

WISCONSIN RIVER RAIL TRANSIT COMMISSION  
 FULL COMMISSION MEETING - FRIDAY, JULY 10<sup>TH</sup>, 2015 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:00 AM            **Call to Order** – *Alan Sweeney, Chair*
2. Roll Call.            **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, 2nd Vice Chair	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	x		Wayne Gustina	x
				Alan Sweeney, Chair (until 10:33 AM)	x
Dane	Gene Gray, Treasurer	x	Sauk	Terry Thomas	x
	Jim Haefs-Fleming	excused		Marty Krueger, Alternate	
	Chris James, Vice Secretary	x		John Deitrich	
Grant	Gary Ranum	x	Walworth	John Miller, Vice Treasurer	x
	Vern Lewison	x		Dave Riek	x
	Robert Scallon, 1 <sup>st</sup> Vice Chair	x		Kevin Brunner	x
Iowa	Charles Anderson, Secretary	x	Waukesha	Richard Kuhnke, 2 <sup>nd</sup> Vice Treasurer	x
	William G Ladewig	excused		Allan Polyock	x
	Jack Demby	x		Karl Nilson, 4 <sup>th</sup> Vice Chair	x
Jefferson	John David	x		Dick Mace	x
	Laura Payne	excused		Carl Pettis	x
	Augie Tietz, 3 <sup>rd</sup> Vice Chair	excused			

Commission met quorum.

**Others present for all or some of the meeting:**

- Mary Penn, WRRTC Administrator
- Ken Lucht, WSOR
- Kim Tollers, WisDOT

3. Action Item.            **Certification of Meeting’s Public Notice** – *Noticed by Penn*
  - *Motion to approve posting of meeting – Thomas/Gustina, Passed Unanimously*
4. Action Item.            **Approval of Agenda** – *Prepared by Penn*
  - *Motion to approve agenda – Cornford/Kuhnke Passed Unanimously*
5. Action Item.            **Approval of draft June Meeting Minutes**– *Prepared by Penn*
  - *Motion to approve June meeting minutes with minor edits – Mace/Lewison, Passed Unanimously*
6. Updates.                **Public Comment** – *Time for public comment may be limited by the Chair*  
 There were no public comments.

7. Updates.                **Correspondence & Communications** – *Discussion may be limited by the Chair*  
 Mary Penn listed the correspondence of the past month and distributed the articles submitted by Forrest Van Schwartz. Alan Sweeney said he needed to leave at 10:30 for a funeral and said that Robert Scallon, 1<sup>st</sup> Vice-Chair would chair the remainder of the meeting.

8. Updates.                **Announcements by Commissioners** – *No Discussion Permitted*  
 There were no announcements by Commissioners.

**REPORTS & COMMISSION BUSINESS**

9.            **WRRTC Financial Report** – *Gene Gray, WRRTC Treasurer*
  - Treasurer’s Report for July and Payment of Bills

Gene Gray gave the Treasurer’s Report, saying that there was a McHenry County IL tax penalty for a late payment on the first round of tax bills. Penn added that due to the McHenry County tax office mailed the penalty letter to the wrong address (despite being advised of the new address), there had been no chance for Jim Matzinger to make the correct payment so there was now a penalty for late payment. Gray also said the insurance check had been sent to Richgel-Schaefer. He spoke of the challenges related to checks during the summer when Matzinger was out of the office on Fridays. Gary Ranum asked about the balance sheet and treasurer’s report, asking about a \$28,000 fund and what that was. He also asked about the income statement on county contributions which showed 2 years’ worth of budget. He had noticed a note on the 2016 proposed budget which had been sent out early for the Commissioner’s review and he said revenue and expenses for the 2014 budget was posted in the 2015 budget. He said the budget showed 2014 project dollars which was confusing. Tom Cornford noted that a \$7,000 county contribution was for Crawford County’s bad debt.

Ranum said that should be reflected in revenue and asked if Gray could double check with Matzinger about this. He said the first six months of income reflected last year's county contributions and listed two years of income for one year. There was discussion of the balance sheet in regard to income. Ranum said the thing that was causing his question was the income statement that showed the WRRTC had budgeted two years' worth of county contributions into the 2015 budget. Gray said it was a county procedure of some sort. Mace said that did not reflect the budget and also did not show income from the 2015 county contribution. Ranum said it showed the \$252,000 for the 2014 projects which came from last year's budget. Sweeney said Matzinger needed to come and explain to the Commission or explain it to Gray so Gray could report back to the Commission in August.

