

Wisconsin River Rail Transit Commission

Executive Committee Mtg – Friday, 7 December 2007 at 10:00 a.m.

Dane County Highway Garage, 2302 Fish Hatchery Road, Madison, WI

- WRRTC Chair Karl Nilson called the meeting to order at 10:02 a.m.
- Roll Call (present for all or part of the meeting):

County	Commissioner		XCOM	Dec.
Crawford	Tom	Cornford	Advocate	
	Phillip	Mueller		
	Rocky	Rocksvold		
Dane	Gene	Gray	1st Treasurer	X
	Jim	Haefs-Flemming		X
	Forrest	Van Schwartz	Advocate	X
Grant	Julia	Clark		
	Robert	Scallon		
	Velma	Weadge	2nd Secretary	X
Iowa	Charles	Anderson	Advocate	X
	Ron	Berg		
	Mark	Masters		

County	Commissioner		XCOM	Dec.
Rock	William	Agnew	1st Secretary	
	Steve	Eager		
	Alan	Sweeney		
alternate	Ben	Coopman		
Sauk	Joel	Gaalswijk		
	Rob	Sinklair	2nd Treasurer	X
	Larry	Volz		X
alternate	Marcy	Huffaker		
Walworth	Jerry	Grant		
	Richard	Kuhnke	Advocate	X
	Allan	Polyock		
Waukesha	Richard	Manke		
	Karl	Nilson	Chair	X
	Robert	Thelen, II		

Others present for all or part of the meeting: Joni Graves (SWWRPC Transportation Planner / WRRTC Administrator); Jim Matzinger (Dane County CPA / WRRTC Accountant); Frank Huntington, Roger Larson (WisDOT); Ken Lucht (WSOR).

- Motion certifying Graves' public notice of the meeting / Weadge / Van Schwartz / Passed unanimously.
- Motion approving the Agenda, prepared by Graves / Manke / Anderson / Passed unanimously.
- Motion approving the draft Nov. Minutes, prepared by Graves / Gray / Weadge / Passed unanimously.
- Public Comment – NA
- Correspondence & Communications – Commissioner Haefs-Flemming referenced an article from November 26 on the Madison coal plant and distributed copies.

REPORTS & COMMISSION BUSINESS

- Wisconsin & Southern Railroad's Report on Operations** – Ken Lucht reported on monthly maintenance activities and said 12,000 maintenance ties have been installed from Walworth to Fox Lake in addition to the year's capital project, which is almost complete with some work that will be done in the spring. On the Northern Division, all of the new ties are in the ground between Horicon and Hartford – work included replacing seven crossings and bridge repair. The 2008 priority is to install 48,000 ties and replace 40 at-grade crossings for the Phase I Tie-Replacement project that is slated to start in July, 2008; the Phase II would install continuous welded rail. Lucht said WSOR has had a rash of trespassing incidents, including ATVers and snowmobilers near Devils Lake (Sauk County).
- WisDOT Request for Concurrence of Transfer/Trade of Avalon and Bardwell Jct. Side Track** – Frank Huntington had provided background, which had been included in the Agenda: "As part of one of our FRIIP loan projects, we are loaning Millard Grain in Avalon funds to construct a side track at Bardwell Jct. Once that track is constructed we will be transferring ownership of a side track in Avalon adjacent to the facility to Millard Grain for their use. Millard will transfer the new track constructed at Bardwell Jct to the WDOT/WRRTC. The WSOR will have use of the new track at Bardwell Jct in exchange for giving up the track at Avalon. Millard will have use of and ownership of the existing track at Avalon." WisDOT requested that the WRRTC take some action acknowledging and concurring with the trade/transaction. At the meeting

Huntington distributed maps and aerial photos of the location, summarized the pending trade and the benefits to the property owner and to railroad operations. Commissioner Van Schwartz asked whether WisDOT would be providing some idea of the comparative values of each track, so WRRTC and DOT can maintain accurate "book values" of their assets, both track and land, although he said he didn't think this needed to be a formal appraisal. Huntington said WisDOT believed it was an equal-value swap and they were not planning to do an appraisal. Van Schwartz said this was fine, but asked that Huntington's assessment be in the record.

