

PECATONICA RAIL TRANSIT COMMISSION

20 S Court Street ♦ PO Box 262 ♦ Platteville, Wisconsin 53818
MEMBER COUNTIES: GREEN ♦ IOWA ♦ LAFAYETTE ♦ ROCK

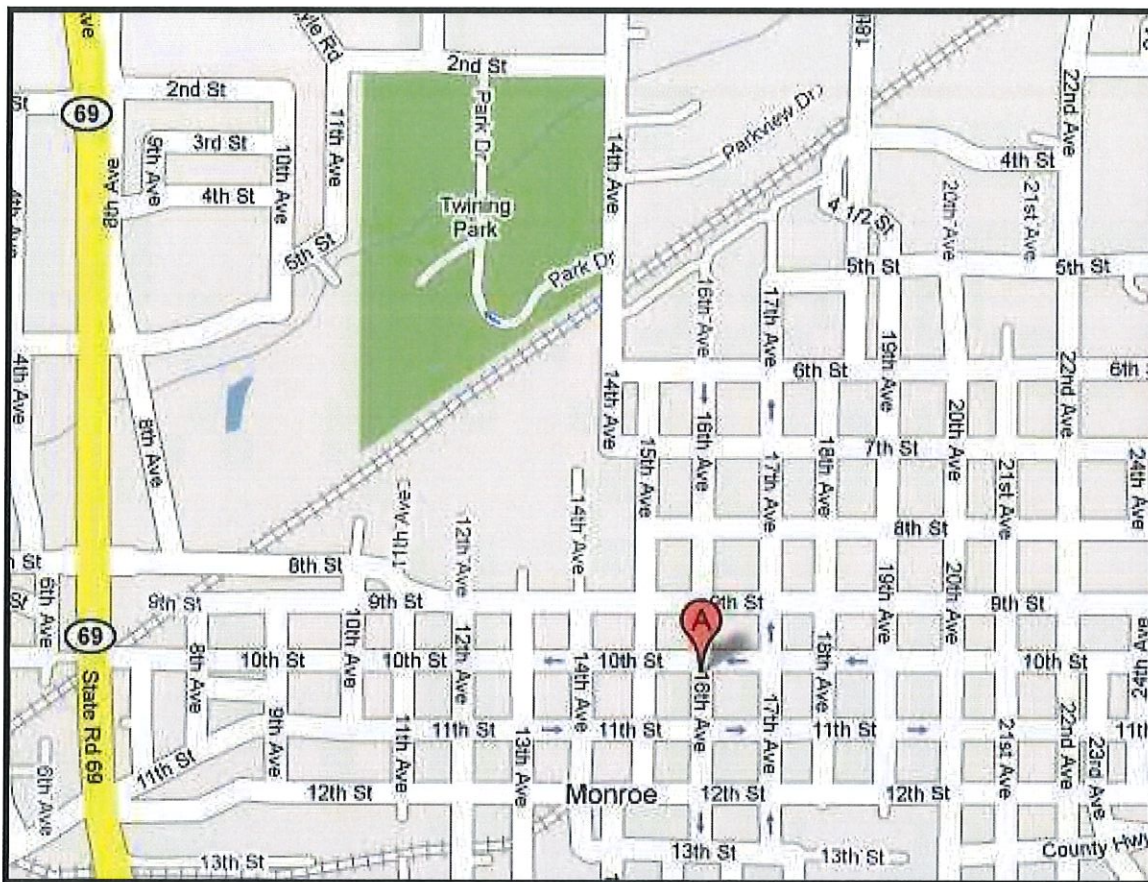
TO: Pecatonica Rail Transit Commissioners & Other Interested Persons
FROM: Misty Molzof, PRTC Administrator
RE: Friday, May 24, 2024 PRTC Meeting Agenda

Pecatonica Rail Transit Commission

2nd Floor Courtroom, 1:00 pm

Friday, May 24, 2024

Green Co. Courthouse • 1016 16th Ave • Monroe, WI



Meetings are typically held on the fourth Friday of each quarter at 1 PM in Monroe. 2024 meeting dates are January 26, May 24, July 26, and October 25.

NOTICE is sent to: County Clerks in PRTC's Region for Posting and to Local News Media as an FYI.

