

**Wisconsin River Rail Transit Commission
Commission Meeting – Friday, March 4, 2022, at 10:00 am
Waunakee Public Library**

1. 10:00 AM **Call to Order** – *Alan Sweeney, Chair*
2. Roll Call. **Establishment of Quorum** – *Matt Honer, Admin*

Crawford	Carl Orr, <i>2nd Vice-Chair</i>	X	Jefferson	Mary Roberts	X
	Mark Gilberts	X		John Kannard	X
	Tom Cornford	X		Kathy Bahner	X
		Karl Zarling, <i>Alternate</i>		X	
Dane	Kevin Potter	X	Rock	Russ Podzilni	X
	Jeff Huttenburg, <i>Treasurer</i>	X		Wayne Gustina	X
				Alan Sweeney, <i>Chair</i>	X
Grant	Gary Ranum	X	Sauk	Brian Peper	X
	Mike Lieurance	<i>Excused</i>		Dave Riek, <i>2nd Vice-Treasurer</i>	X
	Robert Scallon, <i>1st Vice-Chair</i>	<i>Excused</i>		Marty Krueger	X
				Tim McCumber, <i>Alternate</i>	<i>Excused</i>
Green	Harvey Kubly, <i>1st Vice-Treasurer</i>	X	Walworth	Al Stanek	X
	Oscar Olson	X		Richard Kuhnke, <i>2nd Vice-Secretary</i>	X
	John Buol	<i>Excused</i>		Allan Polyock	X
Iowa	Charles Anderson, <i>Secretary</i>	X	Waukesha	Dick Mace	X
	Kate Reimann	X		Richard Morris	X
	Susan Storti	X		Karl Nilson, <i>3rd Vice-Treasurer</i>	<i>Excused</i>

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Ken Lucht – <i>WSOR</i> 	<ul style="list-style-type: none"> • Lisa Stern, Todd Wojciuk – <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.*
 - o *Motion to approve meeting’s public notice – Gustina/Kannard. Passed Unanimously.*
4. Action Item. **Approval of Agenda** – *Prepared by Honer.*
 - o *Motion to approve the agenda. Morris/Peper. – Passed Unanimously.*
5. Action Item. **Approval of draft February 2022 Meeting Minutes** – *Prepared by Honer.*
 - o *Motion to approve the February 2022 meeting minutes. Mace/Kuhnke. Passed Unanimously.*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair.*
7. Updates. **Announcements by Commissioners**
Ranum brought up that some officer positions are not filled and not all counties have officers. It was determined this would be resolved following county board elections.

REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report** – *Huttenburg, Treasurer*
Huttenburg reported the cashflow and balance sheet. The report is a month behind reflecting the bank statements. There were no bills for approval. County invoices were sent, Rock County contribution is the only outstanding.

Peper asked about tax reimbursements. Huttenburg explained the item is a carry-over from the previous procedure of tax payments but that now the *WSOR* pays the tax bill directly.

- o *Motion to approve the Treasurer’s Report. Anderson/Peper. Passed Unanimously.*

9. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht– WSOR

Lucht stated the track project on the Prairie Sub is still scheduled and expects the contractor to start in July. The bridge project is wrapping up on the Prairie Sub. WSOR will be working on nine bridge projects throughout the system that were awarded last fall. Currently, those bridges are going through the engineering phase and WSOR hopes to have a contractor in June. Routine maintenance is ongoing.

WSOR received the grant agreement from WisDOT for the Merrimac Bridge and expects the full execution within the next month and hopes the project can start yet this year. The hit-and-run damaged bridge in Walworth County came out to be a \$300k repair. WSOR received four FRPP grant awards from WisDOT for projects on the WRRTC system, Janesville Bridge Project, Waunakee tie project, Prairie Bridge work, and Reedsburg Bridge work.

Watco is now operating the Fox Valley - Lake Superior Rail System rail system in northern Wisconsin.

Mace asked about the line between Medford and Park Falls line. Stern stated it has been abandoned. Riek asked if the federal infrastructure bill will assist in funding rail infrastructure. Lucht stated that billions of dollars have been put into the Rail infrastructure programs over the next three years. WSOR will be applying annually to improve infrastructure.

10. WisDOT Report – Stern - WisDOT.

Stern stated that in addition to the four FRPP awards to WSOR, there was an additional FRPP award to the City of Madison for the Troy Rd Bridge. WisDOT discussions with Union Pacific are going well regarding the Janesville Bridge and ongoing discussions regarding the grant agreement for the Merrimac Bridge. Stern stated a project manager will be hired for the Merrimac Bridge because of the federal requirements. Actions are being taken to address the stormwater issues in Watertown. Stern stated there is an increase in funding opportunities including state funding for grade crossings.

Wojciuk had no property updates to report.

Storti asked about the private crossing in Middleton. Wojciuk stated there is still trespass issues and is looking to have more enforcement of the trespass at this location. Stern stated that before anything can be done regarding the trespass issue the legal aspects of the private crossing needs to be resolved, which is the hands of the OCR. Lucht stated the property manager is not following up with the offer-to-use agreement and are dumping snow in the ROW. The offer to use requires the no trespassing signage. Honer asked about speeding up the OCR hearing. Stern stated that WisDOT and WSOR can petition for the hearing. Stern believes WSOR is the logical party to make the petition. Huttenburg suggested the WRRTC contact the OCR to see if they have a plan to schedule the hearing. Huttenburg agreed to make this call.