- *Motion to postpone June Treasurer's Report – Ranum/Gray, Passed Unanimously*
- *Motion to approve payment of checks – Anderson/Ranum, Passed Unanimously*

**10. Wisconsin & Southern Railroad's Report on Operations – Ken Lucht, WSOR**

Ken Lucht reported that everything was going very well with not much new since the last meeting. He said work on the Oregon spur continued and all new signals at Lacey Rd were in. He said trains were operating at 10mph at this point. All the remaining signals would be done by the end of the month and train speeds would increase to 25 mph.

Lucht said the Milton siding was working well and thanked the Commission for their support of that project.

Lucht said the Fox Lake Continuous Welded Rail (CWR) project was ongoing with work going through General Motors (GM) and some other road crossings. Mace asked about the GM issue with its private crossings. Lucht said the GM drive issue had been slated for reconstruction and GM wanted to retain it.

In Watertown, Lucht reported that WSOR was putting in ties and they were going to award that job soon. He said the Waukesha work was going to bid as well.

On the Prairie sub, Lucht said WSOR was talking to DNR on the importance of updating the sub. At this point WSOR was at Phase 1 of tie work with CWR work as well. He said there was a lot of grain coming in and with a lot of BNSF special service trains picking up grain. Lucht said about two or three unit trains were going out a month and they needed to get the trains to Chicago and back to Crawford County in 52 hrs. which was very tight. He said if track speed were up to 25 mph that would help a lot.

Next, Lucht announced WSOR celebrated its 35 anniversary on July 1<sup>st</sup> with a commemoration celebration. He said there were lots of pictures and said WSOR was "ready to roll for another 35 years". He noted that WSOR was putting business cars back together and said there was the possibility of a train outing and asked for suggestions on places to see. He suggested the Oregon sub or the Prairie sub to show the Commissioners what was needed: because of the slow speeds, it could make for a long day. He said that if they did the Prairie sub, they would see the new Trans load facility which just went into operation. He said that facility had definitely reduced congestion on St. Feriole Island. He also said that next year with ties done, they could do the Watertown sub. He said there was the Stone Gardner field car and also a sleeper car available which could both accommodate up to 50 or 60 people.

Ranum asked if there was a timetable on the improvements on the Prairie sub's tie and CWR work. Lucht said WSOR wanted to get Phase 1 of that project going this year. Although there had been no award yet WSOR was hoping for an award quickly. He said WSOR had asked the DOT if they could go forward to get the ties to begin work this year, risking the chance WSOR would not be awarded. He said DOT had not given them the go ahead at this point but they hoped to get ties on property this fall and then start CWR next year. He said the work would probably take 2 years. Ranum asked for confirmation on the Prairie sub CWR and Lucht said getting that going was the hoped for outcome.

Lucht displayed a 35 year anniversary map showing the rail system. The map also showed where all existing CWR was in the system. He said this would be helpful for the new members and planned to leave the maps at the meeting location to be available in the future. He also showed the rail cross section map which illustrated the need for new rail. Lucht said he had talked with the clerk at Dane County to see if the maps could be permanently displayed but had been denied. Mace asked if the maps could be online. Lucht said he could get the files to Penn.

Karl Nilson asked Lucht if he had reviewed the proposed State budget and if WSOR was in it. Lucht said rail had got cut but it was in it. He said \$35.2 million had been approved down from \$43 million.

Nilson next asked about the Creek Road bridge issue. Lucht said he was waiting for an updated agreement but noted that verbally they were moving forward. However they needed to get all the signatures.

Dave Riek asked what welded rail was. Lucht explained that CWR was a technology that allowed rail to be welded, rather than jointed. Because of higher maintenance and safety needs, the industry made ¼ mile "sticks" of rail which were welded together. Lucht said the ¼ mile "sticks" were welded in the field. Sweeney said they were pre-expanded. Lucht said when properly installed, CWR did not expand. Sweeney said You Tube was a good resource to view how CWR was installed.

Allan Polyock asked Lucht about the steel bridge in Richmond, IL and if traffic would be restricted. Lucht said he would have to follow up on that. Kevin Brunner asked Lucht about federal funding work. Lucht said they were working on that and said there would most likely be a new TIGER program. He said there was a loan program but it was not very suitable for rail (RIF Loan). He said that most funding was for roads and bridges, with not much for rail.