- **Motion giving WRRTC's concurrence on two proposed transfers of ownership as part of improvements under a WisDOT-approved FRIIP loan project, where WSOR will have use of the new track at Bardwell Junction in exchange for giving up the track at Avalon: 1) transferring a side track in Avalon adjacent to the facility to Millard Grain for their use, and 2) Millard's transfer of the new track constructed at Bardwell Junction to WisDOT; and noting, for the record, that Mr. Huntington (WisDOT) indicated that this was an equal trade with regard to track value / Van Schwartz / Kuhnke /** in response to questions, Lucht said this is a rural staging area and the project will provide an opportunity to build capacity, enhance rail service, and alleviate the need to store cars in nearby communities / **Passed unanimously.**
- 10. WRRTC Financial Report** – Jim Matzinger, Dane County, distributed copies of the Treasurer's Report and said it reflects the transfer of \$170,000 to the 2007 project, per the Commission's action at its November meeting, which brings the Commission closer to its 10% target for contributing to the local match. Anderson asked whether more money would be required to achieve 10% for 2007. It was said that no, this transfer brought the Commission to 9.1%, per Lucht's figures, and the railroad would cover the remainder. Matzinger said that all meeting expenses, legal bills, etc would be accrued the next month. He said that cash disbursements for December included legal fees, an invoice from Dane County for accounting, and a packet of bills from WSOR for 2006, which, he said, was not closed out yet.
- **Motion accepting the Treasurer's Report, as presented, approving payment of the enumerated bills / Van Schwartz / Anderson / Passed unanimously.**
- 11. WRRTC Administrator's Report** – Joni Graves, SWWRPC Transportation Planner, told the Commission: **a)** copies of a Boscobel Dial article on the Commission's recent meeting and rail inspection trip would be sent in the next meeting packet; **b)** there was a new Crawford County vacancy on the Commission; **c)** she had received a voice message from Aileen Switzer (Planning Chief, WisDOT Bureau of Planning and Economic Development) apologizing for the delay in responding to the Commission's request that the *Connections 2030* maps differentiate between the publicly-owned and privately-owned railroad corridors; she also said WisDOT would be revising its maps and, when the *Connections 2030* draft plans are available for review and comment, she or Sandy Beaupre (Director, WisDOT Bureau of Planning & Economic Development) would be glad to speak to the Commission; **d)** Graves said she would be presenting a 2008 Renewal of Staff Services Contract with SWWRPC; **e)** she asked for input on the 2007 WRRTC "To-Do List of Pending / Potential Action Items," which had been distributed in November, and said that unless there were any comments, many of the items would be assumed to be "retired"; and **f)** distributed a copy of the usage report for the www.wrrtc.org website.
- 12. Update on Crossing and Access Requests** – in summary, although the status of the Omdoll Request (Palmyra) was unknown, Huntington said once WisDOT has been contacted by a title company and provides more information, it's usually resolved then and there; Graves said the Commission had approved the Kattner request (Spring Grove, IL) for drainage / maintenance work, and the paperwork was pending; AT&T (Spring Grove, IL) had sent documentation for the Commission's files and a permit had been approved by Roger Larson; and Huntington said he understood that Vicki Schaefer (WisDOT) had issued a permit for the access by Wisconsin DNR and USGS staff.
- 13. Follow-Up Request by Chair Nilson for discussion related to Sinklair's earlier request for comments by Bill Gardner [WSOR] on the 23 Sep. 2007 article "Bill Wenzel, Jr. reports to Village of Prairie du Sac" (Sauk Prairie Eagle)** – Nilson said the Chair can bring an item off the table and that he had wanted to bring this back for discussion. He asked whether Sinklair had been able to talk with Mr. Gardner at the November meeting. Sinklair said no, but that he had wanted to provide Gardner with an opportunity to comment and that he would still like it forwarded to another meeting, so the Commission could hear from him.

After some discussion, Lucht said Gardner was not able to attend today's meeting, but had asked him to

convey that he had no comment on the article. After further discussion, Lucht said the meeting referenced had not been a public meeting – attendees had been invited to a discussion to assess the Villages’ interest and support for a possible compromise proposal that had not be discussed before. He said that given the response, WSOR has withdrawn from further discussion unless the Village’s create a steering committee to discuss it or other options. He concluded that Gardner had no official comment on behalf of statements made in the press.

Asked for clarification, Huntington said that it appeared that an altered alignment could provide access to an area that’s not developed and could be developed as a commercial park. He said the Co-Op [which has a facility that is currently accessed through Badger, although the long-term status of that access is pending federal decisions about the disposition and use of the entire Badger site] has another facility there, which could be accessed with rail realignment, and the Co-Op could consolidate its rail-served facilities there.

There were further questions about whether the meeting that Gardner had attended has been a legally noticed Village meeting. After further discussion, and with the permission of the Chair, Graves read an email that she had received in July 2007:

----- **Original Message** -----

From: Village of Sauk City

To: Myra Ballweg; Steve Haag; Rich Marks; Michael Rogers; John Schmidt; Jim Anderson; Greg Neumaier; Bob Dederich; Rogers, Mike B.; Robert Dederich; Chuck Bongard; Cheryl Sherman; Ron Lins; Bill Gardner RR Cc: Connie Anderson; Greg Murray

Sent: Monday, July 16, 2007 11:35 AM

Subject: Future Railroad

I just spoke with Bill Gardner from the RR regarding the future of the rail in Sauk and Prairie area. Mr. Gardner had a meeting with Dave Kraemer from the Tri County Coop and they would be willing to look at closing their site along Hwy Z and 78 and add onto their facility on Hwy 60. This would allow for the rails to trails program through the two villages, would help eliminate some of the semi traffic through the villages (now that they would have a grain facility on the west side of the river), open up a new area for future industrial expansion with access to rail and increase in the Coop's taxes and employment.

During our Comp Plan process we planned for a future bypass of Hwy 12 and talked of the rail running parallel with the Hwy as a possibility.

Mr Gardner would like to know if anyone from the Village of Sauk, Village of Prairie or Town of Prairie would be interested in sitting down to discuss this in more detail. Please let me know if you would like to meet with Mr Gardner and any comments you have on the rail.

Thank you,

Vicki Breunig, CMC/WCMC

Sauk City Village Administrator

726 Water Street

Sauk City, WI 53583

608.643.3932

608.643.2462 fax

Population 3229

Graves said she wouldn’t necessarily characterize Breunig’s email as evidence of “enthusiastic support” but that it did seem to convey interest in having some discussion with the railroad. Graves said that at the Commission’s Joint Meeting with the Pink Lady Rail Transit Commission in May 2007, several area residents had spoken in favor of the by-pass proposal referenced the local comprehensive plan.

Nilson said at the November meeting he had voted to not table the item and that he was glad there had been some discussion. He concluded that he continues to be impressed that a great deal gets done with very little and thanked everyone for their participation.

14. The meeting adjourned by consensus at 11:05 a.m.

source: www.wrrtc.org