If you have any questions regarding the agenda, please email m.molzof@swwrpc.org or call (608) 330-7099.

Thank you for your interest and assistance.

Pecatonica Rail Transit Commission

1:00pm • Friday, May 24, 2024.

Green Co. Courthouse, 2nd Floor Courtroom, 1016 16th Ave • Monroe, WI

Meeting Agenda

1. 1:00 PM *Call to Order – Harvey W. Kubly, Chair*
2. Roll Call. *Establishment of Quorum – Misty Molzof, PRTC Administrator*
3. Action Item. *Certification of Meeting's Public Notice – Noticed by Molzof*
4. Action Item. *Approval of AMENDED Agenda – Prepared by Molzof*
5. Action Item. *Approval of draft minutes from the previous meeting – Prepared by Molzof*
6. Action Item. *Elect Officers – Chair, 1st Vice Chair, Treasurer, Secretary, Vice Secretary – Molzof / Chair*
7. Updates. *Public Comment – Time for public comment may be limited by the Chair*
8. Updates. *Announcements / Comments by Commissioners – Discussion may be limited by the Chair*

REPORTS & COMMISSION BUSINESS

- 5 *minutes estimated | Update & Action*
9. **PRTC Financial Report – Admin, Treasurer**
 - Treasurer's Report and Action on Payment of Bills
 - Confirm / Approve amounts allocated to Janesville Bridge Project (\$100,100)
 - Draft 2025 Budget Discussion
- 10 *minutes estimated | Update*
10. **WSOR Operation's Report – Ken Lucht, WSOR**
- 10 *minutes estimated | Update*
11. **WisDOT Report – Lisa Stern / Ben Mohlke, WisDOT**
- 5 *minutes estimated | Update*
12. **Tri-County Trail Commission Report – Commissioners**
 - Update on Trail Usage and Condition
 - Update on Maintenance Activities
 - Max Blackburn, TCTC Coordinator
- 10 *minutes estimated | Discussion and possible action*
13. **Administrator's Report – Molzof, Admin**
 - Field access near Gratiot, Roelli Road
 - Property line request for possible fence 2 miles South of Mineral Point
- 5 *minutes estimated | Update & Possible Action*
14. **Permit Requests, if any – Misty Molzof, PRTC Admin.**
 - Frontier Communications, extension of time on original application from construction end date of 12/31/2023 to 12/31/2024, Mineral Point, WI.
- 5 *minutes estimated | Update & Possible Action*
15. **Janesville Bridges MOU – Mohlke, Wis DOT**
- 10 *minutes estimated | Update & Possible Action (Closed Session Item)*
16. **Discussion and possible action on encroachments and trespassing issues – Commission Members**
 - Update, Discuss, and Possible action on Dan Powers regarding removal of raw forest products from PRTC property.
 - Any other items as may be allowed by law; however, no action will be taken.
- 10 *minutes estimated | Update & Possible Action (Closed Session Item)*
17. **Discussion and Possible Action on Trail Encroachment in Calamine, WI – Attorney Brownlee**

Pecatonica Rail Transit Commission

1:00pm • Friday, May 24, 2024.

Green Co. Courthouse, 2nd Floor Courtroom, 1016 16th Ave • Monroe, WI

Meeting Agenda, Cont.

20 minutes estimated | Update & Possible Action

18. 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(s) as listed in agenda items #16 & #17 above. – *Attorney*

5 minutes estimated | Update & Possible Action

19. Return to Open Session – *Commission Members*

10 minutes estimated | Update & Possible Action

20. Discussion and Possible Action on matter(s) as discussed in Closed Session – *Attorney*

Action Item

21. Adjournment

PRTC JANUARY 26, 2024 MEETING MINUTES – DRAFT FOR APPROVAL

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**

- o *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.**

- o *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**

- o *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.**

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

Date: May 15, 2024

To: PRTC Commissioners

From: Misty Molzof, Administrator

RE: Treasurer Report / Memo

Kurt Schaefer, former treasurer is no longer appointed by Green County to the commission. I have compiled this financial statement moving forward in hopes that it is more in line with accounting reports and understandable by the commission. Please share your thoughts on the following cash flow, revenue and expense statement, and balance sheet.

