

WRRTC MAY 2018 MEETING MINUTES – APPROVED

**Wisconsin River Rail Transit Commission
Commission Meeting - Friday, May 4th, 2018 at 10:00 am
Dane County Highway 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	Carl Orr	X	Jefferson	Mary Roberts	<i>Excused</i>
	Rocky Rocksford, <i>2nd Vice Chair</i>	X		John Kannard	X
	Derek Flansburgh	X		Augie Tietz, <i>3rd Vice Chair</i>	X
	Tom Cornford, Alternate	X	Rock	Terry Thomas	X
Dane	Gene Gray, <i>Treasurer</i>	X		Wayne Gustina	X
	Jim Flemming	<i>Absent</i>	Alan Sweeney, <i>Chair</i>	X	
	Chris James, <i>1st Vice Secretary</i>	X	Sauk	Chuck Spencer	X
Grant	Gary Ranum	X		Dave Riek, <i>2nd Vice Treasurer</i>	X
	Mike Lieurance	X		Tim McCumber	X
	Robert Scallon, <i>1st Vice Chair</i>	X		Marty Krueger, Alternate	X
Green	Harvey Kubly, <i>1st Vice Treasurer</i>	X	Walworth	David Bretl	X
	Oscar Olson	X		Richard Kuhnke, <i>2nd Vice Secretary</i>	X
	Paul Beach	X		Allan Polyock	<i>Excused</i>
Iowa	Charles Anderson, <i>Secretary</i>	X	Waukesha	Dick Mace	X
	William Ladewig	X		Richard Morris	X
	Mark Storti	X		Karl Nilson, <i>3rd Vice Treasurer</i>	X

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Matt Honer - <i>WRRTC Administrator</i> • Ken Lucht, Dave Bierman, Roger Schaalma – <i>WSOR</i> • Jim Matzinger, Dane County Highway 	<ul style="list-style-type: none"> • Kim Tollers, Rich Kedzior, Lisa Stern, Ed Singer – <i>WisDOT</i> • Alan Anderson – <i>Pink Lady RTC</i>
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Honer.*
 - *Motion to approve meeting’s public notice –Ladewig/Mace. Passed Unanimously.*
4. Action Item. **Approval of Agenda as Amended** – *Prepared by Honer.*
 - *Motion to approve the agenda with amendments – Gustina/Kuhnke Passed Unanimously.*
5. Action Item. **Approval of draft April 2018 Meeting Minutes** – *Prepared by Honer.*
 - *Motion to approve meeting minutes with minor changes – Mace/Tietz. Passed Unanimously.*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair.*
No public comment.
7. Updates. **Announcements by Commissioners**
Commission members did introductions.

8. Action Item Officer Elections

Honer stated that the Wisconsin River Rail Transit Commission Charter prescribed that elections are to happen every year. Each county is entitled to an officer, making for a total of 10 Officers. In addition to holding office, the nominated and elected officers constitute the executive committee. Honer stated that he would start by looking for a chair nomination.

- *Motion to nominate Alan Sweeney to Chair – Cornford/Gustina, Motion to close nominations – Anderson/Morris. Passed Unanimously. None Opposed.*
- *Motion to nominate Gene Gray to Treasurer – Nilson/Anderson. – Passed Unanimously.*
- *Motion to nominate to Charles Anderson to Secretary - Olson/Ladewig – Passed Unanimously.*
- *Motion to nominate Robert Scallon to 1st Vice Chair – Ranum/Cornford. Passed Unanimously.*

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- *Motion to nominate Chris James 1st Vice Secretary – Nilson/Gustina Passed Unanimously.*
- *Motion to nominate to Rocky Rocksvold 2nd Vice Chair – Gustina/Anderson. Passed Unanimously..*
- *Motion to nominate Harvey Kubly for 1st vice Treasurer – Anderson/Ladewig. Passed Unanimously..*
- *Motion to nominate Richard Kuhnke to 2nd Vice Secretary – Bretl/Nilson. Passed Unanimously.*
- *Motion to nominate Dave Riek to 2nd Vice Treasurer – Gray/Ladewig. Passed Unanimously.*
- *Motion to nominate Augie Tietz to 3rd Vice Chair – Morris/Bretl. Passed Unanimously.*
- *Motion to nominate Karl Nilson to 3rd Vice Treasurer – Kuhnke/Scallon. Passed Unanimously.*

REPORTS & COMMISSION BUSINESS

9. **WRRTC Financial Report** –*Jim Matzinger Treasurer.*

- Treasurer’s Report for May and Payment of Bills.

