

WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, MAY 10, 2013 @ 10AM
DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:01 AM **Call to Order** – *Karl Nilson, Chair*

2. Roll Call. **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, 3 rd Vice Chair (XCom)	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	x		Wayne Gustina	x
	Vacant			Alan Sweeney, 1 st Vice Chair (XCom)	x
				Terry Thomas (10:48 AM)	excused
Dane	Gene Gray, Treasurer (XCom)	excused	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	excused		Carol Held	x
	Chris James	x		John Miller	x
				Dennis Polivka, Asst. Secretary (XCom)	x
Grant	Gary Ranum	x	Walworth	Jerry Grant	x
	Vern Lewison	x		Richard Kuhnke, 4 th Vice Chair (XCom)	
	Robert Scallon, 2 nd Vice Chair (XCom)	excused		Allan Polyock	x
Iowa	Charles Anderson, Secretary (XCom)	x	Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig (10:02)	x		Dick Mace	
	Jack Demby	x		Fritz Ruf	x

Others present for all or some of the meeting:

- Mary Penn, WRRTC Administrator - Troy Maggied, SWWRPC Planning Manager - Jim Matzinger, Dane County	- Ken Lucht, Ben Meighan, Roger Schaalma, WSOR - Roger Larson, Ron Adams, Frank Huntington, WDOT - Alan Anderson, Pink Lady RTC
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Commission met quorum.

3. Action Item. **Certification of Meeting's Public Notice** – *Noticed by Penn*

- Motion to approve public notice of meeting – *Sweeney/Grant, Passed Unanimously*

4. Action Item. **Approval of Agenda** – *Prepared by Penn*

- Motion to approve agenda – *Cornford/Held, Passed Unanimously*

5. Action Item. **Approval of draft March Meeting Minutes**– *Prepared by Penn*

- Motion to approve draft March Meeting Minutes – *Gustina/Ruf, 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*

Penn reported she had received copies a number of completed applications for utility work as is standard. She said that she had received and forwarded to Jim Matzinger the invoice from the Richgels Schaefer Agency for the renewal of the WRRTC's Public Employee's Blanket Bond. Penn then reported she was now receiving dockets via email from the Office of the Commissioner of Railroads including one in regard to the recommendation of a crossing in the Village of Mazomanie and a notice of a review of a siding issue in the Village of Muscoda. She also told the Commission she had received 2 letters and a number of phone calls from a Mr. Jasper Losicero who is a very enthusiastic passenger rail advocate. She said she had advised Mr. Losicero to contact ProRail, a Wisconsin based passenger rail advocacy group, thanking Ken Luc.ht for providing the contact information at ProRail. She next told

the Commission she had received notice via email that Mr. Don Cesar had left WSOR. Lastly, she distributed 2 handouts on rail issues courtesy of Forrest Van Schwartz.

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

REPORTS & COMMISSION BUSINESS

- 9. Discussion, commendations, possible action, and friendly roast on resolution on Resolution to honor Ron Adams, WDOT – Karl Nilson, Chair**

Karl Nilson introduced Ron Adams and read the resolution in its entirety to the Commission.

- *Motion to pass resolution honoring Ron Adams, WDOT - Ruf/Anderson, Role Call Vote, Passed Unanimously*

Nilson talked of his history with the Commission and how he got to know Adams, voicing his appreciation of the public private partnership between WDOT, WRRTC, and WSOR, commenting on how much work has gone into the relationship resulting in so much advancement in rail in the State. Alan Sweeney thanked Ron for his advocacy for economic development in the region. He emphasized that this Commission is a regional project. Ken Lucht thanked Adams on behalf of WSOR; he said he appreciated Adams' leadership over the last 30 years. Ben Meighan said that he joined in 1980 and without the organizational skills of WDOT and the counties stepping forward with the foresight and finances, the creation of the railroad vision would never have happened. Meighan also spoke of all the economic value that has resulted along the corridor and without Adams stewardship during the most important time of WSOR's growth, WSOR and the WRRTC could not have prospered as they have. Nilson talked about how good Adams' staff is and spoke of their challenges when it all began. Nilson said Adams kept everything together and kept the railroad going; it has been a great partnership". Alan Anderson of the Pink Lady RTC talked about what a great thing the railroad is and that he believed it to be unique in the country. Nilson said the partnership between WDOT and WRRTC has been wonderful. Dennis Polivka said he is new to the commission but in the past year he has learned more in one year than he ever imagined. He spoke of the changes in Spring Green's railroad activity and its increasing traffic. He said he has continued to learn about who has been behind this increase in rail and how interesting it has been. Frank Huntington said that a lot of the decisions that moved the Commission forward were a result of Adam's decision making skills and his ability to make things happen. Roger Larson said that working with Adams has resulted in a wonderful team. Nilson then presented Adams with a plaque that was signed by WSOR's General Manager and Karl Nilson, WRRTC Chair.