Attached to this month's meeting materials is January – April 2024 Financial Statements

1. Cash Flow

a. Revenue Received

- i. Interest on Checking account \$33.73
- ii. Dividends and gains on Fidelity Investments \$1,235.67
- iii. 1st and 2nd Qtr WSOR Lease Payments @ \$3,000/ea = \$6,000

b. Expenditures:

- i. Financial and Management Services \$1,836.00(4th Qtr 2023 approved in January 2024)
- ii. Legal Services \$2,300 (4th Qtr 2023 approved in January 2024)

c. Balances in Accounts

- i. Checking account as of 4/30/2024 = \$84,548.43
- ii. Fidelity Investments as of 4/30/2024 - \$178,387.22
- iii. Fidelity Investments at time of Maturity - \$185,340.68
- iv. Total Cash balances as of 4/30/2024 = (a+b) = \$287,935.65

2. Revenue & Expense

- a. Total Revenues as of 4/30/2024 \$7,269.40
- b. Total Expenses as of 4/30/2024 \$1,928 (includes 1st Qtr Invoices to be paid)
- c. Invoices to be Paid
 - i. Southwestern WI Regional Planning Commission – 1st Qtr 2024 Services \$1,928.00
- d. Net Profit (Revenue less Expense) - \$5,341.40

3. Balance Sheet

- a. Summary of Assets (Cash in Bank Accounts)
- b. Summary of Liabilities (Accounts Payable for invoices not yet paid)
- c. Fund Balance – We have a Fund Balance of \$286,007.65 as of 4/30/2024

4. 2025 Proposed Budget – This will need to be adopted at the next meeting, so I wanted to present a draft at this meeting for discussion/thoughts

- a. Increased interest and gains on investments by 67% or \$400
- b. Increase in Management fees by 2% or \$153.00
- c. Increase Attorney Fees by 40% or \$2,000.00

January 1 - April 30, 2024

Checking Account			Balance as of 1/1/2024			\$ 80,350.70
26-Jan	2027		SWWRPC - 4th Qtr 2023		\$ 1,836.00	\$ 78,514.70
24-Jan	Dep		WSOR - 1st Qtr 2024	\$ 3,000.00		\$ 81,514.70
31-Jan	Int		Interest	\$ 10.31		\$ 81,525.01
						\$ 81,525.01
31-Jan			Balance			\$ 81,525.01
29-Feb	Int		Interest	\$ 9.75		\$ 81,534.76
						\$ 81,534.76
29-Feb			Balance			\$ 81,534.76
31-Mar	Int		Interest	\$ 6.92		\$ 81,541.68
						\$ 81,541.68
31-Mar			Balance			\$ 81,541.68
24-Apr	Dep		WSOR - 2nd Qtr 2024	\$ 3,000.00		\$ 84,541.68
30-Apr	Int		Interest	\$ 6.75		\$ 84,548.43
30-Apr			Balance			\$ 84,548.43
Checking Account End Balance				\$ 6,033.73	\$ 1,836.00	\$ 84,548.43
Woodford Bank CD (Due 7/19/2024)						\$ 25,000.00
						\$ 25,000.00
Woodford Bank CD Ending Balance				\$ -	\$ -	\$ 25,000.00
Fidelity (5.1% Interest, Due 5/2/2024)						\$ 124,896.25
31-Jan			Gain (DR) / Loss (CR)	\$ 26.25		\$ 124,922.50
29-Feb			Gain (DR) / Loss (CR)		\$ 10.00	\$ 124,912.50
31-Mar			Gain (DR) / Loss (CR)	\$ 36.25		\$ 124,948.75
30-Apr			Gain (DR) / Loss (CR)	\$ 48.75		\$ 124,997.50
						\$ 124,997.50
						\$ 124,997.50
Fidelity (5.1% Interest, Due 5/2/2024) End Balance				\$ 111.25	\$ 10.00	\$ 124,997.50
Fidelity (5.45% Interest, Due 11/13/2024)						\$ 25,061.50
31-Jan			Gain (DR) / Loss (CR)	\$ 32.00		\$ 25,093.50
29-Feb			Gain (DR) / Loss (CR)		\$ 48.00	\$ 25,045.50
31-Mar			Gain (DR) / Loss (CR)		\$ 30.00	\$ 25,015.50
30-Apr			Gain (DR) / Loss (CR)		\$ 15.75	\$ 24,999.75
						\$ 24,999.75
						\$ 24,999.75
Fidelity (5.45% Interest, Due 11/13/2024) End Balance				\$ 32.00	\$ 93.75	\$ 24,999.75

