

# Wisconsin River Rail Transit Commission

X - Commission Mtg – Friday, 11 Sept. 2009 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

1. Karl Nilson, Chair, called the meeting to order at 10:00 a.m.
2. Commissioners present for all or part of the meeting:

|          |          |                |       |          |           |                      |   |
|----------|----------|----------------|-------|----------|-----------|----------------------|---|
| Crawford | Tom      | Cornford       | X     | Rock     | Ben       | Coopman (alternate)  |   |
|          | Kersten  | Rocksvold      |       |          | Katie     | Kuznacic             | X |
|          | Vacant   |                |       |          | Alan      | Sweeney              | X |
|          |          |                | Terry |          | Thomas    | X                    |   |
| Dane     | Gene     | Gray           | X     | Sauk     | Joel      | Gaalswijk            | X |
|          | Jim      | Haefs-Flemming | X     |          | Rob       | Sinklair (alternate) |   |
|          | Forrest  | Van Schwartz   | X     |          | Frederick | Halfen               | X |
| Grant    | DuWayne  | Carlin         | X     | Larry    | Volz      | X                    |   |
|          | Margaret | Ruf            |       | Walworth | Jerry     | Grant                |   |
|          | Robert   | Scallon        | X     |          | Richard   | Kuhnke               | X |
|          |          |                | Allan |          | Polyock   | X                    |   |
| Iowa     | Charles  | Anderson       | X     | Waukesha | Karl      | Nilson               | X |
|          | Gerald   | Dorscheid      | X     |          | Richard   | Manke                | X |
|          | Joe      | Thomas         |       |          | Fritz     | Ruf                  |   |

## Others present for all or part of the meeting:

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington (WisDOT); Dick Goddard (Pink Lady RTC) (at 10:15); Roger Larson (WisDOT); Ken Lucht and Bill Gardner (WSOR); Jim Matzinger (WRRTC Accountant)(at 10:15); Pat Weeden, WRRTC Website administrator; representatives from the City of Fitchburg and Village of Oregon, including Michael Zimmerman, Tony Roach, Mark Swell, Mike Gracz, Patrick Lyons, and Matt Dregne.

3. **Motion accepting Seeboth's certification of Public Notice.** *Van Schwartz / Dorscheid / passed unanimously.*
4. **Motion accepting the Agenda, prepared by Seeboth.** *Sweeney / Cornford / passed unanimously.*
5. **Motion approving the draft August Minutes with following correction, Halfen has been a resident (not a representative) of Sauk County for nearly 30 years-** *Scallon / Van Schwartz / passed unanimously.*
6. **Public Comment – NA**
7. **Correspondence & Communications** –An article recently run in the news on the benefits of Shortline RR to small US communities, was passed around to each Commissioner by Seeboth (forwarded by Lucht).

## REPORTS & COMMISSION BUSINESS

8. **Monthly Maintenance Activities** – Bill Gardner, WSOR, reported on the following:  
WSOR is working a customer who is building a new grain elevator in Zenda, WI. WSOR recently has to embargo the line going into badger ammunition plant, it was so bad. They shut it down- about 7 miles of it within the last four weeks. United Cooperative is well aware of it & would like to work with WSOR to learn how to get the rail up to their facility on HWY 60. Several members of north freedom rail road museum visited Gardner recently. Most of their operation recently was re-drawn into a flood plain. They need to move. Gardner said he would work with them on possibly relinquishing a line to them, as long as they would still grant WSOR trackage rights to Mazomanie. Lucht reported that the Merrimack bridge is in fine shape. It was originally built to a D-40 Cooper rating, which is substandard today. WSOR are working with engineers to look at how the rating can be improved, WSOR is also going to look into the needs of the rail in Sauk County to see what type of loads might be demanded of it in the future. Currently, they do not see that the need to increase the capacity of this bridge is on the horizon unless something unforeseeable happens (like a new customer).
- **Monthly Maintenance Activities** –WSOR recently installed 4500 ties on Watertown line. They also have been brush cutting. A bridge on eastside of Madison along Watertown line just came up as needing repair- they are looking

into funding. Lucht passed out some pictures of a current project: reconstructing bridge in Whitewater near Trip Lake. They are re-driving several piles on the bridge. This bridge has been a concern for several years due to increased tonnage. Complete reconstruction of bridge in Cross Plaines was just finished. The Sheds in Arena are done the results look good to WSOR; Lucht said Spurley Construction did a nice job.

