

# PECATONICA RAIL TRANSIT COMMISSION

20 S Court Street • PO Box 262 • Platteville, Wisconsin 53818

MEMBER COUNTIES: GREEN • IOWA • LAFAYETTE • ROCK

1:00 PM • Friday, May 16, 2014 • Green Co. Courthouse, 2<sup>nd</sup> Floor Courtroom, 1016 16<sup>th</sup> Ave • Monroe, WI

1. 1:03 PM **Call to Order** – *Harvey Kubly, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn, PRTC 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		William G. Ladewig		x
	Ron Wolter	Treasurer	Excused		Philip Mrozinski		x
Lafayette	Leon Wolfe			Rock	Ben Coopman	Alternate	
	Larry Ludlum		x		Wayne Gustina		x
	Gerald Heimann	Alternate			Alan Sweeney	1st Vice Chair	1:50 PM
	Ted Wiegel		x		Terry Thomas	2nd Vice Chair	Excused

Commission achieved quorum.

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

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>Mary Penn, SWWRPC</li> <li>Ken Lucht, WSOR (1:10 PM)</li> <li>Troy Maggied, SWWRPC</li> <li>Bob Voegli, TCTC</li> <li>Harvey Mandell, Town of Jefferson, Green County</li> </ul> | <ul style="list-style-type: none"> <li>Fred Gruber, Jewell Associates</li> <li>Greg Jewell, Jewell Associates</li> <li>Kim Tollers, Frank Huntington, WDOT</li> <li>Jeff Wunschel, Green County</li> </ul> |
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3. Action Item. **Certification of Meeting's Public Notice** – *Noticed by Penn*
  - Motion to approve notice of meeting – Gustina/Mrozinski, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
  - Motion to approve agenda – Mrozinski/Wiegel, Passed Unanimously*
5. Action Item. **Approval of draft Minutes from January, 2014 meeting** – *Prepared by Penn*
  - Motion to approve January 2014 minutes – Olson/Anderson, Passed Unanimously*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*  
*Chair Harvey Kubly welcomed Harvey Mandel to the meeting.*
7. Updates. **Correspondence & Communications** – *Discussion may be limited by the Chair*  
 Penn reported on correspondence. She said she had received the certificate of liability insurance from WATCO, agendas from the last three TCTC meetings, and said she had sent the 2015 Lafayette County contribution invoice to Mr. Wayne Wilson, Lafayette Finance Committee Chair on February 3<sup>rd</sup>, 2014. She had also sent Mr. Wilson a copy of the PRTC charter on February 19<sup>th</sup>, 2014. Phil Mrozinski asked if she had heard back from Mr. Wilson but she had not.

## REPORTS &amp; COMMISSION BUSINESS

## 8. PRTC 2014 Election of Officers

Position	Nominee	Nomination and Motion to close the nominations with instructions to cast a unanimous ballot. (First / Seconded)
Chair	Harvey Kubly	Wiegel/Gustina, Passed Unanimously
1 <sup>st</sup> Vice Chair	Alan Sweeney	Gustina/Ladewig, Passed Unanimously
2 <sup>nd</sup> Vice Chair	Ted Wiegel	Anderson/Gustina, Passed Unanimously
Secretary	Charlie Anderson	Ladewig/Wiegel, Passed Unanimously
Treasurer	Ron Wolter	Olson/Gustina, Passed Unanimously

After the elections Kubly welcomed Larry Ludlum, Lafayette County, as the newest Commissioner to the PRTC.

## 9. PRTC Financial Report – Ron Wolter, SCWRTC Treasurer

Oscar Olson acted for Ron Wolter who was absent and gave the Treasurer's Report and reported on the disbursement of checks. Penn asked whether a Treasurer's Bond had been purchased yet but Olson did not know.

Checks that were disbursed included

- ✓ \$960.00 for Kramer & Brownlee
- ✓ \$1496.34 for SWWRPC Q4, 2013

- Motion to approve Treasurer's Report – Mrozinski/ Anderson, Passed Unanimously
- Motion to approve payment of bills – Mrozinski/Anderson, Passed Unanimously

Bill Ladewig asked about the amount of the quarter payment to SWWPRC and Penn said the dollar value reflected the amount of work in that quarter.

## 10. WSOR Operation's Report – Ken Lucht, WSOR

Ken Lucht reported on projects and said that bridge crews were mobilizing and work was beginning. One of the projects was near Janesville, which was one that PRTC helped fund in the 2013 capital projects. Another bridge project was bridge F108 in Juda and Lucht reported that WSOR expected to have those bridges done in the next few months. He said these were full bridge replacements. He also reported on work outside the PRTC area including the siding project in Janesville which is a capacity building project. Also another project he talked about was the Oregon and Fitchburg acquisition and the explained how that transpired. He said they were "very close" to completing the acquisition. All the common carrier obligations would go to WSOR and in the next 30 days, WSOR was planning to submit the freight easement deed and operating agreement between WRRTC and itself to the Surface Transportation Board (STB) which must be done before WSOR could assume operations. Lucht said the goal was to have the line in service by mid-summer.

