Prepared by Honer*
  - *Motion to approve the amended draft April 2021 minutes – Ladewig/Olson. 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*  
 None

**REPORTS & COMMISSION BUSINESS**

8. **PRTC Financial Report** – *Buol, Treasurer and Honer, Admin*
  - *Motion to approve Treasurer’s report and pay the bills. – Anderson/Rolfsmeyer. Approved Unanimously.*
  - *Motion to approve the Treasurer and Chair to renew the CD prior to expiration – Sweeney/Anderson. Approved Unanimously.*

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

Lucht reported three at-grade crossings have been rebuilt on the Monroe Sub. Weed spraying is currently ongoing, it was delayed due to contractor availability. The herbicide is only applied to approximately 40% of the right-of-way in a very controlled manner. Bridge inspections are ongoing, and so far, there are no surprises this year. The Reedsburg Sub. tie project is underway. Continuous Welded Rail (CWR) is on the ground on the Waukesha and Prairie Subs. For upcoming CWR projects. Lucht updated the Commission on the approved state budget and the FRPP budget remaining the same. The attempt to repeal the no-trespassing law is no longer in discussion.

Ladewig ask if there was a fatality on the line. Lucht stated there was a fatality on the BNSF line in Bagley resulting from trespassing. Kubly asked about the initiative to repeal the no-trespassing law. Lucht stated it has been an ongoing pressure from sportsman's groups who want to utilize the railroad right-of-way to access the Mississippi River. Lucht stated WisDOT is doing an analysis to see if public crossings can be established safely, although the sportsman's groups want full access.

**10. WisDOT Report –**

Stern was unable to attend the meeting. Honer provided WisDOT's report to him to the Commission. Jen Murry is the new bureau director. WisDOT received the draft agreement for the Merrimac Bridge yesterday and should have an executed agreement with the FRA in the next few weeks. WisDOT submitted the Janesville Bridge project for a RAISE grant and are preparing to submit for a CRISI Grant in the next month. Anderson asked how much of a local match is required for Federal Grants. Lucht stated he was not sure on the federal grants but the state FRPP grants are 80/20 with WSOR and the Commission providing 20%.

**11. Tri-County Trail Commission Report – Trails Representative.**

No report.

**12. PRTC Administrator's Report – Honer, PRTC Admin.**

Honer had nothing to report

**13. Update and Possible Action on PRTC Capital Contribution to Janesville Connection and Bridge Rehabilitation Project – Honer, Lucht.**

Honer stated the Commission committed two years of capital improvement funding as a match towards a Federal INFRA Grant. The commitment amount from the PRTC was \$33,050/year for 2020 and 2021, for a total of \$66,100. Honer stated that WisDOT was not awarded the INFRA Grant but WisDOT is continuing to pursue federal grant funding for this project and recently submitted a RAISE (Rebuilding American Infrastructure with Sustainability and Equity) grant for this project. The grant application was due early in the month. Honer is seeking clarification from the Commission on if the PRTC would like to again contribute 2020 and 2021 capital funding towards a local match of this new grant, or if the Commission would like to commit to funding this project and authorize Honer to draft letters of support towards the RAISE and future grant funding for the project.

- *Motion to continue to support the Janesville Bridge Project with 2020/2021 capital improvement funds and authorize administrator and chair to submit letters of support for WisDOT Grant Applications. – Ladewig/Rolfmeyer. Passed Unanimously.*

**14. Discussion and Possible Action on Trail Use in Calamine – Honer.**

Honer stated issue came to his attention last fall. The adjacent landowner utilizes the trail to access his fields, not as a crossing but as a right-of-way. Honer referenced the map provided to the commission on where the adjacent landowner enters and exits his property by way of the trail. Honer made a site visit and identified that the Commission has a much larger than normal right-of-way in this location. Standard right of way is approximately 85' and in this location the right of way extends at least an additional 50' to the west according to the historic valuation maps of the railroad. Honer has requested property sale records for the trail from WisDOT, as they owned the property for some time between the active rail and the Commission. During WisDOT ownership, WisDOT did sell some of the excess right-of-way, although no record has surfaced from WisDOT showing this excess property being sold. The landowner has also not been able to provide information showing he, rather than the PRTC, owns the property. Currently, the landowner farms this excess right-of-way. Honer is seeking direction from the commission on how they would like to proceed with this issue.

Ladewig stated that the Commission should asking legal counsel to send the adjacent property owner a cease-and-desist letter. Ladewig stated there is potential. Sweeney stated that it is important to work with the farmer to find an agreement that works for both parties, but the commission should make sure its interests are protected.

- *Motion to ask legal counsel to send a letter to the farmer, and have minutes of the discussion sent to legal counsel. – Ladewig/Sweeney. Passed Unanimously.*

**15. Discussion and Possible Action on 2022 Staff Services Agreement – Honer.**

Southwestern Wisconsin Regional Planning has not changed the base administrative contract amount from the prior year. With SWWRPC taking over the accounting contract, an addendum was made to the 2020 contract, where the PRTC will pay SWWRPC \$60/hr. to complete this work. Honer stated that while he has only had to do some work to prepare for this work and one quarter of the work, he expects the work to be approximately 2-4 hours a quarter. Honer stated that two contract options are being presented, one for accounting work to be billed outside of the base administrative contract, and another for the accounting work to be added to the contract amount.

- *Motion to approve the 2022 staff services agreement with accounting being billed as part of the base contract amount – Anderson/Sweeney. Passed Unanimously.*

**16. Discussion and Action to acknowledge the 2020 Draft Audit – Honer.**

Honer stated the audit is being presented and the auditors have reported similar standard communications to the Commission as in years past. Honer provided an update on future audit costs for the Commission. He stated that he was quoted \$2,300 for the 2021 audit, \$2,400 for the 2022 Audit, and \$2,500 for the 2023 audit. Honer stated that the Commission’s charter would allow the commission to undertake an audit by means other than through an independent auditing company but the grant and land use agreements would need to be amended. Honer has requested information from WisDOT on how this can be achieved. Honer believes it is important to have transparent financials for the Commission and offered several options to achieve this outside of the existing audit arrangement.

- *Motion to submit annual financial documents to member counties for review pending WisDOT’s approval to amend the Land Use and Grant Agreement – Sweeney/Rolfsmeyer. Motion rescinded.*

Anderson asked if there needs to be a timeline for this. Kubly stated that he does not believe anything can replace an audit and he does not believe that the counties will want to review this. Ladewig asked if WisDOT would consider doing an audit rather than the counties. Rolfsmeyer asked if it is worth looking for another auditor. Kubly stated that the number of CPA firms willing to do audits is limited because the cost of liability insurance is prohibitive. Kubly believes it would be important to have WisDOT allow.

- *Motion to acknowledge the 2020 Draft Audit – Rolfsmeyer/Anderson. Passed Unanimously.*

**17. Discussion and Action on the 2022 Budget – Honer**

Several changes to the PRTC budget in 2022 were noted including an increase in county contribution from Green County. This is being done to bring Green County in-line with the amount that other contributing counties contribute in the WRRTC. The increase in management fees reflects the addition of accounting work, and the quoted audit increase is also included, the increase in legal fees is covering bases considering the potential work involved in revising the grant and land use agreements, as well as potentially including a survey for the issue in Calamine.

- *Motion to amend the budget to place \$700 from project management to legal – Ladewig/Sweeney Passed Unanimously.*
- *Motion to adopt the revised 2022 Draft Audit – Ladewig/Anderson. Passed Unanimously.*

**18. Adjournment**

- *Motion to adjourn at 2:10 pm – Rolfsmeyer/Gustina Passed Unanimously.*