Gray asked Lucht about freight traffic. Lucht said it was becoming very dynamic, saying that frac sand shipping had dropped and grain was moving but farmers were holding back last year's harvest. Once grain started moving again, things should improve but there were no indications of a bad year.

10:33 AM: Sweeny left and Robert Scallon 1<sup>st</sup> Vice Chair came to chair.

**11. WisDOT Report—Kim Tollers, WisDOT**

Kim Tollers noted she had a very brief report. She spoke of the budget, saying that \$13 million went to the harbor assistance program and that WisDOT would know more when the Governor signed the budget. As far as the FRAPP program was concerned, two positions were empty but when one position was filled there would be program movement. She confirmed that Frank Huntington would be starting next week.

Ranum asked how the changes in the budget impacted the cost share of the TIGER Grant. Tollers said she was sure there would be some shifting of priorities and they would need to wait see how things would be affected. Lucht said that WisDOT had \$11.9 million that has not been awarded so in total, WisDOT had about \$47 million for freight rail projects. He said the \$11.9 million was a sort of rainy day fund and they would like to use it. He said they did need to use every single dime to try to prevent a major catastrophe.

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

Penn reported on her administrative duties of the past month, including the new policy of not sending out printed meeting packets. Nilson asked who had printed out the agenda and who had read the minutes. Charles Anderson said this was sort of kicking the can down the road and he did not think this was a good idea. Nilson said he thought it would not save money. Penn said information would be online. Ranum said it made it a lot easier to send stuff electronically but if you wanted a reference at a meeting, you had to print it out and that could be difficult. He acknowledged it would save postage. Mace said the only thing he spent money on was toner: he recycled the paper. Ranum said the toner/ink was way more expensive than paper.

Brunner asked if the county contribution amount was the same for this year. Penn said it had not changed from last year.

**15. Discussion and possible action on Application for moving an At-Grade Private Rail Crossing from Milepost 152.46 (DOT # 178075T) to Milepost 152.285 for James S. Mulcahy Family Trust and Jean A. Mulcahy Survivors Trust, 6651 Mulcahy Rd., Dane, WI – James and Jean Mulcahy**

The Mulcahy's were not in attendance. Nilson asked if the Commission wanted to authorize this. Lucht, when asked, said the WSOR was in favor of this work and described what was wanted by the applicant. He said WSOR had talked to the Mulcahy's and were sure to do the work.

- *Motion to approve an At-Grade Private Rail Crossing from Milepost 152.46 (DOT # 178075T) to Milepost 152.285 – Nilson/Mace, Passed Unanimously*

Anderson asked Lucht if WSOR was going to eliminate the upper crossing. Lucht said due to some transfer of ownership, the new location worked better. Penn confirmed this was an agricultural use crossing.

**16. Discussion and possible action on utility permit process – Mary Penn, WRRTC Admin.**

Penn said she had presented an updated utility permit form and process at the June meeting. She said Brunner had suggested approval of the process at the July meeting. She distributed the updated form and instructions to the Commissioners and reminded them that this form was only for work on WRRTC owned line. Anderson asked about other State owned RTC utility work issues. Tollers said trails did not have Trans 29 requirements and for the South Central Wisconsin Rail Transit Commission (SCWRTC), the WDNR took care of utility issues and permitting. She said the various ways of addressing crossings depended on the specific agreements in place. There was further discussion on the issue. Mace asked Lucht if WSOR approved of this process. Lucht noted that WSOR advised that number 3 of the instructions include the information that WSOR required \$500 for their review of the application. Penn said she would add this to the instructions.

- *Motion to approve updated WRRTC utility permit process – Brunner/Mace, Passed Unanimously*

John Miller asked Tollers about formal abandonment and she explained how a corridor could go into Rails-to-Trails and state and federal ramifications of same. She gave some history on past railroads and how they disposed of property which led to a discussion of abandoned lines. Mace asked about the time limit for permits listed in the permit instructions. He suggested additional language to extend the deadline if necessary. Lucht commented that what it was worth, utilities were generally very fast in their installing work and were usually "ready to go". Mace suggested that there be language that would require a fee of \$150 for an extension or reapplication if time had run out. Anderson asked for clarification on the fees. Penn reported that the utility permit fee was \$300. WSOR's fee was \$500 and clarified that the \$150 discussed would be added to the permit form in the event of a time overrun or the need to reapply. Vern Lewison called the question.

**17. Action Item. Adjournment**

- *Motion to adjourn at 11:10 AM – Cornford/Rocksford, Passed Unanimously*