

WISCONSIN RIVER RAIL TRANSIT COMMISSION
 COMMISSION MEETING - FRIDAY, JUNE 9TH, 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** – *Matthew Honer*

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

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Matt Honer WRRTC Administrator • Ken Lucht, WSOR • Troy Maggied, SWWRPC • Dave Maggied, Guest 	<ul style="list-style-type: none"> • Rich Kedzior, Ben Conard, Kim Tollars WisDOT • Eileen Brownlee, Julia Potter, Boardman & Clark • Grace Colas, Rep. Dave Considine • Dana White-Quam, WDNR
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Honer,*
 - *Motion to approve meeting’s public notice – Ladewig/Thomas Passed Unanimously*
4. Action Item. **Approval of Amended Agenda** – *Prepared by Honer*
 - *Motion to approve amended April agenda – Cornford/Spencer Passed Unanimously*
5. Action Item. **Approval of draft May 2017 Meeting Minutes**– *Prepared by Honer*
 - *Motion to approve May 2017 meeting minutes with corrections, clarifications, and explanations. Anderson/Mace Passed Unanimously*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
 There was no public comment.

7. Updates. **Announcements by Commissioners** – *Sweeney*
 Krueger announced the groundbreaking for the Great Sauk Trail on June 14th and thanked the commission. Nilson thanked WSOR for the June 1st Excursion. Sweeney added that the commission wishes to extend gratitude to Lycon for the facilities tour they provided.

REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report** – *Jim Matzinger, Accountant*
 Grey reported that there was nothing out of the ordinary to report. He mentioned there will be a lot of expenditures in the second half of the year including the insurance premium. Grey reported the commission had one bill to report, for Southwestern Wisconsin

Regional Planning Commission in the amount of \$6,032.08. Grey said he was unaware if there had been any requests for permits so far this year. He mentioned that permits are included as revenue in the budget but the commission is not assured of any income from permits in a year. Grey reported that Jim Matzinger reached out for quotes from three auditors and is awaiting reply from them. Sweeney asked about the four checks on the treasurer's report. Grey reported that the checks #1343, #1344, and #1345 were approved at the prior meeting. Sweeney requested that checks #1343, #1344, and #1345 be removed from the June treasurer's report.

- *Motion to approve the balance sheet, treasurer report, and payment of one bill with requested edits – Ladewig/Anderson Passed Unanimously*

9. Wisconsin & Southern Railroad's Report on Operations – Lucht, WSOR

Lucht reported the Spring Green Bridge construction is likely to be complete by mid- August to early September. The pilings on the west approach of the bridge have been driven and new spans are being installed. Lucht reported that the rail detector test car is on the WRRTC lines. Previous tests indicated that the Waukesha Sub. had over 400 internal defects and the Prairie Sub. has a large amount of internal defects, due to the age and gauge of the rail. Lucht reported that weed spraying has been completed for the spring, there will be another spraying in the fall. Lucht stated that ties are being delivered for the Watertown Sub. project, the contractor will install those ties and then move on to the Waukesha Sub. tie installation project. Lucht reported that WSOR surfacing crews are on the Reedsburg Sub. and will move to the Prairie Sub. between Avoca and Prairie du Chien. Lucht stated the rail project on the Prairie Sub. was pushed back to July. Lucht reported that WSOR is undertaking three at-grade crossings on the Elkhorn Sub., these public crossing will last approximately 20-25 years. Lucht thanked the commission for their attendance on the Rail Excursion. Lucht reviewed the excursion takeaways, recent bridge completions, the Merrimac Bridge, and track conditions. Nilson asked about trespassing issues at Devil's Lake State Park and how to address that issue is something that the commission needs to talk about. Lieurance asked how the embankment failure at Devil's Lake will be addressed. Lucht responded that it depends on the depth of the lake, there are strategies available including the possibility of shifting track locations. Lucht added that it is a slow process that will need to be addressed in the next 5 – 10 years. Nitschke commented that he appreciated the excursion and believed it is important to hear from WSOR's customers. Ladewig asked about the contractor on the Spring Green Bridge possibly installing buoys above the Sauk Bridge. Maggied commented that the buoy contractor is having troubles reaching the DNR representative, a requirement before installation. Lucht reported that the next excursion will happen on Wednesday, July 19th. The excursion will start in Janesville, with a tour of the Pearl St. roundhouse in Janesville. A bus will then go to Fox Lake, Ill. The rail tour will begin in Fox Lake, IL and will highlight the connection with METRA, the 3 recently rebuilt Illinois Bridges, upcoming CWR project, and recently completed CWR project. Lucht stated that WSOR would like to have an additional excursion on the Prairie Sub later in the year. There was no objection to the date from the commission. Lucht stated he will send out details in the coming weeks.

