

PRTC OCTOBER 2022 MEETING MINUTES – Approved January 27, 2023

Pecatonica Rail Transit Commission Commission Meeting – Friday, October 28th, 2022 at 1:00 pm Green County Courthouse, Monroe, WI

1. 1:00 PM **Call to Order** – Harvey Kubly, Chair

2. Roll Call. **Establishment of Quorum** – Matt Honer, Admin

Green	Harvey W. Kubly	X	Iowa	Charles Anderson	X
	Kurt Schafer	X		Bill Ladewig	X
	Todd Larson	X		Kevin Peterson	X
Lafayette	Kurt Malott	Excused	Rock	Tom Brien	Absent
	Luke McGuire	Excused		Alan Sweeney	X
	Donna Flannery	Excused		Russ Podzilni	Absent
	Jeff Berget, Alternate				

Others present for all or some of the meeting:

- Ken Lucht, WSOR. - Aaron Stauffacher, McDaniel Stauffacher Law	Eileen Brownlee, Corp. Counsel.
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3. Action Item. **Certification of Meeting's Public Notice** – Noticed by Honer.
o Motion to approve meeting's public notice – Ladewig/Anderson. Passed Unanimously.

4. Action Item. **Approval of Agenda** – Prepared by Honer.
o Motion to approve the agenda. Ladewig/Peterson. – Passed Unanimously.

5. Action Item. **Approval of draft July 2022 Meeting Minutes** – Prepared by Honer.
o Motion to approve the July 2022 meeting minutes. Anderson/Ladewig. Passed Unanimously.

6. Updates. **Public Comment** – Time for public comment may be limited by the Chair.
Aaron Stauffacher, who represents Jeff Stauffacher, introduced himself. Aaron stated he hopes the parties are able to come to a resolution.

7. Updates. **Announcements by Commissioners**
None.

REPORTS & COMMISSION BUSINESS

8. **PRTC Financial Report** – Kurt Schafer, Treasurer.
Schafer presented the cash flow and balance statement from the third quarter of 2022. There was one check for \$1,800 for Q3 management.
o Motion to approve the Treasurer's Report and payment of bills. Anderson/Ladewig. Passed Unanimously.

9. **Wisconsin & Southern Railroad's Report on Operations** – Ken Lucht– WSOR
Lucht stated WSOR received a grant to assist in bridge replacements on the Monroe Subdivision. The bridges are near Hanover Road (1), a bridge near Orfordville (2), and a bridge near Monroe (3). The grant was for \$2M and WSOR expects the bridges to come in well over budget and will be bidding it this winter. At the January meeting, WSOR will be presenting the project and possibly asking for assistance from the Commission. Lucht hopes for some relief in steel prices. Negotiations are ongoing with Union Pacific to assist with the Janesville Bridge project. WSOR and WisDOT received a \$6.8M federal grant to address these bridges being underrated and bottlenecking the entire south system of WSOR. Lucht stated Union Pacific wants to keep the trackage but lease it to WSOR.

10. **WisDOT Report** – Stern - WisDOT.
No one present from WisDOT

11. **Tri-County Trail Commission Report** – Flannery, TCTC.
No one present from TCTC.

12. **PRTC Administrator's Report** - Honer, Admin.
Honer had nothing additional to report.

13. **Update and Possible Action on Private Crossing License near Browntown, WI.** - Honer, Admin.
Honer presented the private crossing agreement and explained the applicant would like to have permitted access to cross the trail and install a walkway to an existing set of stairs. Larson asked about the precedent of the Commission providing these types of agreements. Honer stated the Commission has attempted to address any private access or use of the trail corridor through either a private crossing agreement or an offer-to-use

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agreement. The Commission discussed that the applicant is seeking a footpath which is allowed use of a recreational trail, however, the applicant is also seeking a pallet walkway and staircase. The Commission discussed not allowing the improvements (pallet walkway and staircase) to be permanent.

- *Motion to approve the private crossing license with the change to ensure the pallet walkway is unaffixed. Ladewig/Larson. Approved Unanimously.*

14. Presentation and Discussion of 2021 Carloads. – Lucht, WSOR.

Lucht presented the 2021 carload and industry information on the Monroe Subdivision.

15. Consideration of and action on adjourning to closed session pursuant to Wis. Stat. sec. 19.85(1)(e), for the purpose of negotiating a real estate transaction and pursuant to Wis. Stat. sec. 19.85 (1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved related to a real estate matter. – Kubly, Chair.

- *Motion to adjourn to closed session. Anderson/Schaefer. Approved Unanimously.*

Green	Harvey W. Kubly	Yes	Iowa	Charles Anderson	Yes
	Kurt Schafer	Yes		Bill Ladewig	Yes
	Todd Larson	Yes		Kevin Peterson	Yes
Lafayette	Kurt Malott	Excused	Rock	Tom Brien	Absent
	Luke McGuire	Excused		Alan Sweeney	Yes
	Donna Flannery	Excused		Russ Podzilni	Absent
	Jeff Berget, Alternate				

16. Convene in closed session for the purpose stated in the preceding agenda item – Kubly, Chair.

17. Reconvene in open session - Kubly, Chair.

- *Motion to reconvene in open session. Ladewig/Peterson. Approved Unanimously.*

18. Action, if any, on closed session matter - Kubly, Chair.

- *Motion to authorize counsel and administrator to move ahead with discussion and negotiations consistent with the conversation within the closed session. Ladewig/Peterson. Approved Unanimously.*

19. Adjournment.

- *Motion to Adjourn at 2:12pm. Larson/Anderson. Passed Unanimously.*