

SCWRTC – South Central Wisconsin Rail Transit Commission

Dane County ■ Green County ■ Robert Hoesly, Chair

1 University Plaza ■ 719 Pioneer Tower ■ Platteville, Wisconsin 53818 ■ phone 608.342.1057 ■ fax 608.342.1220

Date: 23 January 2007
To: South Central Wisconsin Rail Transit Commission Members, County Clerks, and Interest Group
From: Joni Graves, SWWRPC Transportation Planner | South Central WI Rail Transit Commission

SCWRTC Meeting



1 pm Wednesday, 31 January 2007

DNR South Central Regional Office

Gathering Waters Conference Room • 3911 Fish Hatchery Rd, Fitchburg



If you have questions regarding the Agenda, please e-mail gravesjh@uwplatt.edu or call 608.342.1057.

SCWRTC's 2007 Calendar of Quarterly Meetings:

April 25th, 2007

July 25th, 2007

October 24th, 2007

Sent To: Local News Media – For Your Information
County Clerks in SCWRTC's Region – Please Post

Thank you for your assistance.

source: www.wrrtc.org

SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

Quarterly Meeting at 1 p.m., Wednesday, 31 January 2007

DNR South Central Regional Office • Gathering Waters Conf. Room • 3911 Fish Hatchery Rd, Fitchburg

AGENDA

- 1) **Call to Order, Chair Robert Hoesly**
- 2) **Roll Call**
- 3) **Proof of Public Notice** – meeting posted by Joni Graves.
- 4) **Approval of the Agenda** – prepared by Graves.
- 5) **Approval of the July 2006 Minutes (Graves) and September 2007 Notes (Brownlee)**

REPORTS & COMMISSION BUSINESS

- 6) **Financials / Treasurer's Report - Harvey Kubly**
 - a. **Action Item.** Treasurer's Report.
 - b. **Action Item.** Bills received by the Commission
 - c. **Action Item.** Authorization to proceed with Audit of the Commission's 2006 Financials
 - d. **Action Item.** Draft 2007 Budget.
- 7) **Staff Report** – Joni Graves, SWWRPC Transportation Planner
 - a. **Action Item.** Renewal of SWWRPC Staff Services Contract for 2007
 - b. **Update.** Continuing issues and topics.
- 8) **WisDOT Updates** – staff may include Frank Huntington, Roger Larson, Vicki Schaefer, Jim Tracy
 - a. **Update.** Continuing Issues / Topics.
- 9) **DNR Update** –
 - a. **Update.** Schedule, progress, and funding.
- 10) **Action Item. Request for lease / use permit to access portion of ROW (Belleville)** – Rick Francois
- 11) **Status Report and Possible Action. Resolution of the Illinois Tax Issues.**
- 12) **Adjournment.**

South Central Wisconsin Rail Transit Commission

Quarterly Meeting at 1 p.m., Wednesday, 31 January 2007

DNR South Central Regional Office • Gathering Waters Conf. Room • 3911 Fish Hatchery Rd, Fitchburg

- 1) **SCWRTC Chair Robert Hoesly called the meeting to order shortly after 1 p.m.**
- 2) **Commissioners present for all or part of the meeting:**
 Bob Hoesly (Green) Harvey Kubly (Green) Oscar Olson (Green)
 Paul Ziehli (Dane) Judy Olson (Dane) Jim Haefs-Flemming (Dane)
- 3) **Others present for all or part of the meeting:** Joni Graves (SWWRPC); Frank Huntington, Vicki Schaefer, Roger Larson, and Leanna Wall (WisDOT); Ryder Will (DNR); and Ken Lucht (WSOR).
- 4) **Motion accepting Graves' certification of public notice / OOlson / Ziehli / Passed unanimously.**
- 5) **Motion adopting the Agenda as posted by Graves / Ziehli / Kubly / Passed unanimously.**
- 6) **Motion approving the July 2006 Minutes (Graves) and September 2007 Meeting Notes (Brownlee) / Ziehli / OOlson / Passed unanimously.**