Lucht said the projects WSOR had applied for and were hoping to get funding included work on the Watertown subdivision for ties, which would result in faster train speeds. Also funding for the the line between Waukesha and Milton for ties, crossings, bridges, and continuous welded rail (CWR) work, a 4-yr project which WSOR hoped to start this year but Lucht conceded it more likely to be next year. He noted that the rail on this line was getting "very, very tired" and had hundreds of internal defects. He said there was a project on the Marcus Ann subdivision for a CWR project as well, and said this was the most densely operated line in the WSOR system, adding that the rail was over 100 years old and due for CWR replacement.

Lucht reported that work continued to reinstall rail between Plymouth and Kohler and that demolition crews had been mobilized. He said WSOR was almost ready to go out to bid for this project (a completely new rail line) and hoped to get the line operational this year.

Lastly he said that business had been down significantly in the last quarter and it had been a challenge. He said it had been hitting WSOR's budget as the grain was not moving. At some point he said grain would rebound but until then WSOR had to make "some pretty tough choices". Other commodities have been moving well, but since about 35% of WSORs business was grain, this had been a difficult quarter. Lucht said WSOR was committed to their capital projects and would carry on.

Kubly asked if the new plant in Oregon was operational even though track was not open. Lucht said the Village had allowed the business to truck aggregate for the time being. Ladewig asked if WATCO's business was down throughout the country.

**11. WisDOT Report** – Staff may include Frank Huntington, Kim Tollers, Roger Larson

Frank Huntington reported that WDOT had a \$52M budget and there was between \$10 and \$20M left for this year, some of which was dedicated to the TIGER grant. If they did not get the TIGER grant, \$10 M would be available, noting that there were plenty of applications that could use the money. Huntington said one of the current major projects was the 70 miles of track of the Reedsburg purchase. He said they were almost ready to sign the acquisition and hoped that the next time the PRTC met this would be done. The last thing would be to submit the documentation to the STB and that operations would go to WSOR as WDOT did not want to become a railroad operator.

He spoke about the next budget and the planning for that and said he expected the amount would be in to \$50M – \$60M range but he would not know exactly until the budget was adopted.

In other parts of the state, he reported that the Northern Wisconsin RTC was concerned about CN trackage which was not being operated or provided service to. He said the counties up there would like to get traffic to underserved areas and noted there was the possibility of the state getting involved regarding acquisition but he did not know if or when that would happen. He said a lot of the cars used up north were going out of service and CN was not particularly interested in upgrading underutilized track. He added that the Northern RTC had submitted a Tiger grant for acquiring funding for cars to upgrade if CN did not.

Kubly asked Huntington for the Reedsburg line purchase price but Huntington said WDOT would prefer not release it until the agreement was signed. Lastly, Huntington told the Commission Kim Tollers had brought 2014 Rail Maps for distribution.

**12. PRTC Administrator's Report** –*Mary Penn, PRTC Admin.*

Penn reminded the commissioners that they needed to meet in July in order to approve the budget and make their county contribution requests in a timely way. She also told the Commission she had worked with Ayres Associates, Chari Kubly, and Jeff Wunschel of Green County on the Patterson Bridge final agreement between the Town of Clarno, Green County, and the Commission.

**13. Tri-County Trail Commission Report** – *Leon Wolfe*

Ted Wiegel said the trail “was open” and Kubly thanked Wiegel for his succinct report.

**14. Discussion and Possible Action: Approval of Support Letter for WisDOT's TIGER VI Grant Application for Freight Railroad Improvements.** –*Ken Lucht, WSOR*

Lucht gave some background on the Tiger grant and its application, saying that WSOR had submitted one, adding that they had applied for the past 3 years with very strong applications, going all the way to the Secretary of Transportation's office so WSOR had been encouraged to try again. For this year, WSOR asked WDOT to sponsor the application and he thanked WDOT for that. Also, the project area was extended into Madison in order to offer a greater public benefit. He said over the last 3 months WSOR had been going around seeking support from local, county, and state agencies and representatives. He said they had received over 40 letters of support including a number of letters from state legislators. He noted that PRTC had written support letters in the past even though the project was out of their area but supported a regional transportation system. Kubly asked if anyone had questions and then read the requested support letter to the Commission. Ladewig asked if the letter had been “tweaked” for the Commission and Lucht said yes it had. Anderson asked about the total cost of the project. Lucht said the local match would be a 54% local match of \$3M and WSOR was asking for a \$12M federal grant, \$10.6M coming from WDOT and \$2.7 M from WSOR.

