

WISCONSIN RIVER RAIL TRANSIT COMMISSION
 COMMISSION MEETING - FRIDAY, APRIL 7TH, 2017 @ 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** – Troy Maggied

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| Crawford | Tom Cornford, <i>2nd Vice Chair</i> | x | Rock | | |
| | Rocky Rocksford | x | | Wayne Gustina | Excused |
| | Derek Flansburgh | X | | Alan Sweeney, <i>Chair</i> | X |
| Dane | Gene Gray, <i>Treasurer</i> | x | Sauk | Terry Thomas | x |
| | Jim Flemming | Excused | | Marty Krueger, <i>Alternate</i> | x |
| | Chris James, <i>Vice Secretary</i> | x | | Chuck Spencer | x |
| Grant | Gary Ranum | X | Walworth | Craig Braunschweig | Excused |
| | Mike Lieurance | X | | Dave Riek, <i>3rd Vice Treasurer</i> | X |
| | Robert Scallon, <i>1st Vice Chair</i> | X | | Eric Nitschke | X |
| Iowa | Charles Anderson, <i>Secretary</i> | X | Waukesha | Richard Kuhnke, <i>2nd Vice Treasurer</i> | X |
| | William G Ladewig | X | | Allan Polyock | absent |
| | Jack Demby | X | | Karl Nilson, <i>4th Vice Chair</i> | X |
| Jefferson | Jeni Quimby | X | | Dick Mace | X |
| | Gary Kutz | X | | Richard Morris | X |
| | Augie Tietz, <i>3rd Vice Chair</i> | X | | | |

Commission met quorum.

Others present for all or some of the meeting:

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| <ul style="list-style-type: none"> • Troy Maggied, Matt Honer WRRTC Administrator • Ken Lucht, Jason Murphy WSOR • Grace Colas, Office of Rep. Dave Considine | <ul style="list-style-type: none"> • Kim Tollers, Rich Kedzior, Teri Beckman, WisDOT • Julia Potter, Boardman & Clark |
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3. Action Item. **Certification of Meeting’s Public Notice** – Noticed by Maggied

- Motion to approve meeting’s public notice – Ladewig/Anderson Passed Unanimously

4. Action Item. **Approval of Amended Agenda** – Prepared by Maggied

- Motion to approve amended April agenda – Cornford/Morris Passed Unanimously

5. Action Item. **Approval of draft March 2017 Meeting Minutes**– Prepared by Maggied

- Motion to approve March 2017 meeting minutes with minor corrections – Mace/Ladewig Passed Unanimously

Mace moved to approve with minor changes and questions on Page 5 of draft of March 2017 minutes. Mace had a question on Item 15 regarding FRPP funding for stabilization of bridge A-428. The minutes reflect an immediate motion to approve the scope of work and application for FRPP funding for stabilization of bridge A-428 followed by a discussion. There was then a second motion made and passed. Mace’s concern was that there was no action taken on the first motion prior to making the second motion. The consensus of the Commission is that the second motion covers first motion. Sweeney stated that the appropriate course of action is to allow the minutes to reflect what occurred.

6. Updates. **Public Comment** – Time for public comment may be limited by the Chair

There was no public comment.

7. Updates. **Announcements by Commissioners** – Maggied/Sweeney

Maggied introduced Matthew Honer as the new administrator for the WRRTC, PRTC, and SCWRTC. He will be transitioning with Maggied in the coming months and working with DOT, WSOR, and other partners to get up-to-speed.

REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report – Gray/Sweeney

Gray reports the highlights of the Financial Report. The balance sheet is being kept separate from the Sauk Bridge Salvage Revenue. Under the expenses there are two bills. One from Westbrook Engineering regarding work done for the Sauk bridge and one from Dane County Highway for February Accounting. The two bills amount to \$4,044.69 in expenses.

- *Motion to approve the balance sheet, treasurer report, and payment of bills – Anderson/Cornford Passed Unanimously*

9. Discussion and Possible Action on 2016 auditors – Maggied

Maggied reported that he has reached out to county clerks regarding which auditor they use and their comments on those auditors. All but one county has responded, and Troy forwarded that information to Matzinger. Matzinger will reach out to the auditors to learn more. The survey reflects that most counties are either using our current auditor, Johnson and Block (3), Baker Tilley (5), and Jefferson County uses a firm from Illinois. It will remain an agenda item for May.

10. Wisconsin & Southern Railroad’s Report on Operations – WSOR,

Ken Lucht introduced Jason Murphy, manager of WSOR’s commercial team based out of Madison. Murphy manages WSOR industrial accounts and is in charge of sales and business growth. He has an operating background in Railroads and came from BNSF. Murphy is happy to meet everyone and looks forward to working with WRRTC.

