

**Pecatonica Rail Transit Commission
Commission Meeting – Friday, April 28, 2023, at 1:00 pm
Green County Courthouse, Monroe, WI**

1. 1:00 PM **Call to Order** – *Harvey Kubly, Chair 1:0 pm*
2. Roll Call. **Establishment of Quorum** – *Misty Molzof, Admin*

Green	<i>Harvey W. Kubly, Chair</i>	X	Iowa	<i>Charles Anderson, Secretary</i>	X
	<i>Kurt Schafer, Treasurer</i>	X		<i>Bill Ladewig</i>	X
	<i>Todd Larson</i>	X		<i>Kevin Peterson</i>	Absent
Lafayette	<i>Kurt Malott</i>	Absent	Rock	<i>Tom Brien</i>	Excused
	<i>Luke McGuire</i>	Excused		<i>Alan Sweeney, 1st Vice-Chair</i>	Via Phone
	<i>Donna Flannery, Vice-Secretary</i>	X		<i>Russ Podzilni</i>	Excused
	<i>Jeff Berget, Alternate</i>	Absent			

Others present for all or some of the meeting:

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| • <i>Misty Molzof, Administrator</i> | • <i>Ken Lucht, WSOR</i> |
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Molzof.*
 - o *Motion to approve meeting’s public notice – Ladewig/Larson. Passed Unanimously.*
4. Action Item. **Approval of Agenda** – *Prepared by Molzof.*
 - o *Motion to approve the agenda. Ladewig/Anderson. – Passed Unanimously.*
5. Action Item. **Approval of draft January, 2023 Meeting Minutes** – *Prepared by Maggied.*
 - o *Motion to approve the January 2023 meeting minutes with recommended change by Larson to change “deficit” to read “total annual expenditures under budget” under #8 as it relates to accounting and treasurer’s report. Schafer/Ladewig. Passed Unanimously.*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair.*
None.

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

8. Officer Election. **Election of Officers**

Chair – *Larson/Anderson* to approve Harvey Kubly as chair. *Passed unanimously.*

Vice-Chair – *Ladewig/Schafer* to approve Alan Sweeny as Vice-Chair. *Passed unanimously.*

Secretary – *Ladewig/Flannery* to approve Charles Anderson as Secretary. *Passed unanimously.*

Treasurer – *Anderson/Larson* to approve Kurt Schafer as Treasurer. *Passed unanimously.*

REPORTS & COMMISSION BUSINESS

9. **PRTC Financial Report** – *Kurt Schafer, Treasurer.*

- o *Motion to approve the Treasurer’s Report and payment of bills. Ladewig/Larson. Passed Unanimously.*

Schafer reported that the cash flow beginning balance - \$248,592.75, less total disbursements \$4,957.22, and add receipts of \$38,631.06, gives an ending balance of \$282,266.59. Investment totals stayed relatively the same at \$100,000, with a slight change of investment of \$1,834.79 which includes interest less investment fees. An invoice from SWWRPC for 1st Quarter 2023 - \$1,836.00 is listed for approval. Balance Sheet revenues- all but \$9,708.33 of budgeted have been received thus far, and no expenses yet this year as no bills have been paid. We converted a matured CD to a 12-month CD with an APR of 4.9%. We had two CDs held at Woodford State Bank that were at 0.5%, and we converted one into a 15-month CD at 4.4%, and other one will be moving to Fidelity Investments today into a 12-month CD at 5.1%. Fidelity investment interest and CD interest is quite substantial now compared to what it has been, so we should be making more

money. Larson wondered if we should we invest some of the monies that are in the checking account, to earn more interest. Anderson asked Schafer to look into a money market account for our checking account. Schafer will check into and invest the funds and asked if there are any invoices coming soon. Ken Lucht, WSOR, stated that the 2020 through 2022 contributions go towards the Janesville bridge project that needs to be refurbished and PRTC will need pay the contributions; however, he does not see us receiving any invoices in the next 12 months.

10. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht– WSOR

Lucht stated that there is a state of art locomotive facility being built in Janesville, at the far eastern truncus of PRTC track and they are working on driving the utilities underground right now. This will be a 15,000 sq ft facility in the middle of all the subs at an estimated cost of \$6 million.

