

WISCONSIN RIVER RAIL TRANSIT COMMISSION
COMMISSION MEETING - FRIDAY, SEPTEMBER 11TH, 2015 @ 10AM
DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10: 03 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			Wayne Gustina	x
				Alan Sweeney, Chair	x
Dane	Gene Gray, Treasurer	x	Sauk	Terry Thomas	x
	Jim Haefs-Fleming	excused		Marty Krueger, Alternate	10:10 AM
	Chris James, Vice Secretary	x		John Deitrich	
Grant	Gary Ranum	excused	Walworth	John Miller, 3 rd Vice Treasurer	
	Vern Lewison	x		Dave Riek	x
	Robert Scallon, 1 st Vice Chair	x		Kevin Brunner	excused
Iowa	Charles Anderson, Secretary	x	Waukesha	Richard Kuhnke, 2 nd Vice Treasurer	x
	William G Ladewig	x		Allen Polyock	excused
	Jack Demby	x		Karl Nilson, 4 th Vice Chair	x
Jefferson	John David	excused		Dick Mace	excused
	Laura Payne	x		Carl Pettis	excused
	Augie Tietz, 3 rd Vice Chair	x			

Commission met quorum.

Others present for all or some of the meeting:

- Mary Penn, WRRTC Administrator
- Ken Lucht, WSOR
- Kim Tollers, Rich Kedzior WisDOT
- Scott Alexander, Former Commissioner
- Alan Anderson, Pink Lady RTC

3. Action Item. **Certification of Meeting's Public Notice** – *Noticed by Penn*
 - *Motion to approve posting of meeting – Gustina/Cornford, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
 - *Motion to approve agenda – Lewison/Nilson, Passed Unanimously*
5. Action Item. **Approval of draft August Meeting Minutes**– *Prepared by Penn*
 - *Motion to approve August meeting minutes – Kuhnke/Gray, Passed Unanimously*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
7. Updates. **Correspondence & Communications** – *Discussion may be limited by the Chair*

Penn reported on correspondence she had dealt with since the last meeting. Alan Sweeney reported he had been contacted by a Brian Shoemaker who was looking for a donation of rail property for the North Freedom Mid-Continental Train Museum. Sweeney said he would be having some discussions with Kim Tollers, WisDOT and Ken Lucht, WSOR, about the request. Sweeney also notified the Commission of the upcoming Freight Rail Conference in November 17th, saying there was a sign-up sheet being passed around for signup. He said he would be going to the Conference. Kim Tollers confirmed registration was \$35. Karl Nilson said it was worth going to and a good way to find out about rail issues in the State. Sweeney briefly listed what would be presented at the Conference.

Tollers introduced Rich Kedzior who has replaced Marty Morin as the FRIIP and FRPP coordinator. Kedzior said the Commissioners could contact him directly at WisDOT if they had any questions about the programs at Morin's old number. Penn then distributed articles submitted by Forrest Van Schwartz.

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

REPORTS & COMMISSION BUSINESS

9. **WRRTC Financial Report – Gene Gray, WRRTC Treasurer**

- Motion to pay bills and accept the Treasurer's Report – Anderson/Cornford, Passed Unanimously

Gene Gray gave the treasurer's report to the Commission, adding that there were two bills to approve. He reminded the Commission that Jim Matzinger would be with them starting in October. Charles Anderson questioned a \$7,000 net income for projects in 2015 and wondered what it was for. Tom Cornford said that was part of Crawford County's payment on debt. Sweeney said he had been making notes all summer on the treasurer's reports and encouraged the Board to bring their own to the October meeting. Gray said the budget would be done in October and there was already a change due to the McHenry County taxes. Sweeney said the possibility of encumbrances would be examined at the October meeting. Gray said Matzinger would "walk through" the statement and balance sheet. Sweeney said understanding the budget was very important. Marty Krueger asked Gray if Matzinger would be prepared for the new budget and if Commissioner's would have it in hand prior to the meeting.

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

Ken Lucht reported there was not much new to report on maintenance: routine track inspections and tie replacements were ongoing. He said WSOR continued to find broken rails which were being replaced as found. In the next few months equipment would be returning to the shop for its own maintenance. He said WSOR was going through their budget process and said total capital and maintenance budgets would be increased 5% next year. He noted there was no final budget yet.

