

WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, MARCH 9TH, 2012 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:00 AM **Call to Order** – *Karl Nilson, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, X-Committee	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	x		Wayne Gustina left 11:55	x
	Vacant			Alan Sweeney, Vice Chair	x
				Terry Thomas	x
Dane	Gene Gray, Treasurer, 10:14 AM	x	Sauk	Scott Alexander	x
	Jim Haefs-Fleming left at 10:58AM	x		Joel Gaalswyk	
	Forest Van Schwartz, Advocate – 10:14 AM	x		Marty Krueger, Alternate	
				Rob Sinklair, Asst., Secretary	x
Grant	Ivan Farness		Walworth	Jerry Grant	
	Margaret Ruf, Secretary	x		Richard Kuhnke, X-Committee	x
	Robert Scallon, 2 nd Vice Chair	x		Allan Polyock	
Iowa	Charles Anderson, X-Committee	excused	Waukesha	Karl Nilson, Chair	x
	Gerald Dorscheid, Vice-Treasurer	x		Richard Manke	
	Robert Zinck			Fritz Ruf	

Other present for all or some of the meeting:

- Mary Penn, WRRTC Administration;
- Ken Lucht, Ken Clemmons WSOR;
- Frank Huntingdon, WDOT;
- Alan Anderson, Pink Lady Rail Transit Commission;
- Dan Daneen, Mazomanie, WI;
- Jim Matzinger, Treasurer 10:14AM

3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn – Gustina/M. Ruf PA*
4. Action Item. **Approval of Agenda** – *Prepared by Penn – Cornford/Van Schwartz PA*
5. Action Item. **Approval of draft minutes from the December meeting (January meeting was cancelled)**– *Prepared by Penn – Kunke/Scallon PA*
6. Updates. **Public Comment** –
7. Updates. **Correspondence & Communications** – Van Schwartz distributed an article and talked about the National Transportation Safety Board in relation to a CN derailment in Winnebago Co., IL, implying that there was no communication between all concerned parties with an accident as a result, therefore he asked everyone to begin a dialog with their elected officials (e.g. highway dept.) in order to prevent such a situation happening in Wisconsin.

Penn passed around a photo received via email of a broken track section and updated the Commission on the Lower Yahara River Trail project. Haefs-Flemming brought and distributed a copy of a newspaper article showing a proposed rail to trail which has not yet been approved and Van Schwartz said that such an approval is political hype.

Jim Matzinger had not yet arrived, therefore Chair Karl Nilson started with item number 9.

REPORTS & COMMISSION BUSINESS

10 minutes estimated | Update & Action

8. **WRRTC Financial Report** – *Jim Matzinger, Dane County CPA / WRRTC Accountant*
 - Treasurer’s Report for February and Payment of Bills

Returned to Item 8 after Item 9.

Jim Matzinger gave the treasurer’s report saying that last month’s signed checks closed out the 4th quarter 2011. He had bills of assessment for each county to pass around as well, requesting that the Commissioners pass them on to their respective counties. It was recommended that he also mail assessment bills to the specific county clerks. He noted that the Commission is currently “light on cash”. He billed the WSOR for their lease and for now is using project funds for operating expenses. Matzinger also distributed a budget, saying there had been a recent adjustment to it (the PRTC is paying directly to WSOR). This budget was noted as “Revision

1” because the economic survey (Item 13) had been added to the budget. Matzinger said the Commission could pass the revised budget after item 13 and if this budget (“Revision 1”) passed, then the bottom line would be \$180,000 available. Finally, he said that he had payment for the SWWRPC invoice.

- **Motion to approve the Treasurer’s Report and checks for SWWRPC - Gray/Sinklair PA**

5 minutes estimated | Update & Action

9. Consideration and possible approval of private crossing permit for Dan Daneen, Mazomanie, WI

Mr. Daniel Daneen discussed his situation (Penn distributed copies of his permit application and attached map of the site) and his need for a crossing in order to have the property legally assessed. Nilson told him that the cost of the application permit fee was required to pay for staff and to make sure railroad crossing standards are met. Daneen said that there is much more (rail) traffic than “before” and since the trains are now so much bigger in relation to his personal truck crossing the track, the railroad should pay to upgrade the crossing. Nilson and Ken Lucht explained the reasons why Daneen needed to upgrade the crossing to meet WSOR standards to legally cross the track, including the need for insurance. Lucht noted that rail crossing approaches are not part of the workscope of WSOR and reiterated that meeting WSOR codes is primarily for public safety. Nilson told Daneen that if he did not want to pay the fee he could get his application fee back but if Daneen decided not to upgrade the crossing then he could not trespass across the track. Nilson repeated that the Commission would return the application fee if Daneen wanted it. Daneen replied that without the crossing permit the bank would not give him an assessment (\$100,000) and therefore the property was unusable to him. In his final comments, Daneen spoke of a need for light rail to aid the community’s economic development and the Black Earth consolidated school.