Construction will begin this year and finished in 2024. The plan is to repurpose the old round house; however, the new facility will meet our needs for a taller facility, deeper pits, and thicker concrete for today’s trains. There are currently 3 bridge projects underway: F3 & F52 in Janesville, and F82 in Brodhead. These are funded through the Freight Rail Program where WSOR provides 27% contribution and will maintain over the life of the assets. Routine maintenance along our 35-mile line which includes weed control, brush cutting, and preserving ties and crossings will be starting soon. News from outside of territory, but affects this line includes a rail project that will be put out for bid for the line between Wauzeka and Boscobel. WSOR started in Prairie du Chien heading East, and this will be the next section that should get underway yet this year. Crossing renewal on Main Street in Orfordville is part of maintenance plan, not a state project of state funded, will begin on Monday, May 22, 2023. There has been a lot of movement in grain industry in southern WI. United Coop has expansions in Boscobel, Osh Kosh, and will be building a new facility in Waupun. This infrastructure needs to accommodate a 100-car capacity, and is done privately to leverage the services they provide. They are hopeful to capturing grant funds.

Currently, some of their produce that moves by water, will not move by rail; however, they are hoping for a 12% increase in the next 12 months in rail. Regional Planning, Misty and Troy, will be joining WSOR on a High-rail trip in May from Janesville to Monroe where we will tour public crossings along with private crossings, infrastructure, and the new facility. Ladewig asked about changes in federal law with hazardous materials. Lucht replied that the 2023 Act has been presented to committee who will review either on May 5 or 10, and will likely mark up this bill. This bill contains a lot of irrelevant materials as it pertains to HazMat – regulates # of people in cab, # of detectors per 10 miles, a lot of ambiguous language giving discretion to Wis DOT and can be damaging to WSOR. Lobbyists have been bombarding members of senate committee about how damaging this could be to WSOR, and we are hopeful that they will realize and take appropriate action, especially since 10% or less of our transport is HazMat, we have never had a release due to derailment in 20+ years, and these regulations don’t really apply to small railroads like this.

Hoping for some relief, but it could be very problematic if passed as written. 80% of what is in the bill is not relevant to what happened in Ohio, and we are hoping to see new language in the next couple of days. Ladewig suggested that as the PRTC, we could write a letter to Baldwin’s office asking for opposition to the bill, and Lucht stated that would be great; however, it would have to be in the next week.

Lucht suggested a phone call to the Senator’s office as individuals would be appropriate as well.

Anderson asked about the new facility in Janesville and whether or not the paint shop would be moving? Lucht stated that WSOR has a shop in Horicon, all of that work will move to Janesville., and Horicon shop will be converted to maintenance of track shop. Lucht stated that Janesville is really the heart of the system, and the labor pool is better in Janesville.

11. WisDOT Report – Stern - WisDOT.

None.

12. Tri-County Trail Commission Report – Flannery, TCTC.

Flannery stated that there is proposed legislation for limiting intoxicants in or on an ATV/UTV for both the driver and passenger, proposed bill #2023 is currently at the state level; however, the only thing that this bill does not cover is private property, so PRTC may have to adopt something.

Flannery stated that further questions, or updates could be directed to DNR representative Rob McConnell. The TCTC has applied for 4 grants for trail and bridge rehabilitation in hopes of getting more than \$400,000. Cost of replacement is coming in at about \$618/linear foot, and they are looking at Bridge #48, 116' bridge over the Pecatonica River, near Mineral Point that is currently closed due to a failed inspection and is being rerouted and Bridge #18, 63' bridge over drainage creek on Red Rock Road that is starting to fail. Anderson asked about the trees and power lines in the right-of-way along the trail just West of South Wayne, about 2 miles of poles and lines, and Flannery stated that the poles were rotted and almost blew over, so they had to be replaced. Molzof to get in touch with utility company (Scenic Rivers) who did the work to ensure proper permitting.

13. PRTC Administrator's Report - Molzof, Admin.

None.

14. Permit Requests - None

15. Encroachments and Trespassing Issues - Molzof, Admin.

- *Motion to approve allowing administrator to write a letter determining the amount of compensation necessary assuming pristine trees were removed, trespassing repercussions, value, and what is owed to the Commission vetted by the attorney ensuring that it is firm and private land owners are not to do this again. Ladewig/Larson. Passed Unanimously.*

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

Commission asked to get a status update from attorney at the next meeting.

17. Adjournment.

- *Motion to Adjourn at 2:00 pm Larson/Anderson. Passed Unanimously.*