In capital projects, Lucht reported WSOR was working with WisDOT to prioritize projects. He said the Prairie sub was the top priority and had not seen much maintenance since 2005 but due to increased shipping, it had become a main line. Another priority was the second biggest bridge on the line, the Spring Green Bridge was due for replacement next year. Lucht said the number two priority was the tie replacement project between Crawford and Avoca in order to maintain class 2 status. Priority three was starting with a continuous welded (CWR) rail project (Phase 1) which would begin in Prairie with a mile put in between Blair Dills property and Well Street. Lucht said there had been a lot of work in other counties but the Prairie sub was moving a lot of grain east and west, as well as sand heading east and of course the Spring Green Bridge, all of which would tie up a lot of capital both in state grants and WSOR's capital.

Lucht also reported on WSOR's agreement with BNSF as they loaded and moved in shorter runs. Due to the weight of the heavier BNSF engines, this has resulted in some damaged tracks which needed to be addressed. He said the priority list would be going to the State. Next, Lucht spoke about a new contract which would be affecting WSOR as OshKosh Truck gained a grant. He said there was a lot of grain to move, both this and last years. Lastly, Lucht said there could be no excursions this year as the business cars needed repairs. He talked about how excursions were helpful to getting the Board out and seeing the system. He said WSOR would try to do an excursion next spring when the cars were repaired.

Dave Riek asked if the line would be out of service when the Spring Green Bridge was replaced. Lucht said they would build it parallel to the current bridge and shift track once the bridge was done. Sweeney asked about the transitions and the grade. Lucht said there was a lot of grade and very long approaches so there would be challenges but WSOR would have a plan for them. Sweeney next asked Lucht to report on Representative Paul Ryan's visit to WSOR and its projects. Lucht said Ryan was now the Chair of the Ways and Means Committee which was very influential. Lucht said Ryan visited the CWR project and got to pull spikes in Janesville. Afterwards, Ryan drove the engine back to the round house. The Administrator of Milton and City Manager of Janesville as well as Alan Sweeney joined this trip. They had talked about what Washington could do to help short line companies. Lucht added that 2 weeks ago State Representative Mark Pocan had also visited with WSOR and that Glen Grossman had also visited the Plymouth/Kohler project. Lucht noted it had been a very busy summer.

Bill Ladewig asked if WSOR had gotten letters from them for the TIGER grant. Lucht said Pocan and Grossman had written letters. Anderson asked if WSOR had heard anything about any contact about the GM plant. Sweeney said it was not a contract for the GM plant but rather a new warehouse for Dollar General.

Bob Scallon asked about a non WSOR derailment in Prairie du Chien. Lucht asked if it were BNSF as it had not been a WSOR one. Scallon said three cars had tipped over. Lucht confirmed it was a BNSF track. Cornford said the cars were still there. Lucht said it was bad, old track. Scallon asked if WSOR had cars for corn this year. Lucht said typically cars were leased from banks but some customers had their own cars. He said WSOR had 300 cars doled out to customers and that last year's car shortage had been due to a shift in commodities.

Sweeney commented that the efforts between unit trains in Avalon with WSOR was certainly helping to move the corn crop. Lucht said they wanted to keep trains moving with BNSF engines on the head and tail of the trains. He reiterated they were very heavy which led to more maintenance due to track damage.

11. **WDOT Report–Kim Tollers, WDOT**

Kim Tollers announced the 2015 Freight Rail Conference in November. Rich Kedzior said that he was very new to his position and said there was a backlog of agreements to get through. He said the Fox Lake sub agreement had been sent on which was confirmed by Lucht and Kedzior was currently working on eight other agreements, the most current one being the Prairie Sub Bridge agreement. He said the only outstanding question were environmental things but it would be submitted shortly. Kedzior said the Prairie sub tie project has not yet been awarded funding. The other agreements were "on his desk" with many bridge projects. He said he would like to talk to Lucht about these in the next few weeks. Nilson asked Kedzior if any of those bridges were road bridges. Kedzior confirmed they were all rail bridges.

Ladewig asked for some background of Kedzior. Kedzior gave some of his professional history, including work in the Army and in transportation planning. He said he had worked on corridor studies and the Southwest Region Park- and-Ride System Study, adding that WisDOT had hired him 3

weeks ago. Augie Tietz asked what bridges were being looked at between Watertown and Madison but Kedzior said he could not list them right off the top of his head.

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

Penn gave her report on administrative duties since the last meeting. She said that she had had a great deal of WRRTC folders scanned this summer and after indexing all the materials she would discard the paper documents. She said she would be asking Eileen Brownlee what documents she should keep but noted there was an ever increasing pile of paper that needed to be gone through and thrown away. Nilson expressed skepticism on discarding paper documents. Penn assured the Commission that she would check with Brownlee to make sure nothing was lost.