- *Update on 2009 Capital Projects* - First phase on the welded rail from Milton to Madison has been dramatically reduced due to a lack of funds. WSOR is planning to install 40000 ties between Monroe and Janesville. On the Northern Division between Milwaukee and Slinger they are planning on a \$1 million dollar project, a crossing renewal and switch reconstruction. Coming up is the Plymouth to Sheboygan Falls project. Preliminary design and engineering, and brush removal have been posted for bids. Once money is made available they will move ahead.
- *Discussion on 2010 Capital Projects*- WSOR will have more information on the 2010 Capital Projects at the next WRRTC meeting. They are planning on doing a Phase 2 between Madison and Milton, this will probably begin in Edgerton and head to Stoughton. Phase 2 on the Milwaukee to Slinger will likely be to prepare it for welded rail. Engineering plans to extend the main line in Monroe are underway. Feb. 1<sup>st</sup> is when applications are due for that project. Bridge reconstructions are being reviewed, WSOR believes that next year they will have a number of bridges up for funding.
- *Update on legislative matters* – Tammy Baldwin went to committee with the HR Bill and it went through and is now going onto house. The Federal Senate is working on it now, and working to develop a compromise. WSOR is hoping that the compromise will be more favorable for the rail. In July the Committee on Natural Resources held a public hearing on the Herbicide Bill where they heard from Railroad and Railroad Unions. Since then, the bill was dramatically cut-down. There are still a couple of items in it on public notification and trainings, which WSOR is still working with the author on adjusting. WSOR is not particularly happy with the revised bill, although the Committee was told that the Railroad was in favor of it, and therefore voted for it (the Committee was misled). WSOR will continue to work on this bill.

Jerry Dorschied added to the report on the Arena buildings by passing around photos of the demolition site.

*Jim Haafs-Flemming left at 10:32*

**9. WRRTC Financial Report** – Jim Matzinger, Dane County CPA / WRRTC Accountant.

- **Motion to approve September payments**- *Van Schwartz / Cornford / passed unanimously.*
- **Motion to approve August and September treasurer reports** – *Sweeney / Van Schwartz / passed unanimously.*

**10. 2010 WRRTC Budget** - Matzinger presented three options – to raise the County Assessment 2%, 5.6% or 0%.

Commissioners expressed concern on the following issues: increases are legally capped at 2.5%, generally, counties are broke right now, and that counties had already been told the with the 2% or \$27,100 number. Matzinger additionally suggested that WRRTC approach PRTC about increasing their contribution to \$26,500 like the Counties currently are assessed.

- **Motion to have a 0% increase in member counties 2010 contribution**- *Sweeney / Scallon / passed unanimously.*
- **Motion to have Seeboth request PRTC to increase their contribution to \$26,500 in 2010**- *Sweeney / Scallon / passed unanimously.*

**11. WRRTC Administrator's Report** – Amy Seeboth, SWWRPC Transportation Planner had no report. She circulated copies of the July usage report for the Commission's website [www.wrrtc.org](http://www.wrrtc.org) .

**12. WisDOT Update** – Frank Huntington from WisDOT provided an update on high speed rail activity: a significant amount of new money is available at the National level for high speed rail. Wisconsin is hoping to get a good share of this- funds are being applied for right now to extend rail from Chicago to Milwaukee to Madison- and eventually to Minneapolis. \$15 mil worth of applications were submitted in August for trackage at the Mitchell Airport and for switches. WisDOT is working on a larger application for Oct. 2<sup>nd</sup>, for \$600 mil to bring the track from Milwaukee to Chicago to 110 mph, and more immediately from Madison to Milwaukee to upgrade trackage to 110. The freight rail along these lines has been pretty cooperative about this. Crossings will need to be improved and they are not sure yet how many that will be. Currently they are looking at the Madison stop occurring at the Dane County

Airport. The trail will likely start by offering six round trips from Madison to Milwaukee each day, and eventually this might extend to ten round trips when the track is extended to Minneapolis. Currently WRRTC does not own any of this track, they only have access rights to it, so WRRTC should not be greatly affected by these projects. WisDOT hopes to hear back about their smaller application by the end of Oct. They should hopefully know about the larger application by the end of the year. If things go as expected, they might have operating rail up in 4 years between Milwaukee and Madison.