- *Motion to approve support letter for WisDOT's TIGER VI Grant Application for Freight Railroad Improvements – Gustina/Ladewig, Passed Unanimously*

**15. Discussion and Possible Action: Acceptance of 5 Corner Bridge structure type** – *Ellery Schaffer, Jewell Assocs., Jeff Wunschel, Green County Highway Dept.*

Greg Jewell updated the Commission on the project and said the type of structure selected had been shared with the respective towns and Green County and they had approved. Details of the structure were shown to the Commission and he showed them the alternative structure, saying that over the life of the structure the one selected by the County would cost less over time. Kim Tollers asked for a date that WDOT needed to respond, as this structure had also been submitted to the state. Huntington asked if they had heard back from WSOR and Lucht said that WSOR would need to look at the structure and asked for the details to be sent to them. Jewell asked if the Commission could give concurrence. Ladewig asked Huntington why the Commission needed to address this. He said that the Commission needed to make sure the bridge would not interfere with the operations of trains and also noted that as the bridge is wider than the ROW, it might inhibit track expansion. Ladewig said that they would be totally dependent on the engineers from WDOT and WSOR to advise the PRTC on what to approve. Jewell said that he would send WDOT a set of plans and options and noted that WSOR was aware of this and that Jewell would follow up with them. Kubly asked for the timeline and Jewell said they needed approval by August of 2016 with the hope of funding by 2017. Tollers asked who was responsible for the long term maintenance and was told it would go to the two towns once completed. The Commission was told that although they were not acting today that would not slow down the project yet.

**16. Discussion and Possible Action: Approval for funding of 5 Corner Bridge roadway and structure – Ellery Schaffer, Jewell Assocs., Jeff Wunschel, Green County Highway Dept.**

Fred Gruber of Jewell Associates presented the project costs and details to the Commission. The total cost would be \$921,000.00 with a local match of \$184,230.00 which was broken down to three options:

1. 50% Share WSOR (\$92.1K)  
25% Green Co (\$46K)  
12.5% apiece Townships (\$23K each)
2. 33% WSOR (\$61.4K)  
33% County (\$61.4K)  
16.7% apiece Townships 16.7 % (\$30.7K apiece)
3. No participation WSOR  
50% County (\$92.1K)  
25% Town of Clarno (\$46K)  
25% Town of Jefferson (\$46K)

Jeff Wunschel said that the local share was always 20% and since there were two towns it would be 10% apiece. He said that Kim Johnson had mentioned an agreement in Rock County that had asked the railroad contribute 50% and was requested in January 2013. He said part of the agreement said that the bridge would be off WSOR's responsibilities and the towns would become responsible. Ladewig said that since they did not know the structure, how could they approve funding. Wunschel said that from a road building standpoint Jewell and the County needed some feedback. Huntington said that the documentation on the railroads was old and maintenance had been on the railroad but in the future, WDOT had included this project in the local bridge program and noted that WSOR had been investigating participating to get the bridge off their hands. Going forward the maintenance would be done at the local level. Kubly noted that there were three entities involved: WDOT, WSOR and PRTC. Huntington said WDOT was putting in 80% of the funding and would not contribute to the 20%. He said if the PRTC wanted to fund this, it was totally up to them. Lucht said that WSOR saw a lot of "grey area" and noted there was a huge public benefit to the road. He acknowledged that WSOR must maintain the PRTC's track but said there were a lot of bridges at a capital replacement stage and not routine maintenance. He said that WSOR had been working with a township in Rock County but they had not been given any options in that scenario and they had not come to an agreement. He said WSOR was very open to funding part of this and reminded the Commission they are "way beyond" maintenance and listed some other bridges that needed replacement. Lucht said it was hard for WSOR to sell a 50% match when this was strictly a public benefit on a town road. He said when WSOR heard "equal share" they were much more open and said WSOR did not want to consider the 3<sup>rd</sup> option and said the 2<sup>nd</sup> option looked more possible. He said he appreciated the work that went into the presentation. Jewell said that one of other options entertained had been a result of a study submitted to the state with the recommendation to close the road but that had been found not acceptable and so the structure had to be replaced.

Kubly said he believed this would be taken up again when the Commission had more information. Ladewig asked for a financial breakdown for distribution to the Commission. Wunschel said he would forward it to Penn for distribution.