Penn also told the Commission she had been thinking about the issue relating to the Executive Committee and meeting monthly. There was discussion on how to address this. Ladewig suggested exploring meeting electronically (i.e. Skype). Nilson expressed doubts on the efficaciousness of this.

Ladewig also asked for an update on the rail mapping project. Penn referred to Tollers who said “they were very far along” with indexing the records. Tollers said SWWRPC had submitted a proposal and estimate for the pilot project but that still needed approval. Due to staff changes in WisDOT, there had been delays. Tollers said Dave Simon could hopefully push for approval so the project could move forward.

13. Election of Vice Treasurer – WRRTC Commission

- *Motion to nominate Dave Riek as the 3rd Vice- Treasurer – Krueger/Thomas, Passed Unanimously*

Sweeney asked Penn to give background on the item. Penn said that John Miller was stepping down from the Commission for work related reasons. She said she had spoken to Marty Krueger about this as well. She said there had been discussion between herself and Krueger about the possibility that Dennis Polivka might return to the Commission. Krueger said he had spoken with Polivka about that possibility.

14. Discussion and Possible Action on Addressing Prairie Sub Private Crossings (Legal and Illegal) – Ken Lucht, WSOR

Ken Lucht said this issue had been discussed in the past. He said it pertained to the Watertown sub as well as the Waukesha sub, but the Prairie sub was more prominent. He explained some of the issues WSOR had run into in the past in regard to illegal crossings. He said there was a great inventory of legal, private crossings which were on the FRA database. Lucht said WSOR wanted to reach out to the Commission and partner with them on how to approve informal, illegal crossings. He said WSOR was on the ground and contractors could put in private crossings to WSOR standards and there was some efficiency in place to update crossings when the track was replaced. Lucht said WSOR was not looking to do all of them but if WSOR was rehabilitating track, it made sense to update illegal crossings as they went. He said WSOR could play a role in identifying the crossings and outreach but wanted to know the Commission's position on this issue.

Sweeney said there could be a time issue once an illegal crossing was discovered and the process to put in crossings via agreement with the Commission. Lucht agreed there was a timing issue but if the process was underway that would be ok: build the crossing and get the agreement later. He said timing was not so much of an issue but if WSOR was out there, some landowners would want it done at the same time (as the track was replaced). Vern Lewison asked about the cost. Lucht said it depended on the location and usage but that the cost could usually be anywhere between \$2,000.00 and \$5,000.00K. He said there was a benefit to the landowner to have protected access.

Lucht asked how the Commission would like to move forward in approaching these private Illegal crossings. Tietz asked for a listing of crossings on the Watertown sub and the requirements for the WSOR crossing standards. Gray asked if there were standards for the crossings. Ladewig asked about the definition of “illegal” and if there was a fine for people trespassing. Lucht confirmed this was trespassing. Nilson asked Lucht if an approved crossing were filled with ballast rather than dirt. Lucht said ballast was provided by WSOR and he described what the materials typically would be. Nilson asked about the life of crossing timbers and for a ball park number of illegal crossings. Lucht said probably about 10 to 20. Sweeney said he would be concerned about the crews out there on the ground being able to do the work efficiently versus having people getting on the agenda to get approval from the Commission. Lucht said they could work with the timeframe with the contractors and a lot of this was discussed between landowners and contractors. Sweeney said there were so many variables in this process: to do this efficiently but yet include the Board was desirable but maybe it should be a policy to do the work wherever WSOR was doing maintenance. Nilson said they did not want to alienate people but make sure crossings were up to standards. Ladewig asked if WisDOT was involved in private crossings. Tollers said it was a Board responsibility. Ladewig asked about the size of the crossings. Lucht said there was a WSOR standard. Sweeney said this was not a time sensitive issue today. Lucht said there was no time issue now but he wanted to talk about process.

Nilson said the Commission should try to help people get legal crossings but not be “ogres” about crossings. Sweeney said they also did not want to allow free access along the line. Laura Payne asked about working with landowners in placement of crossings. She asked if the landowner paid. Lucht confirmed that they did as these were private crossings. Gray said this might be a win-win as there was more traffic and having things up to standard. Jack Demby asked about crossings in the river bottoms to gain access to the river. Lucht said if they were not in the database they were removed when rail was replaced. He added that he would bring copy of the standards to the next meeting.

15. Action Item. Adjournment

- *Motion to adjourn at 11:05 AM – Cornford/Gustina, Passed Unanimously*