Matzinger reported on the Sauk Bridge project statement. Matzinger reported that the project budget is \$1,006,417.00. So far, the total billed for the project is \$832,441.25 and the total received from WisDOT and WSOR is \$454,609.30, with \$377,831.95 yet receivable.

Matzinger reported on the balance sheet. Matzinger explained that cash has been borrowed from other projects.

Matzinger reported on the income statement. Matzinger explained the budget and the expenses on the Sauk Bridge. Ladewig asked about the 5% retainage being reflected on the income statement. Matzinger stated that he is not reflecting it on the income or balance sheets. Anderson asked about the taxes on the income statement, Matzinger explained that the taxes are billed to the Commission and WSOR reimburses the Commission for Illinois taxes. Mace asked if the question regarding taxes on the Veit change order was resolved. Honer replied that Veit removed the taxes from the change order.

- *Motion to approve the treasurer report – Balance Sheet and Income Statement - Mace/ Thomas. Passed Unanimously*

Matzinger reported on the cash disbursements. Matzinger reported on checks to Veit and Co, Dane County Highway, Lake County Illinois, and SWWRPC for a total of \$122,614.73. Anderson asked if this is the last check to Veit and Co. Honer stated that the final invoice from Veit will come next month and it will include the 5% retainage. Bierman confirmed that is the case if Veit and Co is able to release their lien waivers in time for the meeting.

- *Motion to approve the Cash Disbursements – Anderson/Morris. Passed Unanimously*

- Discussion and Approval of Sauk City Bridge Demolition Invoices to-date.

Honer reported on the fourth invoice from Veit and Co. James asked who is responsible for final walkthrough, and if they are planning a final walk through prior to final billing. Bierman stated that he will undertake the final walkthrough with Veit. Bierman reported on the progress of the Contractor, stating that piers have been removed and 2nd Change order work has been completed, both with DNR concurrence. The final work that is required to be done is to remove the temporary dock that was installed and the restoration of the eastern shore, this will need to be done once the water level goes down. Sweeney asked if the buoys have been removed, Bierman stated that they are currently in the WSOR yard. Mace asked Bierman if the WIDNR has provided a written statement that the project is to their approval. Bierman stated that the DNR has provided this information.

- *Motion to approve the 5-page packet dated April 30th regarding Sauk City Bridge Demolition Invoice – Nilson/Mace. Passed Unanimously.*

10. **Wisconsin & Southern Railroad’s Report on Operations** – *Ken Lucht and Roger Schaalma, WSOR*

Lucht handed out a system map and introduced Roger Schaalma. Schaalma reported that WSOR is scheduled to start weed spraying and geometry testing throughout the system next week. WSOR is receiving ties on the east end of the Prairie Subdivision and on the Reedsburg Subdivision for summer installation. Schaalma reported that WSOR is receiving crossing material and has already completed a crossing on the west side of Middleton. Crossings that will be replaced are West Washington in Madison, Park Street in Middleton, Dewey Street in Reedsburg, and 1st, 2nd, and Cedar Streets in Boscobel. Schaalma reported that WSOR is hiring both

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installation and operations positions. Schaalma reported that the second train of rail is expected next week for replacement on the Fox Lake subdivision. Ties, Crossings, and Turnouts on the Fox Lake project have been awarded. WSOR is optimistic about having the project completed before Winter 2018. The Watertown project is working towards completion and expects completion by Fall 2018. Schaalma reported that a few crossings need to be completed in Milton and Whitewater. The two bridge replacements in Madison, on Monona Bay, have been completed and are awaiting the final rail and trackwork. Schaalma reported the contract is driving piling for the Wauzeka Bridge and that project will be ongoing throughout the year. The three bridge replacements on the Watertown Subdivision have been awarded and will be completed during the summer months. A repair bid is coming due next week for bridge repairs on the Prairie and Reedsburg Subdivisions. WSOR will be celebrating two years without a track-based derailment. Ladewig asked about recent floods and fires. Schaalma reported that the danger of fire has passed without a damaging incident. Schaalma reported that water may begin to approach the ballast lines this weekend, and if the rain holds, everything should be fine.