PRTC Cash Flow
January 1 - April 30, 2024

Date	Reference	Description	DR (Amt Rcvd)	CR (Amt Pd)	Balance	Interest at Maturity	Mature Value
Fidelity (4.9% Interest, Due 4/18/2024)					\$ 24,963.50		
31-Jan		Gain (DR) / Loss (CR)	\$ 13.00		\$ 24,976.50		
29-Feb		Gain (DR) / Loss (CR)	\$ 3.50		\$ 24,980.00		
31-Mar		Gain (DR) / Loss (CR)	\$ 11.25		\$ 24,991.25		
18-Apr		Gain (DR) / Loss (CR)	\$ 1,233.75		\$ 26,225.00		
18-Apr		Closed moved to Reserves		\$ 26,225.00	\$ -		
					\$ -		
Fidelity (4.9% Interest, Due 4/18/2024) End Balance			\$ 1,261.50	\$ 26,225.00	\$ -		
Fidelity - Cash Reserves					\$ 2,230.30		
5-Jan		Advisor Fees		\$ 36.88	\$ 2,193.42		
31-Jan		Dividends	\$ 9.37		\$ 2,202.79		
5-Feb		Advisor Fees		\$ 36.91	\$ 2,165.88		
29-Feb		Dividends	\$ 8.57		\$ 2,174.45		
5-Mar		Advisor Fees		\$ 36.91	\$ 2,137.54		
29-Mar		Dividends	\$ 9.13		\$ 2,146.67	\$ 7,485.45	\$ 9,632.12
5-Apr		Advisor Fees		\$ 36.89	\$ 2,109.78		
29-Apr		Dividends	\$ 55.19		\$ 2,164.97		
18-Apr		Closed 4.9% Interest - Moved to Reserves	\$ 26,225.00		\$ 28,389.97	\$ 6,953.46	\$ 35,343.43
					\$ 28,389.97		
					\$ 28,389.97		
Fidelity Cash Reserves End Balance			\$ 26,307.26	\$ 147.59	\$ 28,389.97		
Total Cash Accounts			\$ 33,745.74	\$ 28,312.34	\$ 287,935.65	Fidelity 4/30/2024 \$ 178,387.22	Fidelity at Maturity \$ 185,340.68

Pecatonica Transit Commission (PRTC)
Revenue/Expense Statement
For 4 Month(s) Ending April 2024

	PRTC Funds	Project Funds	Total Funds	Budget 2024	Difference Budget Less Actual
Revenues					
WSOR Lease	\$ 6,000.00	\$ -	\$ 6,000.00	\$ 12,000.00	\$ 6,000.00
Land Leases/Easements	\$ -	\$ -	\$ -	\$ 250.00	\$ 250.00
Permits/Private Crossings	\$ -	\$ -	\$ -	\$ -	\$ -
Interest PRTC	\$ 33.73	\$ 1,235.67	\$ 1,269.40	\$ 600.00	\$ 566.27
Taxes Reimbursed				\$ -	\$ -
County Operating Revenue				\$ -	\$ -
County-Project Revenue-2024		\$ -	\$ -	\$ 34,000.00	\$ 34,000.00
Total Revenue	\$ 6,033.73	\$ 1,235.67	\$ 7,269.40	\$ 46,850.00	\$ 40,816.27
			\$ -		
Expenses					
General	\$ -	\$ -	\$ -	\$ 138.00	\$ 138.00
Management	\$ 1,928.00	\$ -	\$ 1,928.00	\$ 7,712.00	\$ 5,784.00
Project Management		\$ -	\$ -		\$ -
Audit Services	\$ -	\$ -	\$ -	\$ -	\$ -
Legal	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -
Rail Project		\$ -	\$ -	\$ 34,000.00	\$ 34,000.00
Other Projects		\$ -	\$ -	\$ -	\$ -
Total Expenses	\$ 1,928.00	\$ -	\$ 1,928.00	\$ 46,850.00	\$ 44,922.00
			\$ -		
Net Income	\$ 4,105.73	\$ 1,235.67	\$ 5,341.40	\$ -	\$ (4,105.73)