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

Kedzior stated that he had nothing to report. Tollers reported that WisDOT, WSOR, and WIDNR meet in August 2016 to address the trespassing issue at Devil's Lake. A list of ideas was developed at that meeting. Tollars stated that WisDOT was the facilitator of the meeting but are not in a position to implement any of the ideas that came from the discussion. Mace asked if the recommendations can be shared with the WRRTC. Tollars responded that it was an internal meeting and there were no intentions of distributing the ideas generated at that time, although she would be happy to share with the commission if requested. Mace requested that the commission request those recommendations. Sweeney responded he will have that conversation with WisDOT. Nilson stated that he believes that there needs to be more crossings. Tollars reported that additional public crossings create additional exposure for the railroad as well as additional maintenance, for this reason it was thought that additional crossings might not be the correct way to address the issue. Nilson responded that there needs to be more awareness. Tollars stated that there are many options including fencing and law enforcement. Ladewig asked that this can be a discussion item in the future after the WisDOT information has been distributed.

11. WRRTC Correspondence/Communications and Administrator's Report – Honer, Admin.

Honer reported that he received a notice of Public Hearing from the City of Fitchburg Planning and Zoning office regarding a Conditional Use Permit for a lighted gas station sign. Honer reported that he and Troy Maggied meet with Tom Schaefer from Richgels- Schaefer Insurance Agency to discuss the renewal of the RTC insurance policy. The RTC received tax bills from McHenry County, Illinois and forwarded them to Matzinger. Honer received a phone call from Prairie Sand and Gravel requesting to present to the commission at a future board meeting, Honer is awaiting further information on the presentation prior to scheduling. Maggied and Honer accompanied WisDOT on a tour of the Prairie Subdivision to become familiar with current and future infrastructure issues. SWWRPC sent an invoice for first quarter administrative expenses. WRRTC received an invitation from Ken Lucht and WSOR for

two members to attend the 2016 financial presentation at the Hill Farms State Transportation Building in Madison on June 20th at 11am. Sweeney reported that Ladewig and he will attend the meeting.

12. Discussion and Action to approve WRRTC Insurance Policy Renewal – Honer, Admin.

Honer reported that he and Maggied had a conversation with Tom Schaefer from Richgels – Schaefer Insurance regarding a renewal of the Rail Transit Commission’s Insurance policy. Schaefer stated that only a few companies offer this type of insurance and he doesn’t expect the policy premium to change from the prior years. The current policy expires on July 10th, 2017. The prior year’s insurance was \$15,553.00. Tom Schaefer suggested that the commission make a motion to approve the renewal of the insurance policy.

- *Motion to approve the renewal of WRRTC Insurance Policy – Gray/Ranum, Passed, Ladewig Opposed*

13. Discussion and Possible Action on cost-share and scope of work options for the Sauk Bridge Rehabilitation - Sweeney, Chair.

Sweeney reported that he sent out a poll to member counties requesting their position on the commission requesting an additional \$18k specific to the Sauk Bridge removal and the cost share. He was only seeking input on member counties interest. Reported that he will call a meeting of the ad hoc committee. Sweeney reported that Rock County’s participation was contingent on other counties participation. He reported that he came up with the 18k in respect to the cost share, which would still require a large amount of the 2018 budget to be allocated to the rehabilitation project. Sweeney opened the floor for comment on his request. Gray reported that Dane County would commit to additional funds. Riek reported that Sauk County would likely participate. Tietz reported that Jefferson County Economic Development is the deciding body. Tietz reported that Jefferson County is hesitant. The county administrator was going to talk with the finance committee. Ladewig reported that Iowa County is currently reviewing the situation, Ladewig said that the county doesn’t think there is a fat chance in hell, but he would let Jack talk for himself. Demby stated that he take it to the public works committee, but he does not believe it will get past the committee. Cornford stated, as county chair for Crawford County, that if the county contributed additionally to commission they would contribute it to their debt (\$61,560). Mace stated that Waukesha would likely include an additional \$18k to their budget for the bridge. Nilson added to the Waukesha statement saying that we should keep an eye on the scrap steel prices, and stay prudent in regards to our options. Ranum reported that he did talk to Grant Co Chair and finance officer. If it can be included in the 2018 general finance budget, Ranum reported that it does not seem to be a problem if others are contributing and it is one time contribution. Nitschke reported that Walworth County is committed to addressing the issue and believes that full county participation and it being a one-time contribution is important.