Lucht provided a handout on Positive Train Control. Lucht presented WSOR's plan to meet the federal mandate for positive train control. Positive train control is computer assisted technology to automate engines. Lucht explained that all engines transporting hazardous material or are commuter rail are required to install Positive Train Control Technology. Lucht explained that the goal of Positive Train Control is to prevent human caused error and certain accidents - train to train collision, over speed derailments, or switch problems.

Lucht explained the federal requirement deadline for implementation is the end of 2018 but railroad business can apply for extensions. Lucht stated that WSOR will need to equip nearly half of their engines, 16 engines, an investment of \$2.4M. Those engines will communicate with 9 Class-1 track interchanges. WSOR will start testing all of the equipped engines towards the end of this year. Lucht stated that the Commission has no responsibilities but he wanted to share with the Commission that WSOR is complying with federal law and making a safer railroad. Lucht stated he will keep the Commission updated and hopefully provide a tour to the Commission.

Nilson asked if there is ever a time when engines do not have two people on the trains. Lucht stated that every lead terminal train will have an engineer and a conductor. Nilson believes that recent train accidents have been the result of only having a single operator on the train. Ladewig asked if anything needs to be added to the ROW. Lucht stated no wayside technology will be added to the property. Bretl asked when the deadline for the extension, Lucht stated WSOR will apply in the next three months. Mace stated that prior minutes state 30 engines will be updated, but the new report states 16. Lucht reported that it is not 30. Mace asked for the prior minutes to be changed. Anderson asked about time constraints for operators and conductors. Schaalma reported that it is 12 hours. Scallon asked the cost per engine. Lucht reported that it is \$150,000.

11. WisDOT Report –Kim Tollers, Teri Beckman, WisDOT.

Kedzior reported that he is awaiting the cancelled check from the treasurer. Kedzior reported that he has received FRPP applications for 5 separate projects, 4 from WSOR and 1 from the Port of Milwaukee. The WSOR projects are an upgrade to CWR for the eastern division of the network, replace or repair 7 bridges (5 on WRRTC, 2 on EWCRTC), phase 3 of CWR on the Waukesha Sub, and tie replacements on the Reedsburg and Cottage Grove Subdivision. Kedzior stated that the Port of Milwaukee is looking to upgrade track in relation to Foxconn project. Kedzior had a question for Dave about the removal of a dam in Janesville which will affect one of WRRTC's bridges. Bierman stated that with the dam removed, the river will normalize so WSOR is not expecting damage or negative impacts. Bierman stated that they inspect the Rock River Bridge every 5 years and have not had scouring with the dam in place, and do not expect scouring when the dam is removed. Ranum asked where the dam is located. Bierman stated it is located in the City of Janesville on the Rock River. Nilson clarified for new Commissioners that CWR means Continuous Welded Rail.

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

Honer stated that he sent the Private Crossing Agreement to Donald Gritmacker, the applicant, and has not received a signed copy of the agreement from Mr. Gritmacker. He reached out by phone to Mr. Gritmacker, who stated the agreement is being reviewed by a lawyer before he signs it. Honer stated that he has been in communication with Veit and Co. and Dave Bierman regarding the final invoicing for the Sauk City Bridge Demolition project and expects the final invoicing to happen during the month of May. Honer spent time over the past month verifying new commissioners after County Board elections. Honer has been in contact with ComEd in Illinois and they have an order to review the existing power supply to the Billboard on the corner of Wilmot Rd and US Hwy 12. Honer stated he received a letter from the Village of Spring Grove in Illinois regarding a zoning variance application for a property adjacent to the ROW. Honer consulted with counsel and WSOR and was encouraged to draft a letter of support for the potential rail customer and encourage safety setbacks and permitting. Honer stated that he received copies of approved utility permits on the Waukesha Subdivision.