Pecatonica Transit Commission (PRTC)

Balance Sheet

For 4 Month(s) Ending April 2024

	PRTC Funds 2024	Project Funds 2024	Total Funds 2024	PRTC Funds Prior Year End	Project Funds Prior YR End	Total Funds Prior Yr End
<u>Assets</u>						
Checking Account	\$ 84,548.43	\$ -	\$ 84,548.43	\$ 80,350.70	\$ -	\$ 80,350.70
Woodford Bank CD (Due 7/19/2024)	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 25,000.00	\$ -	\$ 25,000.00
Fidelity (5.1% Interest, Due 5/2/2024)		\$ 124,997.50	\$ 124,997.50	\$ -	\$ 124,896.25	\$ 124,896.25
Fidelity (5.45% Interest, Due 11/13/2024)		\$ 24,999.75	\$ 24,999.75	\$ -	\$ 25,061.50	\$ 25,061.50
Fidelity (4.9% Interest, Due 4/18/2024)		\$ -	\$ -	\$ -	\$ 24,963.50	\$ 24,963.50
Fidelity - Cash Reserves		\$ 28,389.97	\$ 28,389.97	\$ -	\$ 2,230.30	\$ 2,230.30
						\$ -
Total Cash Assets:	\$ 109,548.43	\$ 178,387.22	\$ 287,935.65	\$ 105,350.70	\$ 177,151.55	\$ 282,502.25
Accounts Receivable		\$ -	\$ -	\$ -	\$ -	\$ -
Other Current Assets		\$ -	\$ -	\$ -	\$ -	\$ -
Other Current Assets		\$ -	\$ -	\$ -	\$ -	\$ -
Other Current Assets		\$ -	\$ -	\$ -	\$ -	\$ -
Total Other Current Assets:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ttoal Assets	\$ 109,548.43	\$ 178,387.22	\$ 287,935.65	\$ 105,350.70	\$ 177,151.55	\$ 282,502.25
<u>Liabilities</u>						
Accounts Payable	\$ 1,928.00	\$ -	\$ 1,928.00	\$ 1,836.00	\$ -	\$ 1,836.00
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Liabilities	\$ 1,928.00	\$ -	\$ 1,928.00	\$ 1,836.00	\$ -	\$ 1,836.00
<u>Fund Balances</u>						
			\$ -			\$ -
Profit / (Loss) - Current Year	\$ 4,105.73	\$ 1,235.67	\$ 5,341.40			\$ -
Committed	\$ -	\$ 177,151.55	\$ 177,151.55		\$ 177,151.55	\$ 177,151.55
Unassigned	\$ 103,514.70	\$ -	\$ 103,514.70	\$ 103,514.70		\$ 103,514.70
Total Fund Balances	\$ 107,620.43	\$ 178,387.22	\$ 286,007.65	\$ 103,514.70	\$ 177,151.55	\$ 280,666.25
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

SOUTHWESTERN WISCONSIN REGIONAL PLANNING
20 S COURT STREET
PO BOX 262
PLATTEVILLE WI 53818

PECATONICA RTC
PO BOX 262
PLATTEVILLE WI 53818

**** Invoice # 887 ****

Reference#: 1st Qtr 2024 Admin

INVOICE DESCRIPTION: Pecatonica RTC - 1st Qtr 2024 Administration

Billing Date: 03/31/2024

Due Date: 06/07/2024

Item Description	Item Amount
Pecatonica RTC - 1st Qtr 2024 Administration	<u>\$1,928.00</u>

TOTAL BALANCE DUE: \$1928.00

NOTE: THANK YOU!

