

PRTC OCTOBER 25, 2024 MEETING MINUTES – APPROVED 01/10/2025

Pecatonica Rail Transit Commission

1. 1:00 PM **Call to Order – Harvey Kubly, Chair 1:00PM**
2. Roll Call. **Establishment of Quorum – Alyssa Schaeffer, SWWRPC**

Green	Harvey W. Kubly, Chair	X	Iowa	Charles Anderson, Secretary	X
	Larry Kranig	X		Bill Ladewig	X
	Mark Gundlach, Treasurer	X		Craig Hardy	X
Lafayette	Jeff Berget	Excused	Rock	Tom Brien, 1 st Vice Chair	X
	Luke McGuire	X		Dave Homan	X
	Donna Flannery, Vice-Secretary	Excused		Kevin Stone	Excused
	Mark Pinch, Alternate	X			

Others present for all or some of the meeting:

- Alyssa Schaeffer, Acting Administrator - Julia Potter, Attorney - Max Blackburn, TCTC	- Ben Mohlke, WisDOT - Ken Lucht, WSOR - Becky & Walter Burbach, Lessees
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3. Action Item. **Certification of Meeting's Public Notice – Noticed by Molzof.**
 - Motion to approve meeting's public notice – Ladewig/McGuire. Passed Unanimously.
4. Action Item. **Approval of Amended Agenda – Prepared by Molzof.**
 - Motion to approve the amended agenda. Brien/Gundlach. Passed Unanimously.
5. Action Item. **Approval of draft September 6, 2024 Meeting Minutes – Prepared by Molzof.**
 - Motion to approve the September 6, 2024 meeting minutes. Anderson/Ladwig. Passed Unanimously with Hardy abstaining.
6. Updates. **Public Comment – none**
7. Updates. **Announcements by Commissioners– none**

REPORTS & COMMISSION BUSINESS

8. **Approve Treasurers Report and Payment of Bills – Molzof, Admin**
 - Motion to approve treasurers report. Kranig/Homan. Passed Unanimously.
 - Motion to approve payment of bills: Green County \$30.00 for treasurer's bond insurance, SWWRPC \$1,928.00 for 3rd quarter administration, and Boardman and Clark \$9,223.00 for November, 2023 through September, 2024 legal services. Anderson/McGuire. Passed Unanimously.

Gundlach presented the treasurer's report. As of September 30, 2024, the cash flow indicates a total balance of \$332,602.63. In the checking account, interest earned was \$9.92, and Green County contributed \$30,000, bringing the checking balance to \$144,718.70. Fidelity investments include a CD maturing on November 13, 2024, with a balance of \$25,016, and Cash Reserves that earned \$645.08 in dividends while paying out \$38.88 in advisor fees, resulting in a current balance of \$162,867.93. Total revenues amounted to \$55,792.38, with total expenses at \$3,856, leading to a net profit of \$51,936.38. The balance sheet shows total assets, represented by cash in bank accounts, at \$332,602.63, with no liabilities recorded, resulting in a fund balance that matches the total cash balance.

9. **WSOR Operations Report – Lucht, WSOR**

Lucht reported that State Highway 11, west of Janesville, is currently under construction, with a crossing being rebuilt using the maintenance budget. The crossing is expected to last 10-20 years. UP is working on a grant agreement for five bridges in collaboration with WSOR, DOT, and the rail transit commissions, although the project has been delayed for three years. Significant detour costs are incurred until the bridges can be rehabilitated, with construction anticipated by 2026. In Darien, the closure of 3rd Street will remove a crossing from the inventory, allowing for grain elevator expansion, which is viewed as a win-win situation. A new locomotive shop, which replaces the roundhouse, was recently opened with a \$6 million investment aimed to benefit employees and customers. Most maintenance is conducted in Janesville, as Madison lacks repair shops. Efforts are underway with WRRTC to legalize illegal private crossings, starting with the Waukesha subdivision, where many unauthorized crossings exist (farm, residential, business). Work on the Monroe subdivision will begin approximately a year from now. If landowners do not sign crossing agreements, those crossings will be removed. New owners must sign agreements since crossing agreements follow the owner and not the land. WSOR heard that some land owners can't find insurance or that it's too costly, however, approximately 85% of permitted crossings report no

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issues with insurance. Traffic on the Monroe subdivision remains strong, transporting grain and ethanol. As the maintenance season comes to an end, equipment is being stored.

