

PRTC JANUARY 26, 2024 MEETING MINUTES – APPROVED 5/24/2024

Pecatonica Rail Transit Commission Commission Meeting – Friday, January 26, 2024 at 1:00 pm

1. 1:00 PM **Call to Order** – Harvey Kubly, Chair 11:55 am
2. Roll Call. **Establishment of Quorum** – Misty Molzof, Admin

Green	Harvey W. Kubly, Chair	X	Iowa	Charles Anderson, Secretary	Excused
	Kurt Schafer, Treasurer	X		Bill Ladewig	X
	Todd Larson	X		Kevin Peterson	Excused
Lafayette	Vacant		Rock	Tom Brien	Excused
	Luke McGuire	X		Alan Sweeney, 1 st Vice Chair	X
	Donna Flannery, Vice Secretary	Excused		Vacant	
	Jeff Berget, Alternate	X			

Others present for all or some of the meeting:

- Misty Molzof, Administrator - Eileen Brownlee, Attorney - Julia Potter, Attorney	- Ben Mohlke, Wis DOT - Ken Lucht, WSOR
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3. Action Item. **Certification of Meeting's Public Notice** – Noticed by Molzof.
 - Motion to approve meeting's public notice – Ladewig/Sweeney. Passed Unanimously.
4. Action Item. **Approval of Amended Agenda** – Prepared by Molzof.
 - Motion to approve the amended agenda. Ladewig/Anderson. – Passed Unanimously.
5. Action Item. **Approval of draft December 8, 2023 Meeting Minutes** – Prepared by Molzof.
 - Motion to approve the December 8, 2023 meeting minutes. Schafer/Ladewig. Passed Unanimously.
6. Updates. **Public Comment** – None.
7. Updates. **Announcements by Commissioners**– Kubly stated that there are copies of a news article published in the Post Messenger regarding the Stewart Tunnel for Commissioners interested.

REPORTS & COMMISSION BUSINESS

8. **Approve Treasurers Report and Payment of Bills** – Schafer, Treasurer
 - Motion to approve treasurers report and payment of invoices to SWWRPC: \$1,836.00 for 4th quarter services. Sweeney/Ladewig. Passed Unanimously.
 - Motion to approve Schafer to invest funds available at highest interest rate. Larson/Berget. Passed Unanimously.

Discussion regarding safe deposit box and property located inside at Woodford State Bank was held. Kubly has at least one key, and possibly both, will bring to next meeting and set up a time with Administrator Molzof and Treasurer Schafer to sort through property inside.
9. **WSOR Operations Report** – Lucht, WSOR

Lucht stated that the annual financial meeting was held and information was given to attendees regarding car loads. Monroe had over 6,000 car loads in 2022; 33% were grain and 41% were ethanol. WSOR is installing barriers and no trespassing signs on rail property by Green Valley Redi-Mix buildings that are on right-of-way due to their deteriorating condition and asks that the Commission discuss this further at their May meeting. WSOR is working with WisDOT and UP on the Janesville Bridges, and there are currently 5 bridges that WisDOT has provided comments on; bridges that affect all of the RTC's in the southern part of WI. Discussion regarding the bridge impact on the crush plan in Evansville was held. At this point, the UP is still responsible for the bridges as they hold trackage rights; however, WSOR is interested in being a part of the solution, and once the agreements are in place, the work can start; however, it is at least a year out before this Commission will owe any money towards the project.
10. **WisDOT Report** – Mohlke, WisDOT

Mohlke stated that he is the Freight Rail Program Manager since August and will be attending future meetings; WisDOT is working on the MOU regarding the Janesville bridges; however, there is some pushback from engineers at UP; and the new rails and harbors map was just completed, copies will be brought in May and a digital copy will be sent to Molzof for distribution.
11. **Tri-County Trail Commission Report** – McGuire, TCTC

McGuire reported that the maintenance was one before the 1st snowfall, traffic has been heavy since the snow, and the side trails are closed.

12. Administrators Report – Molzof, Admin. – None.

13. Safety Instructions for Railroad Visitors and Officials – Lucht, WSOR

Lucht stated that while WSOR appreciates when commission members or others want to inspect or view railroad and right-of-way, permission needs to be had ahead of time to ensure safety precautions are in place. PPE is required along with job briefings, track protection, and communication to ensure that trains and officials are aware that you are out there. Please reach out to WSOR prior to inspecting or visiting any tracks or right-of-way.

14. Permit Requests, if any – Molzof, Admin. – None.

15. Permit/License Standard Operating Procedure – Molzof, Admin. – None.

16. Burbach Lease Agreement

- *Motion to approve 20-year lease agreement from November 1, 2023 through October 31, 2043 at \$300 annual lease payments. Larson/Sweeney. Passed Unanimously.*

17. Discussion on Encroachments and trespassing issues – Molzof, Admin.

- *Motion to demand \$78,000 plus additional legal and professional fees as incurred be paid within 30 days, sending notice to both adjoining land owner and the company who logged the property. Sweeney/Larson. Passed Unanimously*

Brownlee stated that Powers made an offer of \$12,622.75, the amount he received from the logging company and pay to clean up the area that was logged.

18. Trail Encroachment in Calamine, WI - Molzof, Admin.

19. Adjourn to Closed Session Consideration of and action on adjourning to closed session 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. – Attorney

- *Motion to adjourn to closed session at 1:40 pm. Ladewig/Schafer. Passed Unanimously.*

Meeting returned to open session at 1:50 p.m.

20. Adjournment.

- *Motion to Adjourn at 1:55 pm. Ladewig/McGuire. Passed Unanimously.*