Any questions, please contact us at (608) 342-6065

PRTC 2025 Budget
Draft for Review - 5/24/2024 Meeting

	2023 Budget	2024 Budget	2024 Year End	% Current	2025 Budget	Budget Change	Notes/ % Change
Revenue							
Green County Contribution	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	100%	\$ 30,000.00	\$ -	0.00%
Lafayette County Contribution	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	100%	\$ 4,000.00	\$ -	0.00%
WSOR Lease	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	100%	\$ 12,000.00	\$ -	0.00%
Permits	\$ -	\$ -	\$ -		\$ -	\$ -	
Lane Lumber Lease	\$ 250.00	\$ 250.00	\$ -	0%	\$ 250.00	\$ -	0.00%
Interest & Net Gains/Losses on Investments	\$ 600.00	\$ 600.00	\$ 838.89	140%	\$ 1,000.00	\$ 400.00	66.67%
						\$ -	
Total Income	\$ 46,850.00	\$ 46,850.00	\$ 46,838.89	100%	\$ 47,250.00	\$ 400.00	0.85%
Operating Expenses							
Management and Accounting	\$ 7,344.00	\$ 7,712.00	\$ 7,344.00	95%	\$ 7,865.00	\$ 153.00	1.98%
Audit Services	\$ -	\$ -	\$ -		\$ -	\$ -	
Legal Services	\$ 5,000.00	\$ 5,000.00	\$ 2,623.00	52%	\$ 7,000.00	\$ 2,000.00	40.00%
Misc	\$ 506.00	\$ 138.00	\$ 1,776.92	1288%	\$ 200.00	\$ 62.00	44.93%
Capital Expense							
Rail Project	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	0%	\$ 32,185.00	\$ (1,815.00)	-5.34%
Total Expenses	\$ 46,850.00	\$ 46,850.00	\$ 45,743.92	98%	\$ 47,250.00	\$ 2,153.00	0.85%
Net	\$ -	\$ -	\$ 1,094.97		\$ -	\$ (1,753.00)	

Memorandum of Understanding

AMONG THE

WISCONSIN DEPARTMENT OF TRANSPORTATION,

UNION PACIFIC RAILROAD COMPANY,

WISCONSIN AND SOUTHERN RAILROAD,

WISCONSIN RIVER RAIL TRANSIT COMMISSION,

EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM,

PECATONICA RAIL TRANSIT COMMISSION

Janesville Bridges and Track Restoration Project

RAISE grant program

FY 2024

Prepared pursuant to 49 U.S.C. § 22905(c)(1)

This MEMORANDUM OF UNDERSTANDING ("MOU") is by and among the State of Wisconsin Department of Transportation, hereinafter referred to as the "STATE," Union Pacific Railroad Company, hereinafter referred to as the "UP," Wisconsin and Southern Railroad, hereinafter referred to as the "WSOR," the Wisconsin River Rail Transit Commission, hereinafter referred to as the "WRRTC," the East Wisconsin Counties Railroad Consortium, hereinafter referred to as the "EWCRC," and the Pecatonica Rail Transit Commission "PRTC." The STATE, UP, WSOR, WRRTC, EWCRC, and the PRTC are sometimes referred to individually herein as a "Party" and collectively as the "Parties."

WHEREAS, STATE owns right-of-way along the Madison Subdivision which is adjacent to the Janesville Industrial Lead over the Rock River in Janesville and is the grantee and a funding partner; and

WHEREAS, UP owns right-of-way along the Janesville Industrial Lead which is adjacent to the Madison Subdivision over the Rock River in Janesville; and

WHEREAS, the WRRTC owns bridge and track infrastructure along the Madison Subdivision over the Rock River in Janesville and is a funding partner; and

WHEREAS, the WSOR operates over the tracks and is partially funding the project; and

WHEREAS, the PRTC is a funding partner for the project; and

WHEREAS, the EWCRC is a funding partner for the project; and

Janesville Bridges and Track Restoration Project
Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program FY 2024
City of Janesville, Rock County

WHEREAS, the Parties propose to rehabilitate bridge and track infrastructure within UP's Janesville Industrial Lead and the STATE's Madison Subdivision at the location described above and as further shown on the location map marked Exhibit A, which is attached hereto and made a part hereof; and

WHEREAS, the STATE proposes rehabilitation pursuant to the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program FY 2021 Janesville Bridges and Track Restoration Project on approximately one-quarter (0.25) mile of infrastructure, which the Parties anticipate will facilitate increased carload capacity, increased economic competitiveness and resiliency, and prevent future closures of currently operational UP bridges adjacent to proposed improvements; and

WHEREAS, the Parties have discussed the foregoing issues and agree in principle to the matters herein set forth, subject to the negotiation, execution, and delivery of the necessary definitive and binding agreements regarding the same; and

WHEREAS, the STATE shall ensure that where appropriate, there is full compliance with the liability requirements contained in 49 U.S.C. § 28103; and

WHEREAS, the STATE enters into this MOU pursuant to Wis. Stat. sec. 85.06; and

WHEREAS, the Parties set forth herein their understanding regarding the above-described projects.