Lucht followed up on items from the last meeting. WSOR has repaired County Highway B east of Walworth and it is now a lot smoother. In mid-March, Lucht and Mace went to a Public Works meeting in Waukesha County and presented WSOR’s role in the public/private WRRTC partnership and WRRTC’s functions. From that meeting, WSOR was informed that the Village of Mukwonago is looking for an alternative to their current trans-load service. Lucht reported that the Watertown Sub went out for bid along with the project on the Waukesha sub, for the installation of 36,000 ties. WSOR received bids that were under budget and awarded the contract, which will start in June. The same contractor will start installing ties on the Watertown sub between Sun Prairie and Marshall and between Waukesha and Milton beginning in June. WSOR will provide the ballast and surfacing once the ties are installed. WSOR reported great progress on the Spring Green Bridge. WSOR prepared their annual maintenance plan that is required to be presented to the DOT and WRRTC each year. WSOR will present the plan at the May meeting. WSOR will also present their financial report to WisDOT and will invite several members of WRRTC to attend. Lucht reported that the four-lane, at-grade, divided highway, by-pass of Waukesha, project presents operational challenges to WSOR as well as safety issues. WSOR is not against the project but is encouraging the Office of the Commissioner of Railroads to grade-separate that bypass. WSOR is closely following the transportation budget evolution. WSOR goal is to preserve funding for the freight rail preservation program and continue to push priorities over the next two years. Lucht expects a trespassing repeal bill to be presented in the future. Lucht stated that WSOR filed to relinquish their operating rights in Sauk City and Prairie du Sac with the Surface Transportation Board. That line will be out of WSOR operating rights in the first week of May. Mace thanked Lucht for his work at the Waukesha Public Works Committee and encouraged other counties to have Lucht visit their policy makers. Demby asked about train cars that tipped over in Prairie du Chien, Lucht responded that the cause of the derailment was a broken rail and that it was a BNSF Train and it derailed on BNSF track. Ladewig asked how disputes about these types of issues are worked out between rail companies. Lucht explained there are agreements in place and rarely do these issues go to arbitration due to the tight language in their contracts. Lucht reported that WSOR will be getting business cars out later this year and asked commissioners to email or call him with suggestions on where to go with the business cars

11. WisDOT Report – Kim Tollers, Rich Kedzior, WisDOT

Nothing to report

12. WRRTC Correspondence/Communications and Administrator’s Report – Maggied, Admin.

Maggied reports that he has been working to transition Matt into the Administrator position, and expects the Commission to see correspondence from him at the May meeting. Maggied will be attending meetings for several months and working with Matt as needed to get him up to full speed.

In addition to the correspondence regarding the Treasurer’s Report, auditors, and buoys previously mentioned, Maggied stated he had received another email from Andrew Brantmeyer regarding the condition of the Sauk Bridge. He informed Mr. Brantmeyer that there had been preliminary scoping and engineering recommendations made, and that the Commission is reviewing these in conjunction with funding options. He also informed Mr. Brantmeyer of the date, time, and location of the April meeting.

He also followed up on Vierbecher’s request, reported in March, to use a farm crossing to haul dump truck loads of spoils across the track. Vierbecher is not interested in pursuing this action currently. Maggied thanked Tollers for her assistance on this issue.

SWWRPC received copies of two utility permits submitted to WisDOT. One is by William Leedle to directional bore for drain tile in Lake Geneva, Walworth County, and the other is by Wisconsin Power and Light to install overhead electric transverse to the railroad in Delavan, Walworth County.

WRRTC was invited by the City of Fitchburg’s Agriculture and Rural Affairs Committee to offer feedback on the first draft of their “Agricultural Plan.” WRRTC received this invitation because city records indicated WRRTC owned property in an agricultural zoning district.

Sweeney adds that he has received copies of two agreements for bridges from the town of Bradford in Rock County that released WRRTC control over the bridges. WRRTC no longer owns those bridges.

13. Discussion and Possible Action on a proposal by WSOR/Watco to build, operate, manage, and service a new rail served trans-load terminal at Johnson Street, Madison, WI – Ken Lucht, Jason Murphy; WSOR

Lucht and Murphy presented the rail-to-truck Trans-load facility project to WRRTC. WSOR plans to build new tracks and new improvements on state property, which they feel will generate new business and public benefits in the Madison and Dane County area. Jason Murphy stated that the trans-load terminal will allow WSOR to capture more business in the 50-100 mile radius of the facility. The proposed location of the new facility is 1890 E. Johnson St. in Madison. The current facility is 26 acres on the northeast side of Madison, on the eastern banks of Lake Mendota, it is a classification yard and has supporting services for an operating railroad. On the north section of the existing Johnson Street yard, several buildings that run east-west are owned by adjoining property owners. WSOR property goes to those buildings. Current use of that area is for storage of rail ties and other materials. Murphy reported that the yard is currently underutilized and WSOR wants to redevelop and expand its uses. Redevelopment would allow businesses that are not directly on the railway to access rail transport by rail to truck services

Murphy stated that, on page 5 of the handout, the tan area of the map will not be paved, it will be graded gravel. The orange area will be a track extension, extending the track by about 500 ft. A drop pit, pit conveyor, and fixed conveyor will be constructed and will transport material to a stockpile location. Red areas on page 5 of the handout show truck access, which will access the yard from Commercial Avenue and be able to access both sides of the track. Murphy reported that Watco terminal and port services will be operating this facility with four to five operators.