10. **WisDOT Report – Mohlke, WisDOT.**

Mohlke reported that WisDOT is working on preliminary engineering and an environmental assessment for the Janesville Highway 11 project. The annual Freight Rail Conference is on November 12, 2024. The event listed on EventBrite. \$40-\$50 to register. WisDOT has a new Secretary, Kristina Boardman. Boardman has the same initiatives as the former secretary which is leading to a seamless transition.

11. **Tri-County Trail Commission Report –Blackbourn, TCTC**

Blackbourn reported that the trail is in good condition, having been graded two weeks ago, and continues to see significant use as people enjoy the fall colors. The trail liaison has received numerous inquiries about the trail's closure, which is still quite far off (weather depending). Efforts are underway to address signage needs and maintain bridge rails. There are two bridge redecking projects planned, and funding has been committed for five bridge inspections, which have not been conducted since 1979. Cadiz Township is considering the removal of the bridge over Allen Road due to safety concerns, as first responders are uncomfortable crossing it. The current Allen Road bridge cannot accommodate rural tankers or standard locomotives. The township is interested in understanding how the Franklin Road bridge was removed, believing it was due to clearance issues around 1988-1990, when that location became an at-grade crossing. Potter and Molzof will look into the removal of the Franklin Road bridge. Potter inquired if the township is offering any funding for this change. In some cases, the RTC has returned ownership of bridges to local governments, but the Allen Road bridge remains part of the trail. The commission will investigate how similar issues were handled in the past.

12. **PRTC Owned Tax Parcel ID 206-1078.0000, City of Darlington, Lafayette County, WI – Molzof, Admin.**

The lease for the property is set to expire on October 31, 2024, and currently operates under a yearly agreement that automatically renews. There are violations of the lease terms, particularly regarding the storage of recreational vehicles on the site. Burbach received a letter from the City of Darlington noting these violations, as her son has allowed campers to remain on the lot for many years, believing they wouldn't need to be removed until after this commission meeting. A plumber is interested in purchasing the building. Burbach and her husband (last name Butson at that time), bought the parcel in 2003. Burbach noted that the land contained outdoor storage at that time as well. Conversations have taken place with Mike McDermot, the City Mayor, regarding the building's potential sale. It is unclear whether the lease covers just the building or includes the land as well. Burbach is looking for the lease map, possibly available from a local newspaper archive. Burbach wants to lease a portion of the land and obtain a permit to store recreational vehicles, intending to file this with the City of Darlington, involving the PRTC. However, the City's ordinance does not permit storage of outdoor recreational vehicles. The City of Darlington has sent violation notices, and the Commission would require an agreement ensuring compliance with the ordinance. The right of way at this location is approximately 100 feet wide. While it is common for railroads to have some buildings on their right of way, the owner may need to remove the building (within 60 days) if rail services are restored. Parking regulations were discussed, with the understanding that vehicles must be moved regularly to avoid being classified as permanent parking, depending on how the City's ordinance is written. Currently, the situation is considered a violation, and future use of the land will depend on City regulations. If the potential buyer proceeds with the purchase, he will need to sign a new lease outlining all requirements with the RTC.

Mark Gundlach excused at 1:50

13. **Discussion and possible action on encroachments and trespassing issues – Molzof, Admin**

14. **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 likely to become involved related to a real estate matter(s) as listed in Agenda Items #12 & #13 above**

- *Motion to adjourn to closed session at 2:06 PM. McGuire/Anderson. Upon roll call vote, motion passed unanimously.*

Meeting reconvened in open session at 3:00 pm.

15. **Discussion and possible action on matter(s) discussed in closed session – Molzof, Admin**

- *Motion with respect to PRTC Owned Tax Parcel ID 206-1078.0000 to allow the attorney to move forward based on decision made in closed session. McGuire/Ladewig. Passed unanimously.*
- *Motion to with respect to encroachment and trespassing matter to allow the attorney to move forward based on decision made in closed session. Anderson/Ladewig. Passed unanimously.*

16. **Adjournment.**

- *Motion to Adjourn at 3:09 pm. McGuire/Brien. Passed unanimously.*