*The Commission recessed for a break from 11:05-11:15*

Huntington continued to report that the State budget includes significantly more money for the freight rail program in the next biennium. The primary project in the WRRTC area is Madison to Milton, a \$21 mil. project. There are a number of additional projects lined up and applied for in the State right now.

13. **WRRTC Local Match for upcoming projects** – Huntington explained that when he puts agreements together, they are typically between WSOR and WisDOT, Commissions are not party to these agreements. What has been happening the past few years is that WSOR and WRRTC have a subsequent agreement. Huntington would like to include these agreements in the WisDOT –WSOR agreements so that it is easier for everyone to keep track of the various agreements. WRRTC local match is generally the local match of each County, minus \$1000 from each County for insurance. This is generally not enough to meet the needs of the local matches, especially this coming year with a 0% increase. WSOR is putting more contribution in than is their share, said Gardner, and that is not good but WSOR understands that they cannot ask for more money.
14. **2008 WRRTC Audit**- available for review at <http://www.swwrpc.org/transportation/WRRTC.php>
  - **Motion to approve 2008 WRRTC Audit**- *Van Schwartz / Sweeney / Passed Unanimously.*
15. **WRRTC Insurance with Richgels-Schaefer Agency, Inc.** – Seeboth relayed the advising Eileen Brownlee (WRRTC Legal Counsel) had provided regarding the Directors and Officers policy.
  - **Motion to move insurance issue to next month's agenda, and in the meanwhile each Commissioner should check with their own Corp. Counsel on whether or not he or she advises this D & O Insurance for the Commission**- *Van Schwartz / Dorscheid / Passed Unanimously.*
16. **Jefferson County RTC Membership** - Lucht reported that he met with the Jefferson County Highway Commissioner a while ago. He said that he and the County likes what WRRTC is doing, but that he is in no position to authorize membership. Lucht also met with the Jefferson County Economic Development Commission, but they said they have no money. Lucht recommended that county supervisors and others to make contact with their county to encourage membership. It may take time, but is important to make this effort he said. Gardner recommended that we get highway commissioners to talk with their highway commissioners, the EDC's to talk with EDC's, etc. Karl recommended that WRRTC send a letter to Jefferson County reminding them that this rail is a connection to the rail system of the world, and invite them to send a representative or two to a WRRTC meeting. WRRTC should also ask to be on the full county board agenda and have the county supervisors of neighboring counties (rock, dane, etc) to present to the county board. Huntington reminded the group that something similar was done in the 80's and had no luck. Nilson repeated that persistence is key. Gardiner added that millions of dollars are being spend on truck traffic in the county and if they joined WRRTC, Jefferson County would have more opportunities to decrease their use of trucks by increasing use of rail. Gardner suggested that WRRTC contact township that Renew is in – see if they want to help so that there is a local group helping. Renew does ethanol., it is the biggest plant in WI, running at only 15% capacity.
  - **Motion to create a Committee on Jefferson County – to develop a plan, cover letter and presentation, and have an update on the project for next month.** *Seeboth, Van Schwartz, Lucht, Sweeney on this Committee. Dorscheid / Gaalswijk / passed unanimously.*

**17. City of Fitchburg and Village of Oregon, rail update and insurance discussion** – Mayor Allan (C. of Fitchburg) presented to the WRRTC to keep the Commission informed on the rail line owned by the City and Village, and connected to WRRTC rail. Fitchburg and Oregon made agreement with WisDOT in 1999, acquiring 15 miles of rail line. Milepost 119 to 134- currently nothing is running on this line, but the agreement states that if anything does run on it, it will be WSOR. The communities are currently looking into developing passenger rail along the corridor.

*Kuznacic left at 11:55*

The Mayor asked whether the Commission had any advice on finding insurance (currently their payments are over \$30,000 per year) and whether WRRTC would actively oppose these communities if they move forward with a passenger rail option on this line. The line was bought for freight rail purposes, but that does not preclude passenger rail. None of the Commissioners expressed opposition passenger and freight working together, the Commission did have concern about the acceptance of freight rail in Oregon and Fitchburg. WSOR is the insurance provider as part of the operators agreement. If these communities work with WSOR to develop freight, they would have their insurance issue taken care of.

Nilson asked that the communities work with Gardiner and others to move ahead. Lucht additionally pointed out that these communities have received a \$500,000 State grant to renovate the rail.

**18. Motion adjourning the meeting at 12:18 p.m.** - *Van Schwartz / Gaalswijk / passed unanimously.*