Adams spoke about his experiences when he came to Wisconsin in 1984 and how he never anticipated that he would still be here 29 years later. When he came, the RTCs were lucky if there were 8000 cars on the tracks and if they could keep the line open and get up to 20,000 cars that would have been considered "nirvana". Today there are so many more and bigger cars and more and more commodities being shipped. Adams said the whole program was started as a local initiative to save railroads and preserve railroad service. He said Wisconsin was fortunate that in the very beginning they were able to get early federal dollars which is how the state was able to start this program. Adams said there was a fight for abandonment but today because there has been less shipping, abandonments are not fought so much anymore. But due to collaboration between the State, the counties, and the railroad, together it has made all the difference and he can hear the whistle's from where he lives and it's the "sound of commerce". He thanked his staff and the WRRTC. Nilson said that long ago people with vision started this project and staffed it with people with vision. Adams said they were tremendously fortunate that Bill Gardner came along and united the disparate pieces, had the financial support, and took the personal risk with courage. Charles Anderson asked if Adams had trained his replacement well and Adams said that hopefully an announcement would be made next week but he did not know who that person would be. He said whoever they are they will do well but will have to learn as he had to, gaining experience.

At this point Nilson introduced Troy Maggied to the Commission, asking why he had wanted to attend. Maggied said he wanted to know what the Commission did.

- 10. WRRTC Financial Report – Jim Matzinger, Dane County CPA / WRRTC Accountant**
• Treasurer's Report for March and April and Payment of Bills

Jim Matzinger gave his report, saying that 2012 projects have been closed out; he also outlined the income and noted two bills, one of which was an invoice for a Public Employees Blanket Bond from Richgels-Schaefer Agency, Inc.

- *Motion to approve treasurer's report and two bills - Sweeney/Anderson, Passed Unanimously*

Prior to voting, Anderson asked for clarification on the Richgels Schaefer Agency invoice, wanting to know if it were insurance or a bond. He was told it was insurance. Lucht had a question about the 2012 projects and what was paid which Matzinger answered.

11. Wisconsin & Southern Railroad's Report on Operations

- Update on Monthly Maintenance Activities
- Update on Capital Projects
- Update on Business Development
- Other continuing issues/topics

Lucht said that the OCRR would require a crossing at Mazomanie and last Wednesday he had met with representatives in Jefferson County about capital upgrades that would be necessary to improve their railroad infrastructure. He said it was just an informational meeting; nothing was decided. He noted that Jefferson County supervisors wanted to know if they joined the WRRTC if would there be work on their line (the part of the track in Jefferson Co.) in return for their county contribution. He believed Jefferson County is thinking they will have to seriously consider joining WRRTC. He said WRRTC would be contacted soon to talk with county representatives, on the possibility of joining in the near future.

Ben Meighan introduced his replacement Roger Schaalma who has 17 years' experience and Meighan said he hoped to be around to get Schaalma settled.

Schaalma talked about the maintenance projects currently occurring, saying that 8500 ties were intended for the Fox Lake sub, with 2000 on the Elkhorn sub to keep it at class 1. He said 3000 ties were for the Prairie Sub (mostly between Boscobel and Prairie du Chien); otherwise they were working in IL on the Fox Lake Sub. Meighan said they would be going after a TIGER grant to get funding for the Prairie sub work, adding that there were 28,000 ties on the sub and they could back that out of the grant request which would hopefully increase their chances for funding. He said there would hopefully also be more cars on the Prairie sub which could help get funding.

Ken said WSOR is near to completing its 5 year capital project plan and told the Commission to expect it soon.

Gary Ranum asked about an upcoming crossing issue in Muscoda. Meighan said the siding tracks need to be extended to accommodate the grain elevator and Ranum said to expect some pushback by the Village. Ranum then asked if the frac sand coming thru on the Prairie sub was cleaned or "raw" sand (unprocessed) and Meighan said it is hot, processed sand. Huntington asked if the sand was heated and Meighan confirmed it is to keep it from clumping. Ranum said that the WI Riverway Board has been getting concerned with the frac sand issue.

Polivka commented on the Fox-Wisconsin Heritage Parkway, saying they are trying to get local county support and their goal is to control an area 2 to 6 miles from the river (which involves the trackage).

Maggied said SWWRPC would be open to working with WSOR in their bid for a TIGER Grant.

Fritz Ruf reported that Waukesha County was very pleased with the track upgrades that have been done and that he enjoyed hearing the Empire Builder going thru. Nilson asked Lucht if the "S" curve had been done and Lucht said it had. Meighan said there would be some additional work on that line to drop some of the noise of the trains.

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

Penn gave the Administrator's Report.

1. Requested administrator's email be added to Office of Commissioner of Railroad's docket list. Penn now receives WSOR related dockets as they occur.
2. Wrote Marlene Lane (McHenry Co., Ill.) of meeting discussion re: a drainage issue addressed at March mtg.
3. Unclaimed property check received (\$240); sent same to Jim Matzinger 4/22/13
4. To date Penn has recieved four appointments or reappointments to the Commission:
 - a. Dick Mace, Waukesha County
 - b. Jack Demby, Iowa County
 - c. Jerry Grant, Walworth County
 - d. Terry Thomas, Rock County

Penn said some counties still need appointments or are pending appointments including Dane (Gene Gray), Grant (Gary Ranum), and Sauk (Carol Held). Carol Held told Penn she had received verbal confirmation of her reappointment, as had Gary Ranum.