(At this point the Commission returned to Item 8, however before Jim Matzinger could give his report, Nilson, in continuation of Item 9 asked Frank Huntingdon about the Mazomanie line. Huntingdon said that the railroad has rehabilitated the line and thus lots of crossings were reconstructed but did not know about the Daneen crossing specifically. Huntingdon reiterated that Daneen would need the crossing in order to satisfy his bank and Alan Sweeney said that Mr. Daneen’s belief that the railroad maintain private crossings showed a need for railroad and public safety education.)

10 minutes estimated | Update

10. Wisconsin & Southern Railroad’s Report on Operations

Lucht introduced Ken Clemmons, Sales Manager for WSOR as they are working to generate more business. He gave more detail related to the photo of broken track Penn shared and identified it as a section of track intended to get welded track. He said that tracks such as this was why WSOR was pursuing TIGER funds. Lucht reported he had met with representatives of Iowa County (which is the public entity applying for TIGER funds), thanking them for their help and support. He also noted a recent track fatality in Hartford, WI and reiterated the necessity of safety awareness and the funds necessary to do this.

Ken Clemmons gave the Commission an overview of WSOR sales activity which included the movement of frac sand, grain and ethanol for overseas shipping, grain shipped for ethanol domestically, and canned goods. He noted that the first load of ballast had been loaded this past week and that a Redi-mix business had received shipment last week. Clemmons also told the Commission that a re-load center in Madison was reopening (Pro-Build). He said that there are various transload operations coming along, adding that these sort of opportunities occur particularly when diesel prices go up. Alan Sweeney asked if the Janesville rail project was complete but learned that WSOR was waiting for a DNR permit and early summer is its expected start time. Lucht said that jobseekers could find job listings with WSOR on their website. He added that all positions were posted seasonal and full-time. Sweeney noted that he’d recently toured Seneca and reported they had emphasized how important shipping goods via rail is for them.

5 minutes estimated | Update & Action

11. Consideration and possible approval: Letter of Support from WRRTC for Iowa County’s Federal TIGER Grant Application.

Lucht discussed WSOR’s desire for a letter of support from WRRTC for Iowa County’s Federal TIGER Grant Application. He said they are asking for a 40% match from WDOT (\$8M), WSOR/WATCO (\$2M), 60% from TIGER. He noted the benefits of the proposed project (i.e. faster, better safety, etc.). When asked, he said there was no funding in the project for bridges. H asked the Commissioners to review the letters of support distributed (one from WRRTC and one from the SWWRPC) and asked Nilson to sign the WRRTC letter. He said that he is seeking letters of support from counties, Senator Kohl, Representative Kind, the regional planning commissions, etc. to strengthen the application.

- **Motion to sign letter of support from WRRTC for Iowa County’s Federal TIGER Grant Application – Sweeny/Dorschied PA**

After the motion Lucht was asked if there would be any changes done to private crossings in the work and he said there would be no change or impact to private crossings:

5 minutes estimated | Update & Action

12. Consideration and possible approval: WRRTC named as “Co-Applicant” to the Iowa County TIGER Grant Application

Lucht said that a naming WRRTC as a co-applicant with Iowa County would make the application stronger and that being a co-applicant would not involve any financial or work requirements of the Commission.

- **Motion to name WRRTC as co-applicant to the Iowa County TIGER Grant Application;** *Van Schwartz/Thomas PA*

Nilson noted that Commissioner Gaalswyk was quite ill and suggested that the Commissioners sign a card for him, calling a 15 minute break at 10: 56 AM.

(At 11:11 AM after the break, Nilson brought the Commissioners back to Item #10 to bring to their attention to WSOR’s completed work on the westbound track in Waukesha, saying that the welded rail looks very, very good. Lucht said that rail was in and activated in the fall of 2011. He said some curves had been straightened and new ballast and ties installed and that the whole project would be completed this spring.

5 minutes estimated | Update & Action

13. Consideration and possible approval: WRRTC Partnering with UW Extension Services to Conduct Statewide Freight Rail Economic Impact Analysis