REPORTS & COMMISSION BUSINESS

- 7) **Treasurer's Report** - Harvey Kubly distributed the report, which covered the period from the end of June 2006 to the end of December 2006. He said he had accessed one of the Commission's CDs in order to pay the minimum balance on the Illinois taxes, including a \$195 penalty. He reported on interest income, expenses during that period, said the Illinois taxes are current pending resolution of the matter, reported on current bills, and recommended that the Commission approve commencing with an audit of its 2006 financials.
 - **Motion accepting the June 2006-December 2006 Treasurer's Report, as presented / Ziehli / JOlson / Passed unanimously.**
 - **Motion approving payment of bills received by the Commission for 2006's legal costs (\$1,846.04) and 2006 staff services and related expenses (\$4,196.49 / OOlson / JOlson / Passed unanimously.**
 - **Motion engaging Johnson Block to conduct an Audit of the Commission's 2006 financials, for a fee not-to-exceed \$1,000 / Kubly / OOlson / Passed unanimously.**

A copy of the draft 2007 budget was distributed. Kubly said interest income should be approximately \$4,000 and the Commission hopes to recover monies from the State of Illinois, which have been paid for the 2002 and 2006 taxes and legal fees.

 - **Motion adopting the Commission's 2007 budget, as presented / Kubly / Ziehli / Passed unanimously.**
- 8) **Staff Report** – Joni Graves presented the Southwestern Wisconsin Regional Planning Commission's proposed Staff Services Contract for 2007.
 - **Motion approving the Staff Services Contract with SWWRPC for 2007, as presented / Kubly / JOlson / Passed unanimously.**
- 9) **WisDOT Staff Updates** – Frank Huntington provided an overview of WisDOT's funding programs for rehab projects on active rail corridors. Vicki Schaefer said she had an issue that would come up later on the Agenda. Roger Larson said MG&E was doing some vegetation trimming and that he would have some comments related to other items on the Agenda. LeAnna Wall said she was there as a visitor and had no comments.
- 10) **DNR Update** – Ryder Will provided an update on work being done to develop the trail, said an ATV review committee had been set up, and a friends-of-the-trail group had been established and officers elected. Ziehli asked about funds for parking lot improvements and was referred to Dana White Quam

or Steve Johnson.

Hoesly asked Ken Lucht, WSOR, who had just arrived, if he had any comments and he declined. Hoesly spoke to the recent surprise with possible resumption of rail west of Monroe and there was some discussion of this proposal.

11) Request on behalf of property owner Rick Francois for lease / use permit to access a portion of

ROW in Belleville - Ziehli said it would be on the sidetrack area and wouldn't encroach too much.

Schaefer said the ROW there is about 40 ft and, although the records are not very good. Larson said he and Jim Tracy had been there and he concluded that they did not see any problems with the request, although he recommended care given that the property is managed as though it were under the federal rails-to-trails act and noted that there is always the possibility of a request for resumption of rail service. Schaefer asked if the applicant realized that and said they would need concurrence with the DNR. Will said the DNR supports the request, but would need to have DOT concurrence. JOlson said it was not just the sidewalks and other improvements – if rail came back, not only would the sidewalks be lost, but they would also lose the access to the commercial storefronts. Ziehli said they would still have access if the side-track were not re-installed. Schaefer said that would still be a significant encroachment and that she wished she had been involved from the beginning. She said she would like to discuss these issues with Mr. Francois, noting that it sounds like all parties are in support of the use, but that it's important that the applicant be aware of the possible loss of use. Scheduling a possible meeting with the applicant was discussed. Schaefer asked the DNR to send a letter to WisDOT indicating the DNR's support, since WisDOT has technically turned the corridor over to the DNR although WisDOT retains the authority to grant permits, and Will said he would follow up with a letter. After further discussion, there was an initial effort to develop a Motion.