A. PROPOSED INFRASTRUCTURE IMPROVEMENTS

1) Janesville Bridges and Track

- a. The scope of work includes the rehabilitation, removal, and replacement of various components of five (5) bridges along with the replacement of cross tie, track surfacing, and shoulder/fill bank stabilization approaching each of the five structures and UP-WSOR junction trackwork associated with removal, shifting, and constructing track such that it meets the demands of the primary freight movement per current operations, herein referred to as the Project. Specific improvements include:
 - i. Structure W141 (over N Franklin Street, DOT# 177811P): Replace existing superstructure, encase bearing shafts and rehabilitate pier,
 - ii. Structure W142 (over N River Street, DOT# 177811G): Reconstruct existing structure, replace deck span and encase bearing shafts,
 - iii. Structure W143 (over Rock River): Replace spans, rehabilitate spans, steel span repairs, new wing walls, rehabilitate structural concrete and replace Ballast Deck,
 - iv. Structure W144 (over N Main Street, DOT# 177813D): Replace existing structure, new steel pile foundation,
 - v. Structure W145 (over N Parker Drive [US-51], DOT# 177814K): Rehabilitate existing structure, repair cracks and floor closure plates, and

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- vi. Track work: rehabilitate track between and including structures W141 and W145.
- b. The Parties anticipate the Project will result in the following benefits:
 - i. Increasing carload capacity from 263,000 to 286,000 pounds, allowing for industry standard loads and increased efficiency; and enabling over 100 rail businesses across the Midwest to fully load railroad cars to 286,000 lbs.
 - ii. Increasing economic competitiveness and resiliency of the rural area by maintaining and improving an active freight corridor.
 - iii. Preventing future closures of the currently operational UP bridges which would result in customers having to transport goods by truck. As a result, emissions, the risk of crashes, cost of goods transport, and the cost and frequency of pavement repair needed on local roads and the National Highway System would all increase.
- c. The improvements included in the Janesville Bridges and Track Restoration project must be constructed in compliance with the following: (1) all applicable laws, rules and regulations, including, but not limited to, the Americans with Disabilities Act of 1990, 42 U.S. Code §12101 et seq, as amended ("ADA"), U.S. Department of Transportation regulations (49 CFR Part 37), and Federal Railroad Administration ("FRA") guidance relating to passenger platforms; and (2) any impacted UP and/or WSOR standards and specifications for track and structures adjacent to the freight railroad's right-of-way.

B. PROJECT AGREEMENTS

- 1) The Parties anticipate the agreements for the Janesville Bridges and Track Restoration Project will contain the following provisions:
 - a. The STATE will provide oversight of the Project, assisting WSOR with bidding and contractor selection. The STATE and UP will review design plans in a timely manner consistent with the final project schedule and inspect construction to verify standards are met and the scope of work is completed.
 - b. WSOR will lead the design and construction, selecting and managing the contractor.
 - c. Construction is expected to begin by January 2026.
 - d. Pursuant to the revised schedule of work, WSOR will begin work in 2024 but will not be incurring costs until 2025.
 - e. Substantial project completion expected by July 2027.
- 2) The Parties anticipate the following breakdown of funding, and agree any budget overruns

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will be split between WisDOT, WSOR and the Parties:

Funding Source	Funding Amount	Funding Percentage	Funding Type	Funding Restrictions
RAISE Grant	\$6,768,420	59.4%	RAISE	No restriction (in accordance with NOFO)
WisDOT	\$2,324,000	20.6%	Non-Federal (State)	No restrictions
WSOR	\$1,259,735	11.2%	Non-Federal (Private)	No restrictions
EWCRRC	\$450,000	4.0%	Non-Federal (Local)	No restrictions
WRRTC	\$377,745	3.3%	Non-Federal (Local)	No restrictions
PRTC	\$100,100	0.9%	Non-Federal (Local)	No restrictions
Total	\$11.28M	100.0%		