**17. Action Item – Adjournment**

Motion to adjourn at 2:09 PM – Gustina/Wiegel, Passed Unanimously

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## PRTC/WRRTC FORMAL FUNDING AGREEMENT WORKING COMMITTEE May 16, 2014

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 Kubly at 2:25 PM

**2. Establishment of Committee Members Present – Mary Penn, PRTC Administrator**

<i>Commissioner</i>	<i>County</i>	<i>Present</i>
Harvey W. Kubly	Green	x
Ron Wolter	Green	Excused
Philip Mrozinski	Iowa	X
Charles Anderson	Iowa	X
Alan Sweeney	Rock	X
Wayne Gustina	Rock	x

Also attending: Ken Lucht, WSOR, Frank Huntington, WDOT, Mary Penn and Troy Maggied, SWWRPC

**3. Action Item. Certification of Meeting's Public Notice – Noticed by Penn**

- Motion to approve meeting – Sweeney/Gustina, Passed Unanimously

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

- Motion to approve agenda – Mrozinski/Sweeney, Passed Unanimously

**5. Action Item. Approval of draft Minutes from January, 2014 meeting – Prepared by Penn**

- Motion to approve January 2014 minutes – Gustina/Mrozinski, Passed Unanimously

### COMMITTEE BUSINESS

**6. Update and Discussion on Alan Sweeney's Meeting with Lafayette County Finance Committee, February 25<sup>th</sup>, 2014 – Harvey Kubly, Chair**

Kubly asked Al Sweeney to report on the agenda item. Sweeney said he had drafted a letter which Kubly had, in case Sweeney had been unable to attend today's meeting. It detailed his visit to the Lafayette County Finance on Feb. 25, 2014. Sweeney and Ken Lucht both attended. Sweeney said he felt that Lafayette County was a valuable member to the Commission and had much to give to the Commission. He said there was very strong resistance to the idea of the shared benefit despite the evidence of the economic trail study which was shared with the Committee. He said it was pretty evident in his opinion that Lafayette County would contribute zero dollars to the PRTC despite their contractual obligations. He recommended moving forward with this as they would not change any minds and make sure that the rail infrastructure was kept in good repair so they had access both east and west, work with WRRTC, and had outlets for the goods and products that came on the PRTC rail lines.

Kubly asked if Mr. Wayne Wilson had any comments at the meeting and Sweeney said he could not recall anything that stood out. Kubly said he had not heard from Wilson and his intuition would be to contact him. Kubly said he felt that Wilson was their best possible hope of getting something from Lafayette County and thought that Wilson would have some appreciation for the County's

contractual obligations. At this point, Kubly said he would contact Wilson and if nothing else say it was a follow-up call and "see what I get". Kubly thanked both Sweeney and Lucht for going to the meeting and apologized that he could not attend as it was a very busy time of year for him.

Phil Mrozinski asked what sort of options they had and agreed there should be follow up but what could the Commission do if they wanted to be "tough" about it. Kubly said he thought they would have to have Eileen Brownlee answer that and his thought was that anything the Commission tried to do it might cost a lot of money. Huntington said it would be counterproductive to ask them to leave because they were part of the Commission. Charles Anderson asked Sweeney about the study of economic benefits presented and confirmed that it was from the U. of WI presented to the Commission in 2011. Anderson asked if this was the same one as the Trail Study. Sweeney confirmed that the study presented said there was a \$15M benefit to the region and was not the trail study completed recently. There was discussion on the trail study. Sweeney said there was dispute from the Committee on the numbers reported in both studies. Mrozinski said that one of the studies specifically mentioned the benefit to the counties. Lucht said that the County was shocked to be getting an invoice for \$26,500. Sweeney said he was delivering a reminder of their contractual obligations but at this point, it would not do anything to concentrate on this. Kubly concurred saying it would be unproductive.

Kubly noted that the bulk of the trail was in Lafayette and next time the trail committee requested funding it might be useful to remind Lafayette County of that fact. Anderson explained the situation in the WRRTC with Crawford County in regard to its county contribution. He said he really thought a bridge problem in Crawford County was an instigator in getting the County to pay its contribution. However he noted that until rail went back into Lafayette County it was too bad and conceded that times were tough. He noted that Lafayette County was probably the poorest in the state. Anderson asked if Sweeney had got a copy of the County's budget but Sweeney said no. Sweeney said he did not believe that the 2014 county contribution was in their budget.

Wayne Gustina said what if Kubly suggested to Wilson that the County pay a smaller amount of \$4-5K. Kubly said that in theory Lafayette County's amount of the PRTC's operating budget be ¼ of that. Kubly said he would try and see what he could do in talking to Wilson.

Sweeney said that maybe this Committee could work on Green County joining the WRRTC and/or create a mutual agreement between the two. Kubly said he wanted to get this issue settled first before approaching the board and asking them to join WRRTC. He thought that if he could say they had made progress with Lafayette County it would go better but agreed that that issue needed to be looked at.

Mrozinski asked if the Lafayette County Finance Committee took action on the county contribution issue or was it just generally discussed in the meeting. Sweeney said it did not come to a vote and his analysis was based on the response to the information he brought to the meeting.

**7. Action Item – Adjournment**

Motion to adjourn at 2:45 PM – Gustina/Sweeney, Passed Unanimously