Nilson called a break at 11:00 AM
Meeting was reconvened 11:12 AM

13. WDOT Report– Frank Huntington, WDOT

First, Huntington told the Commission that the 2013 rail/harbor map was available if anyone wanted one. Next, he announced that the UP purchase of the Reedsburg track is still moving ahead, with the evaluation of the property title completed. There will be a conversation on a purchase contract, so pretty soon they will be talking about price. He said in a couple months WDOT will have a good idea of the price. He also said there has been a lot of talk about the budget. The Governor asked for \$60M, however it ended up being \$52M which is an increase from the \$30M granted in the past.

In other project, Huntington said there were projects submitted in February which included the possible acquisition of CN trackage in northern WI but he cautioned the Commission that this was very preliminary. He said there were also a number of project in the southern part of the state. One of the biggest project items was bridges, as there are up to 60 that need work.

Huntington then told the Commission that he had heard from Ron Brisbois, Grant County Economic Development Corporation head about the potential of a trail proposal between Wauzeka and Woodman which encompasses a railroad bridge. Huntington asked if the any of the Commissioners had heard anything about the issue and Tom Cornford said Crawford County Board had been presented with the idea. Huntington said WDOT would have to wait until approached formally but he did point out that the possibility of a trail using an active railroad bridge was problematic.

Ruf asked Huntington how the frac sand was being hauled out of Prairie du Chien. Huntington said it was trucked from Iowa and then loaded at Prairie and then shipped out via rail. Huntington said that there have been some dust and road damage concerns to date but as of now, this is the facility they have. Vern Lewison said that sand has been trucked out of Grant County. Bill Ladewig asked if there was money available from the state and Adams said for counties to contact their legislative representation. Meighan said sand is getting shipped to Janesville where it gets hooked up to UP trains,, with some going east and some is going southeast.

Nilson asked about the 100yr old bridges and where do they stand and has anyone admitted ownership. Huntington said that many of those old bridges are owned by railroads although the maintenance and replacement is done usually through the State's bridge replacement program (because they are not a high priority for the railroad but are so for the local towns). Jack Demby asked about how the rating of bridges is done. Meighan said there is a standard they use, encompassing a yearly review which looks at bridge components individually. He said their structural engineer makes the final assessment and there are individual component replacements but not necessarily a complete bridge replacement. He said WSOR is part of a federal bridge replacement study currently and they are evaluating every structure they have and trying to prioritize them. Currently WSOR has 140 structures that are rated "1" (highest danger). He said some bridges have to be assessed after every train passes or on a weekly basis. Meighan mentioned the Spring Green Bridge as an example: some of the pilings have shifted. Due to silting, the pilings shift on the "jello" like substance that they are sitting and personnel constantly have to monitor and correct for the shifting.

14. Consideration and Possible Action on letter to Wisconsin Legislators supporting the Freight Railroad Preservation Program (FRPP) in the 2013/2015 Biennium – Ken Lucht, WSOR

Lucht reminded the Commission that they had received a copy of the draft letter in their packet and said that the amount asked for by the Governor (\$60M) had actually been supported to \$52M, which he said showed there was a lot of support in the Legislature for RR. While it was not the original amount asked for, it was a 73% increase. Lucht asked for the Commission's support (with 4 edits) via the included letter and asked that it be forwarded to the Legislature. Lucht outlined necessary changes to the letter and said he would get all the information to Mary Penn for distribution. Jerry Grant asked if it would be worth asking for the \$60M but Lucht said that would be counterproductive at this point.

- *Motion to approve the letter to Wisconsin Legislators supporting the Freight Railroad Preservation Program (FRPP) in the 2013/2015 Biennium – Sweeney/Ladewig, Passed Unanimously*

15. Consideration and Possible Action on sponsoring a proposed U.S. DOT TIGER V Application and authorization to direct staff to send a letter of support for the application – Ken Lucht, WSOR

Lucht said that to date, WSOR had not gotten a TIGER grant but there is a new grant cycle beginning and he was confident that they could put together a very competitive proposal. He said WRTC co-sponsored WSOR's TIGER grant last year which was very competitive as it demonstrated good public/private partnership, but because there were so many good highway projects, not a lot of

freight rail projects were funded last year. He said applications are due June 3rd and WSOR wants to apply again with the same project scope with Iowa County willing to sponsor and apply on their behalf and submit the application as WSOR, as a private company cannot do as it must be a public entity applying. He asked the Commission to co-sponsor the application (which would be a non-financial, non-binding support) which would demonstrate the private/public partnership in WRRTC area. This project would be work between Middleton and Lone Rock and would include, among other things, continuous welded rail.

- *Motion to co-sponsor a US DOT TIGER V Grant Application and to authorize a letter of support for the application – Ruf/Polivka, Passed Unanimously*

16. Action Item. Adjournment

- *Motion to adjourn at 11:40 AM – Gustina/Lewison, Passed Unanimously*

DRAFT