Lucht gave some history on Item 13. The freight rail economic impact analysis discussed briefly at the February meeting came from a Sauk County project on the same which was found useful to both rail users and Sauk County. The Sauk County project led to a suggestion to do a Dane County economic impact study with UW Extension employee Steve Dellert who did initial data collection on Dane County. Lucht said that WSOR had spoken with WDOT about doing a state rail system economic study and that there was a high level of interest in this project. Dellert is interested in doing the study for all publicly owned rail lines and had distributed proposal which outlined the analysis construction (surveys, phone interviews, etc.) which would lead to an economic impact model. Lucht said Wisconsin has never done a study like this and since the State pays into rail infrastructure, a study like this would be helpful. UW-Extension would work with WDOT and WSOR would pay for the study (cost was given as \$42K). He said that WSOR would prefer to have WRRTC contract with Extension and WDOT in order to lend credibility to the study. Anderson said he had talked to Dellert and while the cost might seem high, it would have to pay for a fellowship and the project could ideally be completed within the next 6 months. Anderson believed the study would show a significant impact to the state. Gene Gray said that since such an analysis would benefit both WRRTC and WSOR, WRRTC should contribute about 5% of the project costs. Robert Sinclair said that this money would not leverage any gain for the Commission so it would not be a good use of money but Van Schwartz countered that it would create leverage in order gain benefit for all the counties involved. Sinclair said that Sauk County had already funded its own study and if there were a statewide study needed then the legislature should pay for it. Sweeney asked what other counties would be involved and Huntingdon said that Pecatonica Rail Transit Commission, South Central Wisconsin Rail Transit Commission as well as the WRRTC would be covered as well as others in the state. Sweeney wondered if this study would lead to more inclusion and membership for the WRRTC. Lucht related that Dellert said after the study was completed specific counties could be narrowed in on for more in depth analysis. Van Schwartz recommended that Dellert’s proposal be reviewed by Eileen Brownlee, and he volunteered to coordinate between the WRRTC and UW-Extension.

- **Motion to approve the partnering of WRRTC with UW Extension Services to Conduct a State-owned and WSOR leased lines Freight Rail Corridor Economic Impact Analysis with Eileen Brownlee’s participation and approval. WSOR to reimburse WRRTC for the total costs.** *Grey/Van Schwartz PA*

After the motion, Huntingdon noted that WDOT is doing a similar study for northern Wisconsin communities.

Gene Gray made a motion to contribute the aforementioned \$2000 to this project and Sinclair noted that contributing to this project would not create impartiality.

- **Motion to contribute 5% (not to exceed \$2000) to State-owned and WSOR leased lines Freight Rail Corridor Economic Impact Analysis.** *Grey/Van Schwartz; Alexander and Sinclair, opposed*

5 minutes estimated | Update & Action

14. Discussion and possible action on Trespassing Problems on WRRTC RR Property.

Van Schwartz distributed a child’s photo taken on railroad tracks and discussed the issue of the public using tracks as a photo backdrop and its associated dangers, noting where the photo was taken was a 60 mph CN track. He distributed a list of safety guidelines to the Commissioners and asked them to disseminate the safety information to their member counties in order to raise awareness of the

illegality of the practice. He said that Wisconsin is 14th in railroad trespasser fatalities (2011 stats) and emphasized that these are totally preventable deaths, adding that snowmobiling on tracks in Wisconsin are a huge problem. He asked members to report trespassers (recommending they have the pertinent phone numbers on their cell phones). Nilson said that at Elkhart Lake there is a road race where sightseers view it on tracks and Margaret Ruf said most people do not know they are trespassing. Sinclair said that if the tracks were fenced there would be less trespassing.

5 minutes estimated | Update

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

Penn made her report to the Commission, noting that she attended an APA-WI conference in OshKosh which included a breakout on "Rail Freight Issues in WI". She said she would pursue the completion of the Scot Forge lease for siding (with help from Brownlee) and the exploration of developing a lease between Scot Forge, WRRTC, and WSOR. She told the Commission that she is seeing a need for a GIS of the WRRTC tracks, particularly as they relate to crossings. Such a proposal was made last year between WDOT and SWWRPC but no action resulted so she proposed to look into this issue again since a current, active map would be of great help, particularly in relation to adjacent landowners. Van Schwartz said that Google Earth could be integrated into the application process. Lastly she got confirmation from the Commission to change the April meeting date from Good Friday (April 6) to April 13th.

5 minutes estimated | Update

16. WisDOT – Frank Huntington, WisDOT

Huntington gave an update on the Sauk Prairie High School Riverfront Clean-up Project which is intended to clean up defunct track in Prairie du Sac and Sauk City. He said that WDOT will be issuing a permit once insurance needs are met. He also told the Commission that by February 1st all the grant applications had come in, seven in total and six from WSOR and that there are more applications than money available. He said that TRIP has six applications (for \$5+M).

5 minutes estimated | Possible Action

17. Disposal of railroad wig-wag signals to Mid-Continent Railroad Museum, North Freedom, WI - update

Penn asked for confirmation on where the wig-wag signals were since there had been some email discussion on their location. Lucht had told her that currently all wig-wag signals were in use. Penn was therefore advised that the Mid-Continent Railroad Museum would receive a signal once one was decommissioned. Van Schwartz reminded Penn that he would EBay the other signals as they become available. Scallon said that a museum in Boscobel would be interested in obtaining a wig-wag signal when one became available and he requested to add such a donation to the April agenda.

18. Action Item. Adjournment

- **Motion to adjourn at 12:04 PM - Cornford/M. Ruf PA**