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Honer stated there have been discussions about holding a regular meeting of the WRRTC in Iowa County. Currently, the County has space available on our regular meeting dates from June – October of this year. Honer stated he would like to hear from the Commission if they are interested in scheduling a meeting in Iowa County this summer or fall. Sweeney stated that this is a possibility for July.

Mace asked Lucht for an update on improvements at Lycon. Lucht reported that WSOR is awaiting further information from WisDOT. Lucht stated that this an exciting new customer. Tollers reported that WisDOT will require an offer-to-use for the pit.

13. Discussion of Sauk Spur – Rich Kedzior,

Kedzior stated that WisDOT requested this agenda item to start discussions regarding the disposition of the Sauk Spur. Kedzior stated the discussion began with WSOR's request to begin discussions for abandonment of a section of this line. Kedzior stated that WisDOT is interested in the disposition of the entire spur. Kedzior stated the spur was acquired with the rest of the Prairie Subdivision by WisDOT and WRRTC in 1983, was rehabbed by WRRTC in 1988-89 with state assistance, and there have not been any routine freight operations on the line since 1997 and has since been used for car storage. Kedzior stated that WisDOT does not believe there has been vegetation control or maintenance on the spur since 1997. Kedzior stated that both grant agreements for acquisition and rehab that WRRTC has with WisDOT require maintenance. Kedzior also stated that WisDOT has a video of the entire corridor from 1993, that include a crossing of the Wisconsin River on the Sauk City Bridge. Sweeney asked what happened in 1997. Kedzior stated that the Sauk City Bridge was taken out of service due to concerns over its integrity. Bierman stated that it was discovered that Pier 4 was scoured out. Sweeney clarified that service was provided to the river from Mazomanie and access could be made to the north side of the river from the Reedsburg Subdivision. Nilson asked if WSOR stores cars on this spur. Lucht stated that WSOR is currently storing cars between Mazomanie and south of County Highway Y. Ladewig asked what WSOR's options are for car storage if the Commission were to move forward with abandonment of the entire spur. Lucht stated that WSOR is not interested in abandoning the Sauk Spur and the storage of cars on that spur is a normal part of railroad operations. Lucht stated that in the mid-2000s, there was an effort to consolidate car storage in non-residential areas and the Sauk Spur was determined to be a good location. Lucht stated that WSOR is interested in abandoning only the northern section of the Sauk Spur to accommodate the Dane County section of the Great Sauk Trail.

Mace asked Kedzior to explain the maintenance that the spur requires. Kedzior state that the line is required to be maintained as a Class 2 railroad. Kedzior stated that it is currently not a Class 2 railroad and likely in the worst condition of any operating track in the state. Schaalma explained that in the late 2000s lumber cars were placed on the spur prior to the housing market collapse in 2007-2008, once the housing market collapsed the lumber cars were not in demand and they stayed on the spur for four years and caused vegetation to grow up. Schaalma stated that the brush has been cut and there is a walking path from County Y to the Railroad Bridge. Schaalma stated that the condition of the track is similar to what it was when WSOR took it over. Lisa Stern stated that section of the spur WSOR is proposing to abandon on the northern section of the track is not connected to any other roads or paths. Tollers asked why the cars are not stored past the "DNR Crossing." Schaalma stated that was the space that was needed. Mace asked for a detailed map of the area for the next time there is a discussion of the track.

Lucht stated that WSOR brought this up because they were under the impression that Dane and Sauk County were looking to move forward with the Great Sauk Trail. Lucht stated that if that is not the case, WSOR will invest in the line and continue to utilize it. James stated that it is identified as a state trail in the DNR State Trail Plan and the intentions of comments today were not to say there is no longer interest in the trail. James stated that there is a need to get the trail to County Highway Y and the condition of the track needs to be inspected and expects the walk on the track to be good for all parties.

14. Adjournment

- *Motion to Adjourn at 11:30am – Gustina/Nilson Passed Unanimously.*