

Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 04 Feb 2011 @ 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- Committee	X
	Rocky Rocksvold		X
	Vacant		
Dane	Gene Gray	Treasurer	X
	Jim Haefs-Fleming		X
	Forrest Van Schwartz	Advocate	X
Grant	Ivan Farness		
	Margaret Ruf	Secretary	X
	Robert Scallon	2nd Vice Chair	X
Iowa	Charles Anderson	X- Committee	
	Gerald Dorscheid	Vice Treasurer	x
	Robert Zinick		

Rock	Ben Coopman	Alternate	
	Wayne Gustina	(arrived at 10:24)	X
	Alan Sweeney	Vice Chair	X
	Terry Thomas		X
Sauk	Joel Gaalswijk		X
	Rob Sinklair	Assistant Secretary	
	Scott Alexander		
Walworth	Marty Krueger	Alternate	
	Jerry Grant		X
	Richard Kuhnke	X- Committee	
Waukesha	Allan Polyock		X
	Karl Nilson	Chair	X
	Richard Manke		X
	Fritz Ruf		

Others present for all or part of the meeting:

Amy Seeboth and Larry Ward (SWWRPC / WRRTC Administrator); Eileen Brownlee (WRRTC Attorney); Frank Huntington, Ethan Johnson, Jonathan Davidson & Roger Larson (WisDOT); Ken Lucht (WSOR); Alan Anderson (Pink Lady RTC); Jim Matzinger (Dane County, WRRTC Accountant); Ron Wolf (ProRail); Tom Stetzer (Strand Associates, Inc).

3. Motion accepting Seeboth’s certification of Public Notice. Manke / Sweeney- passed unanimously.
4. Motion accepting the Revised Agenda prepared by Seeboth. Van Schwartz / M. Ruf - passed unanimously.
5. Motion approving the draft Nov. Minutes. Grant / Cornford – passed unanimously.
6. Public Comment – Chairman Nilson introduced Larry Ward as the Executive Director of Southwestern Wisconsin Regional Planning Commission (SWWRPC). Ward spoke briefly about the SWWRPC’s history with WRRTC and about how glad he is to have the opportunity for his organization to work with this group.
7. Correspondence & Communications – Seeboth shared three news articles with the Commission: 1) one regarding a rail/snowmobile accident; 2) another regarding the addition of 140 expected jobs in the Town of Darien with a rail industry, 3) and an article regarding Governor Walker’s cancellation of the UW-Madison biofuels project. Van Schwartz provided an update on a fourth article.

REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report– Jim Matzinger, Dane County CPA / WRRTC Accountant provided copies of the treasurer’s report to each Commissioner.
 - Motion accepting the treasurer’s report for Dec./Jan. and payment of bills – Van Schwartz / Gray – passed unanimously
9. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR, reported on the following:
 - Update on Monthly Maintenance Activities –WSOR is cleaning up from the large snowstorm that recently hit the State. They are also continuing with routine track inspections and are accelerating these inspections because of the cold weather. WSOR is also working on repairs to a number of bridges and has plans for more bridge repairs in the works.
 - 2010 Capital Projects- Lucht reported that the 2010 welded project between Milton Jct. and Madison is nearly complete.

- *2011 Capital Projects* – WSOR has an application into WDOT to finish the 2010 project mentioned above into Madison (they expect to get two more welded-rail trains in). They have another project planned in Waukesha; they are straightening a curve in the track.
- *New Business*- Lucht reported that there are a number of new business developments in the WRRTC area, WSOR is conducting a survey of these businesses and working to develop a report on their collective economic impact on the region.

10. WRRTC Administrator’s Report – Seeboth reported to the Commission on several ongoing issues. First, a crossing permit approved by this Commission is in need of appearing on the agenda at next month’s meeting- the ownership has changed since the permit was issued several months ago. It will be placed on the March agenda. Seeboth passed around a screenshot of the website she is developing for the RTC and asked if it would be okay if she were to send Pat Weeden a thank you card on behalf of the Commission for all of his prior volunteer work and dedication to the webpage.

11. WDOT Update – Huntington introduced new WDOT staff- Ethan Johnson and Jonathan Davidson (Jonathan is the new head of the Safety Engineering Division). Huntington said that he believed the Madison to Milton Jct. application will likely be approved in the FRPP announcements that should be coming out soon. He said that he also believed the Waukesha Project would likely be approved. Huntington also reported that the WDOT is in the process of acquiring track in the Milwaukee area from WSOR and he noted that some repairs for bridge improvements that Ken mentioned earlier are being funded by federal dollars. He said that there is a lot of bridge work going on right now, and a lot more that is needed. Huntington mentioned the power plant project on Charter Street in Madison was cancelled and that biofuels for this plant were going to travel on WRRTC lines. Huntington said that a meeting is being held on Friday next week to update staff on the changes now that this project is cancelled. Seeboth will attend this meeting on behalf of the WRRTC.

12. Motion to adjourn to closed session after a 10 minute break pursuant to Wis. State. Sec 19.85(1)(e) for review of and discussion regarding renewal of WSOR rental obligation defined in WSOR and WRRTC Operating Agreement 2007 Addendum. Brownlee, Matzinger, Seeboth, and Huntington are requested to stay in the Session to advise The Commission.