- C. The Parties acknowledge and agree that the intentions stated herein are non-binding and that no Party shall have any binding, legal obligation hereunder unless and until the necessary definitive agreements incorporating the understandings contained in this MOU have been executed and delivered by the Parties. The Parties agree to negotiate in good faith the terms of the definitive agreements.
- D. This MOU shall be in effect as of the date of last signature below and shall remain in effect until those definitive agreements as discussed within this MOU are completed and executed by the Parties or until terminated by any Party on sixty (60) days' prior written notice to the other Parties. Should the Parties fail for any reason to agree and execute any such definitive agreements, the Parties shall have no further obligation whatsoever towards one another with respect to the subject matter of this MOU.
- E. This MOU may be modified only by a written instrument executed by the Parties.
- F. This MOU may be executed in counterparts, each of which when executed by the Parties will be deemed to be a complete original MOU. An electronic or facsimile copy of the executed MOU or counterpart will have the same legal force and effect as an original document.
- G. Any obligations required by the STATE under this MOU are subject to and contingent upon continued legislative appropriation of the funds to the STATE in order for the STATE to perform herein. Any party may terminate this MOU without fault due to a lapse in appropriations after providing not less than thirty (30) days' notice to all parties to this MOU. It is further understood by all parties that financial commitments have been made in order to secure a federal RAISE grant and all parties ought to act in good faith to maintain those financial commitments in accordance with the funding strategy and forthcoming Grant Agreements.
- H. Pursuant to Wisconsin Statute section 16.765(2), in connection with the performance of work under this MOU, the STATE, UP, WSOR, EWCRRC, WRRTC, and PRTC agree not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wisconsin Statute section 51.01(5),

sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the STATE, UP, WSOR, EWCRC, WRRTC, and PRTC further agree to take affirmative action to ensure equal employment opportunities. The STATE, UP, WSOR, EWCRC, WRRTC, and PRTC agree to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the STATE, UP, WSOR, EWCRC, WRRTC, and PRTC setting forth the provisions of this nondiscrimination clause.

- I. Nothing in this MOU shall be deemed a waiver of the STATE's sovereign immunity consistent with Wisconsin law.

(Signature pages follow)

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SIGNATORIES:

WISCONSIN DEPARTMENT OF TRANSPORTATION (STATE)

BY: _____

Date: _____

Justin Shell

DTIM Division Administrator

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SIGNATORIES:

UNION PACIFIC RAILROAD COMPANY (UP)

BY: _____

Liisa Lawson Stark
VP Public Affairs

Date: _____

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SIGNATORIES:

WISCONSIN AND SOUTHERN RAILROAD (WSOR)

BY: _____
Aaron Dean
General Manager

Date: _____

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SIGNATORIES:

EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM (EWCRC)

BY: _____
Thomas Winker
Consortium Chairman

Date: _____

WISCONSIN RIVER RAIL TRANSIT COMISSION (WRRTC)

BY: _____
Commission Chair

Date: _____

PECATONICA RAIL TRANSIT COMMISSION (PRTC)

BY: _____
Commission Chair

Date: _____

From: Rebekah Hickey <Rebekah.Hickey@jsitel.com>
Sent: Friday, March 22, 2024 11:16 AM
To: Misty Molzof
Subject: RE: Permit Application Frontier Communications (Mineral Point - 2531834) Permit # 2023-10-27

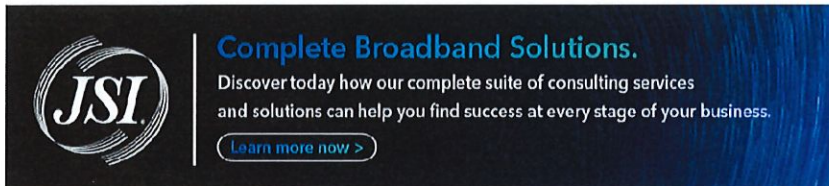
Good morning Misty.

I wanted to reach out and see if it would be possible to extend out the date on the PRTC permit for this project. Due to some unforeseen issues, Frontier is still waiting to receive the permit from the City of Mineral Point, in order to get going with this project. They are hoping to get started with placing the cable as soon as possible and should be completed before the end of the year.
If you could let me know at your earliest convenience, it would be greatly appreciated.

Thank you and have a great day.

Rebekah Hickey

Right of Way Agent
PO Box 537
Ripon, WI 54971
(435) 623-6668
Rebekah.Hickey@jsitel.com



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