- Motion delegating representatives to follow up with Rick Francois re his property in Belleville and request for a lease or use permit to access a portion of ROW; provide follow-up to SCWRTC Commissioners; draft a four-party agreement with Francois, SCWRTC, WisDOT, and the DNR and get the SCWRTC's attorney to review it; recommendations or requirements included indemnification by the property owner, language that clearly states that this is temporary and conditions may change, documented notification of tenants should be required, and the Agreement should be recorded / After further discussion, it was agreed that WisDOT staff would draft the agreement, which would be sent to the Commission's staff and attorney and to Commissioners for review and opportunity to provide comments / OOlson / JOlson /

No vote was taken on the Motion.

- **Motion authorizing 1) WisDOT staff to draft Agreement for Rick Francois' request for a lease or use permit to access a portion of ROW adjacent to his property in Belleville; 2) distribution of the draft for review by SCWRTC Commissioners, staff, and legal counsel; a meeting with the applicant and WisDOT staff; and 3) pre-approving entering into the Agreement, without another meeting of the Commission, if the Commission's attorney approves the terms; and recommending that the Agreement be recorded so that it would be a matter of record if the property were sold / JOlson / OOlson / Passed unanimously.**

12) Illinois Tax Issues – Graves said she had received an email from George Bellovics, Illinois DNR, the day before, which read in part: "According to Ron Kane, Supervisor of Assessments with Stephenson County, in a recent conversation I had with him at the end of last week, he informed me that Stephenson County Board of Review endorsed your application for tax exemption and forwarded it down to the Illinois Department of Revenue for final action. No word as yet has returned of their final actions. I asked him to alert me when he hears word from them of their decision. Once this occurs, its my understanding that the previous years taxes can be applied to be exempted, but only one previous year prior to the year being acted upon, otherwise, 2006 and 2005 taxes. Assuming these two years can be remitted, can you provide us with a total amount which will not be able to be remitted (tax years 2002 - 2004) so Stan can have a number to work with in resolving to repay SCWRTC." There was no action by the Commission, since earlier action had approved all efforts to resolve this matter.

13) The Commission adjourned by consensus at 2:34 p.m.

SOUTH CENTRAL RAIL TRANSIT COMMISSION

Jan.31, 2007

CHECKING ACCT. BALANCE ON HAND 06/30/07 \$ 4,368.45

RECEIPTS:

CD PROCEEDS(10000-195 PENALTY) \$ 9805.00

CD# 48232 INT. \$ 1804.93

CD# 48934 INT. \$ 1863.87

INTEREST HI-FI ACCT. (BOM) \$ 34.79

\$ 13,508.59

TOTAL ON HAND

\$ 17,877.04

DISBURSEMENTS:

#524 JOHNSON BLOCK \$ 1000.00

STEPHENSON CO.TREAS.(M/O) \$ 5,726.20

#525 FREITAG ATKINSON \$ 30.00

STEPHENSON CO. TREAS.(M/O) \$ 664.55

\$ 7,420.75

CHECKING ACCT. BALANCE ON HAND 12/31/06 \$ 10,456.29

LOCATION OF FUNDS:

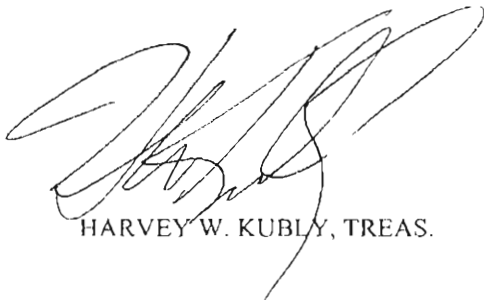
HI-FI CHECKING BANK OF MONTICELLO \$ 10,456.29

12/30/03 CD# 48232 BOM 3.6% 100,000.00

12/31/04 CD# 48934 BOM 4.02% 90,000.00

TOTAL CHKG. & C.D.'S 12/31/06

\$ 200,456.29



HARVEY W. KUBLY, TREAS.

source: www.wrrtc.org