Roll Call Vote:

Crawford	Tom Cornford	X- Committee	Y
	Rocky Rocksvold		Y
	<i>Vacant</i>		
Dane	Gene Gray	Treasurer	Y
	Jim Haefs-Fleming		Y
	Forrest Van Schwartz	Advocate	Y
Grant	Ivan Farness		
	Margaret Ruf	Secretary	Y
	Robert Scallon	2nd Vice Chair	Y
Iowa	Charles Anderson	X- Committee	
	Gerald Dorscheid	Vice Treasurer	Y
	Robert Zinick		

Rock	Ben Coopman	Alternate	
	Wayne Gustina		Y
	Alan Sweeney	Vice Chair	Y
	Terry Thomas		Y
Sauk	Joel Gaalswijk		Y
	Rob Sinklair	Assistant Secretary	
	Scott Alexander		
Walworth	Marty Krueger	<i>Alternate</i>	
	Jerry Grant		Y
	Richard Kuhnke	X- Committee	
Waukesha	Allan Polyock		Y
	Karl Nilson	Chair	Y
	Richard Manke		Y
	Fritz Ruf		

The motion passed unanimously.

The Commission recessed for a 10 minute break at 10:53

- **Motion to end closed session – Gaalswijk / Polyock – passed unanimously**
- **Motion to amend the annual WSOR rental obligation to WRRTC to \$45,000 per year for a two-year term (Jan. 1st 2011-Dec. 31st 2012) and to be renegotiated in two years. Any rental funds paid over the operating funds**

needed by WRRTC may be returned to WSOR for infrastructure improvement projects along the WRRTC corridor – Poloyock / Grant – passed unanimously

13. Update on Sauk County Rails to Trails Stakeholders Group- Gaalswijk said that he was at the Sauk County Economic Development Committee last night and the Committee moved to have another stakeholders meeting, scheduling it for as soon as possible. Van Schwartz said that he hasn't heard word on the Group since the November meeting was cancelled. Huntington said that he received notice from the administrator of Prairie du Sac that they are taking action to request the WDOT to proceed to conversion of trails. Gaalswijk said that on the agenda at the meeting last night there was a resolution to convert the rail to trail -this resolution failed on a 3-3 vote.

14. Consideration of action on two crossings in Prairie du Sac- Tom Stetzer from Strand Associates, Inc represented the Village of Prairie du Sac at this meeting. Stetzer presented to the Commission on pavement work that is being completed in the Village this year and it will involve two separate crossings that are similar in nature. Both exist along WRRTC corridor where there currently is no active rail and both are on low-use roads. The Village's preferred action is to place 4" pavement over both crossings but otherwise leave the crossings intact. Ken agreed with the Commission's conditions on behalf of WSOR.

- **Motion to allow 4" of asphalt to be laid over the existing rail bed at two crossings in the Village of Prairie du Sac (one along VFW Drive and the other near the intersection of Water Street and Washington Street) , that the Village of Prairie du Sac assume all costs associated with improvements to these crossings should rail be reintroduced to this corridor, and that the Village meet all other criteria of the WRRTC permitting process - Gaalswijk / Gustina – Passed Unanimously**

15. Approval of the 2009 WRRTC Audit by Johnson Block – Matzinger was requested at the last RTC meeting to follow up with Johnson Block regarding some questions to the Audit. Matzinger reported that the verbage in question was boiler plate and necessary for most Audits of organizations this size. Matzinger also said that he could adjust his presentation of financials to comply with some of the 2009 audit findings, but Johnson Block advised him to refrain from putting in much extra work to accomplish this as these requirements may change from year to year, and it is not a big finding.

- **Motion to approve the 2009 WRRTC Audit by Johnson Block – Gray / Van Schwartz – passed unanimously**

16. Motion to enter into an agreement with Johnson Block for 2010 WRRTC Audit, for a value not to exceed \$4,600- Thomas / Sweeney – passed unanimously

17. Consideration of 2011 WRRTC Budget –

- **Motion to approve the 2011 WRRTC Budget – Sweeney / Gaalswijk – passed unanimously**

2011 WRRTC Budget

Assessment History:

2006-8	26,000
2009-10	26,520
2011	26,520

Member Assessment:

	0% Increase
WRRTC - 8 Counties at \$26,520	212,160
PRTC	25,000
Bad Debt Reserve	(26,520)

Total Assessments 210,640

Other Income:

Wisconsin Southern Lease	45,000	
Other Leases	1,000	
Interest	750	
Total Income	46,750	257,390

Operating Expenses:

Management Contract	24,000	
Accounting Services-Dane Co	3,500	
Audit Services	4,600	
Legal Services	3,000	
Bridge Inspection	2,000	
Per Diem/Web Site/Misc	500	
Insurance	16,500	
Operating Expenses	54,100	54,100
Capital Expenses:		
2011 WSOR Construction Contribution		203,290
Total Expenses		257,390
Net Income		-

- 18. Discussion and possible action related to Ekleberry / Defabbio Crossing Permit in the Town of Muscoda-** This private crossing permit was approved in January of 2010 by the WRRTC. To date, the required improvements to the crossing have not been made, within twelve months as specified in the permit, making this crossing illegal.
- **Motion that Seeboth send a cease and desist letter to the Ekleberry and Defabbio families by certified mail informing them that they must re-apply for a permit from the Commission if they wish to continue to use this crossing.** – *Manke / Van Schwartz – passed unanimously*
- 19. Discussion and possible action related to crossing safety in Hebron, IL -** The Rail Transit Commission received a letter from Hebron Township in Illinois explaining that current use of a nature trail is lending to unsafe road crossings, and that they believe that the trail would be safer were it allowed to cross the rail. Lucht informed the Commission that this issue came up 6-7 years ago as well and that the request for a public crossing at this place was not approved. Lucht explained that WSOR trains travel at 50 mph at this place.
- **Motion to have Seeboth write the Town of Hebron a letter explaining that their request would require a public crossing and that, based upon a number of factors including past review of this issue, they are not likely to be granted a public crossing** – *Grant / Manke – passed unanimously*
- 20. Motion adjourning the meeting at 12:14 p.m. -** *Cornford / Polyock - passed unanimously.*