Peper asked about the damaged to a farm crossing in Illinois due to a back hoe on a private crossing and about miscommunications and misunderstandings. Stern and Honer explained the misunderstandings are a mixture of issues.

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

Honer reported that elections will take place at the May meeting and asked Commissioners to report to him if there is turnover from their county on the WRRTC. The Dane County highway garage is still closed to the public but Honer will be following up to see if meetings can take place there in April or May.

12. Possible Action on Private Crossing Application for 6301 Hwy 78, Mazomanie on the Sauk Spur - Honer, Admin.

Honer presented the crossing application and explained the applicants have an accepted offer on the house. The private crossing agreement is one step that they will need to make in closing on the property. The applicants are working on providing the Commission evidence of a highway access permit. Honer explained the crossing currently exists in this location and the right-of-way in this

location is larger than in other locations on the system.

Huttenburg believes the land owners should have an offer to use agreement, in addition to the private crossing agreement, to use their driveway as it is not a direct crossing of the corridor. Stern stated it does not matter the shape of the driveway in most cases. Huttenburg does not believe it is the WRRTC's issue but it is WisDOT's issue regarding the driveway. Huttenburg also stated that the crossing is an opportunity to see how strict the Commission is on private crossing agreements. Mace asked why WisDOT would want to hold on to the excess corridor and about the ability of selling the excess right-of-way. Stern stated that WisDOT generally does not sell excess ROW and if they were to consider it, they would need to be approached by someone. Kannard asked if there is a slope issue that would have caused the excess ROW. Honer stated it is an elevated area but it's not clear that is why the excess corridor is in this location. Wojciuk stated the excess right-of-way was likely a borrow site. Mace asked if there is evidence of previous land use of the excess corridor. Honer stated the excess corridor is beyond the scope of the Commission or the private crossing agreement.

- o *Motion to grant the private crossing application subject to an approved highway permit. Huttenburg/Cornford. Approved Unanimously.*

13. Presentation and Possible Action on New Track Construction on Prairie Subdivision in Boscobel – Lucht, WSOR.

Lucht presented the planned modifications to the rail, just west of Boscobel, WI. He explained the goal is make it possible for United Cooperative to create a 110-car unit train, which is what the market is looking for. The project would extend two industry tracks (571 and 572), realign one of those industry tracks (Track 571), relocate two #10 turnouts at the east end of the two industry tracks, and install a new #10 turnout and cross-over track leading to United Cooperative's proposed unloading pit. Mace asked if there were other public roads that will be impacted outside of Borden Rd. Lucht explained that no public roads will be impacted once Borden Rd is closed to the public. Lucht stated that United Cooperative will be required to have an offer-to-use agreement for the installation of an elevator pit on the corridor. Sue asked if the newly installed rail will be Continuous Welded Rail (CWR). It will be jointed track because it is only a siding and does not require the CWR investment. Stanek asked about the redirection of grain from other areas and businesses due to the expansion of United Cooperative and the rail infrastructure. Lucht explained the additional grain is all coming from north of the Wisconsin River and not coming from an elevator that WSOR already serves. Ranum asked about how much of the project is being done in Boscobel township vs. City. Lucht stated it is all in the township.

- o *Motion to approve the project as presented. Krueger/Podzilni. Approved Unanimously.*

14. Presentation on Port of Milwaukee Projections – Stern, WisDOT.

Lisa explained DeLong corporation is currently building the Milwaukee Bulk Transfer Facility. Lisa explained the project will facilitate the transfer of grains from Wisconsin to Europe and North Africa. Kuhnke asked about WSOR's ability to interchange to access this facility. Lucht explained its possible if the economics make sense, but the economics currently do not make sense because of the addition of another hauler. Honer asked about the ability of the two harbors on WRRTC's system to benefit from similar harbor improvements through a private third party. Stern explained that the harbor improvement program is available to both the public and private harbors served by the WRRTC system.

15. Presentation and Possible Action on WRRTC Website – Honer, Admin.

Honer presented the situation with the WRRTC website not being operational. He explained the Commission has two options if it would like to keep its website. They can have SWWRPC host a page for the WRRTC similar to how it currently hosts a page for the PRTC or it can create its own website through a common third-party website host. Peper asked about the cost. Honer explained that in both cases the costs would be covered under the WRRTC's administrative contract but if costs were to be higher than expected or growing due to storage capacity of a third party, the Commission would likely be asked to cover this in the future. Storti asked about the duration of

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SWWRPC and WRRTC relationship. Honer and Lucht explained that it has been around since the beginning of the WRRTC. Storti explained her concern about the WRRTC website being an issue if the relationship were to ever change. Zarling stated transferring websites or pages would likely be very easy if the relationship between SWWRPC and WRRTC were to change in the future. Zarling explained that he currently has websites that are easy to use and relatively cheap, he also stated that working with the established website would provide some level of security.

- o *Motion to have SWWRPC host the WRRTC website. Krueger/Huttenburg. Approved Unanimously*

16. Adjournment.

- o *Motion to Adjourn at 11:32 am – Cornford/Gustina. Passed Unanimously.*