Sweeney reported that the ad hoc committee has not met as of yet. Sweeney is requesting direction from the commission on options that can be addressed in the ad hoc committee. Nitschke asked that the ad hoc committee discuss the issue with WisDOT and WSOR to determine their positions and limitations. Nilson asked if the commission has settled on “Option 6” and who determined the estimate. Lucht reported that WSOR had one of their contractors make the estimates. Lucht reported the estimate did not take into account scrap reimbursement. Kedzior stated that the scrap value of the bridge was estimated at less than \$50,000. Mace asked the expense if the bridge collapsed. The cost is unknown, but all agreed on, that it would be a greater expense. Demby asked who is liable if the bridge does fall in. Brownlee responded that it is likely that WRRTC and WSOR both have exposure to claims made against the bridge collapse, with the possibility of counties also being looked at as liable. Brownlee stated that the Commission’s insurance policy does not cover a clean-up cost. Ladewig requested permission from the commission to contact the Army Corp of Engineers or others that may have grant funding. Spencer stated he does not believe that the commission has an option other than “Option 6,” stated that the reason “Option 6” was taken was because there was proposed funding from commission partners to assist. But “Option 2” might be a better option. Nilson asked Brownlee/Potter if they could reassure commission that the danger of a lawsuit is currently minimal. Brownlee stated that pollution and environmental laws are “no fault” and the commission could be held liable. Nilson stated his concern that the commission not be forced to move quickly. Mace asked how the spans were removed previously. Lucht stated that a contractor removed the spans. Brownlee stated that it was meant to be a rehab project that did not move forward. Gray asked how we came to own the bridge, which was likely a liability when we came to own it. Brownlee stated that the reason the commission exists is because the state could not acquire internal improvements according to a constitutional provision. The state could only acquire the real estate, the commissions were created to acquire land improvements for the preservation of the rail system. Nitschke stated the he does not believe that the commission is trying to rush the project. Nitschke stated he believes that if the commission does not show progress in dealing with the bridge they may be open to further liability. Nitschke asked that the ad hoc committee move forward in solidifying the partnerships and getting recommendations. Anderson asked if there is an option to remove the spans and dredging a hole and allowing the pier to fall into the hole so that it does not block navigability. Grey stated he believes that the commission should look for additional funding. Sweeney consulted Brownlee to see if there were additional items to discuss, she stated that we have the information to move forward.

- *No Motion.*

14. Discussion and Possible Action on 2018 Budget – Sweeney, Chair

Sweeney stated that this item was included in case of action being taken on the prior item. Grey provided a handout that had three scenarios for the 2018 budget. Sweeney stated that any sort of consistent increase to the counties should be considered ahead of June budget discussions. Sweeney stated that the distributed budget is a good starting point. Sweeney stated that there will be an item on the July agenda to discuss the budget. Demby asked about the possibility of receiving a federal grant and the tightness of our budget. Kedzior stated that there could possibly be assistance from DOT if WRRTC does receive a grant.

15. Presentation of GIS Mapping of Monroe Subdivision – Kim Tollars, WisDOT

Tollars presented the GIS Mapping application explaining that it is a tool to track assets and records, and share those records with partners and the public. Nilson asked if there are plans to do the entire system. Tollars stated that is the case and it could be completed within a year and a half if funding becomes available. Nilson asked where the original records are located. Tollars responded that those files are stored at state records. Anderson asked who plans to do the updating and how often. Tollars stated that would be work done by SWWRPC. Maggied stated that the parcel map takes no maintenance, and that a quarterly update makes sense. Demby asks about the scope of the data being held. Ladewig asked if this will show where CWR has been installed and thanks Kim. Kim confirmed that application will show CWR.

Scallon asked about the Great Lakes Basin Railroad. Tollars responded that they have officially applied to the Surface Transportation Board to become a railroad.

Sweeney asked to see the ad hoc committee after the meeting

16. Adjournment

Motion to Adjourn – Scallon/Cornford/, Passed Unanimously