Demby asked about berms to protect material run-off in the yard. Murphy responded that there will be concrete retaining walls to protect from run-off. Nilson asked about activity in the old roundhouse/roundtable facilities. Murphy responded that a graphic design company uses the roundhouse and other commercial companies use the other buildings for storage. Lucht reported that the facility is mostly not visible. Gray asked if the driveway west of the roundhouse will be closed. Lucht responded that it will remain accessible. Murphy noted that there is an existing truck scale on property. Mace asked about ownership of the proposed truck route. Murphy responded that the deed of the property, allowed Union Pacific to retain access to that area but was under other ownership. Ladewig asked about projected additional carloads and management of truck loading. Murphy, responded that WSOR expects a minimum of 1000 additional cars per year right away and that Watco will hire a manager to coordinate truck loading. Ranum asked if it is purely an unloading facility, and if it could be a loading facility in the future. Murphy responded that if the opportunity presents itself, it could be a loading facility. Spencer asked what is happening to materials currently in that location. Lucht responded that WSOR is cleaning the facility and there is other vacant areas in the Johnson street yard for storage. Murphy added that pads will be created further to the south for storage. Tietz asked about the condition of the road going in. Murphy responded that the north part of the access road is currently asphalt and the south part is gravel. Nitschke asked what the capacity of the on-site scale, Murphy responded that he was unsure. Nitschke asked about WRRTC documentation of easement rights for the access road. Murphy responded that WisDOT should have a record of the easement. Tollers stated that it depended if WisDOT received it from the Railroad in the past. Tietz asked about the zoning of the property. Lucht responded that he did not have the information in front of him but that it was likely industrial, it is railroad property. WSOR believes it is compatible with adjoining land uses. Lucht stated that WSOR is applying for a storm water management permit from the DNR and expected it to be issued in the coming weeks. Lucht stated that WSOR is looking for approval of the concept plan from the Commission and a letter documenting that approval. Rich Kedzior stated that WisDOT is in favor of the concept plan proposal and WisDOT will work with WSOR to make sure the project is in compliance with the Grant, Land Use, and operating agreements. Julia Potter had no update or comments on the project. Ladewig asked about financing. Lucht responded that the project is privately funded. Mace asked about the roads in the area and if it has an appropriate trucking route. Grey asked about existing building being Oscar Mayer facility. Lucht and Murphy responded that the area is currently industrial with trucking routes.

- *Motion by Nilson/Nitschke to approve proposed rail-truck trans-load terminal Madison, WI Johnson Street Yard as presented by WSOR/WATCO. Ladewig adds the authorization by the president to sign the letter of concurrence. Passed Unanimously*

14. Discussion and Possible Action on installation of warning buoy system at the Sauk Bridge, A-428 – Sweeney, WRRTC Chair

Sweeney stated WRRTC did not receive a follow up from the original contractor, DL Anderson, to install the buoys. Sweeney stated the new contractor is Manke Enterprises and the new installation estimate is more expensive. The total expense reported was \$5776. Mace added that he had found another contractor, The Grade Boat Club in Lodi. Mace stated that this 501 (c) (3) organization had experience installing over 100 buoys annually similar to the buoys WRRTC will be installing. Mace stated that he thought the Manke proposal was a big increase in price and he had hoped to save money through this organization. Mace suggested that WRRTC not include sales tax in our minutes.

James stated that he is familiar with The Grade Boat Company and that the organization normally operates on Lake Wisconsin and not below the Prairie du Sac dam, where the current is much stronger. James asked about organization's assurance that the buoys would stay in place. Tietz asked if WRRTC had to formally bid this out and if there is a legal obligation for bids. Potter responded that WRRTC is not required to formally bid this project. Ranum stated that the cost of the anchor is five times as expensive in the second estimate. WSOR had agreed to pay for materials and WRRTC had agreed to pay for Labor. The labor in Manke's estimate was \$300 less. Sweeney asked the commission to authorize him to agree to a contract to put the buoys in place either through Manke or another contractor. Mace indicated that he would get more info and proposed costs from Grade Boat Club and report to Sweeney.

DL Anderson Estimate: \$2,000 Labor, \$1,314.33 Materials. Manke Enterprises Estimate: \$1,740.00 Labor, \$3,734.99 Materials.

- *Motion by Nitschke/Anderson to give Sweeney the authority to make the necessary decisions to install the buoys into the system as soon as possible either through Manke or through another contractor. Passed Unanimously*

15. Adjournment

- *Motion to Adjourn – Cornford/Scallon, Passed Unanimously*