

Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 6 Mar 2009 @ 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	Rock	Ben	Coopman (alternate)	
	Kersten	Rocksvold	X		Katie	Kuznacic	
	Vacant				Alan	Sweeney	
			Terry		Thomas		
Dane	Gene	Gray	X	Sauk	Joel	Gaalswijk	
	Jim	Haefs-Flemming	X		Rob	Sinklair (alternate)	
	Forrest	Van Schwartz	X		Halsey	Sprecher	
Grant	DuWayne	Carlin		Larry	Volz	X	
	Margaret	Ruf		Walworth	Jerry	Grant	
	Robert	Scallon	X		Richard	Kuhnke	X
			Allan		Polyock		
Iowa	Charles	Anderson		Waukesha	Karl	Nilson	X
	Gerald	Dorscheid	X		Richard	Manke	
	Joe	Thomas			Fritz	Ruf	

Others present for all or part of the meeting:

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington, Rod Adams, and Roger Larson (WisDOT); Ken Lucht (WSOR); Jim Matzinger (Dane County Hwy CPA / WRRTC Accountant); Joni Graves (formerly with SWWRPC); Arlene Volz (Sauk Co); Dick Goddard (Pink Lady RTC); Rodney Johnson, Vil. President, Valerie Bailey, and several other representatives from Blue River.

3. Motion accepting Seeboth’s certification of Public Notice / Kuhnke / Volz / passed unanimously.

4. Action approving the Agenda, prepared by Graves, was by consensus.

5. Motion approving the draft Feb. Minutes (the Commission did not meet in Dec. or Jan.), prepared by Graves / Dorscheid / Kuhnke / passed unanimously.

6. Public Comment – NA

7. Correspondence & Communications – Seeboth distributed an email from Van Schwartz referencing a photo essay on the Sauk City branch with cars sitting idle. Three other articles were distributed from the Sauk Prairie Eagle referencing the proposed rails to trails project in Sauk Prairie.

REPORTS & COMMISSION BUSINESS

8. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR, thanked Joni Graves for her service to WRRTC over the years; provided a report on maintenance activities; capital projects that are underway; their 2009 Capital expenditure plan; and the 2008 economic benefits of rail system-wide. WSOR has been bringing many employees in to train them on new federal RR administrative guidelines. In the past month, WSOR has done emergency work in both Spring Green and Village of Blue River. They finished the line between Horicon and Slinger- bringing train speed up to 40 mph, and completed the tie project between Madison and Milton. In process of purchasing 40,000 ties for 2009 projects. WSOR is working on a comp. study of Merrimac Bridge- will sign with Ayres Assoc. to do it. Luchts distributed a summary entitled “Wisconsin Public Railroad System Attracts New Industries” dated 1-29-09: In the past five years, WSOR brought on 32 new industries shipping with them, \$1,600,000 in new property taxes and 920 jobs to Wisconsin. Overall they saw a small decline in rail cars annually from 07-08 but they are “holding their own” and haven’t had to lay anyone off. This spring WSOR is hiring 20-25 new people to work in rail service. WSOR lost a couple of customers in ‘08 because of a raise in rates among class 1 carriers. State regulations are being discussed that would impose a greater liability on the RR and that would

remove the Staggers Act. The removal of the Staggers Act would result in a loss of anti-trust exemptions for the RR. Lucht will report in more detail on the de-regulation bill at next WRRTC meeting.

9. **WRRTC Financial Report** – Jim Matzinger, Dane County CPA / WRRTC Accountant, distributed copies of the Treasurer’s Report and provided an overview.

- **Motion approving Treasurer’s Report and payment of bills as presented / Van Schwartz / Gray / passed unanimously.**

Approval of 2007 Audit was tabled to Full Commission Meeting in April. Matzinger provided a review of Commission’s 2009 projected budget. With conservative estimates, the Commission should come in on budget. A few ideas were suggested as ways to address a possible 4,000 deficit (raise .5% funding from Counties and adjust other financial estimates for greater accuracy). Matzinger will adjustments based upon these comments and return with 2009 budget for approval vote in April.

- **Motion accepting Johnson Block as Auditor for 2009 as presented / Kuhnke / Van Schwartz / passed unanimously.**

FOLLOW-UP: Van Schwartz will report to Matzinger on whether a bridge project should remain in the budget. Matzinger will both adjust 2009 budget for review and prepare Dane County Staff Services proposal for discussion and approval at April Meeting.

10. **WRRTC Administrator’s Report** – Amy Seeboth, SWWRPC Trans. Planner was introduced as the new WRRTC Administrator, Joni Graves said good-bye to the Commission as she leaves this position to work at the UW-Madison Transportation Information Center, which is part of the Department of Engineering Professional Development. Graves said that she has deeply enjoyed working with the Commission, Commissioners, and WisDOT and WSOR staff and hopes that she will have opportunities to continue to do so through her new role at UW-Madison.

In conclusion, Seeboth circulated copies of the January usage report for the Commission’s website www.wrrtc.org.

The Commission took a break at 11:00 a.m. and returned at 11:15 a.m.

11. **WisDOT Update** – Frank Huntington reported that WisDOT has not heard anything from legislature yet about the budget. At this point, it is reasonable to expect that the budget is similar to that in the past. Huntington reported an update on **Badger Army Ammunition Plant (BAAP)** easement, which was reported on in Feb. Meeting. WisDOT has been talking with Badger Rail oversight committee on the lease and how it is interpreted. WisDOT recently sent them back a memorandum of understanding. Have not finalized agreement with GSA at this point and not sure how long this will take.

Huntington and Adams reported on the Stimulus Bill- there may be some funding available for freight rail, but doesn’t look likely at this point. Passenger rail has 8 bil. On federal level- there will be some passenger rail work in state in next several years. Expect to wait at least until Sept. to hear the process for Stimulus funds. Freight rail may be eligible in two pots, one is a discretionary pot- ½ mil. No more than 20% of money can go to any one state. We will see if WI makes an application on behalf of anyone for these funds. Also funds in federal highway admin STIP funding - \$27 million nationally, allocated by formula to each state. Any freight or harbor project in here must have a connection to a state hwy system, this has to be committed within 90 days. Will be advertised by the DOT in April. Rest will be allocated by end of year.

12. **Update on removal or demolition of structures on Commission property in Arena, WI** – WRRTC’s attorney Eileen Brownlee is working on contract and coordinating permit approvals for demolition of structures on Commission property in Arena, WI.

13. **Consideration of private crossing permit in Blue River Crossing** – Johnson, Vil. President, reported that the Village purchased property from a private land owner a while back and want to purchase the right of way to the property line to put a well in the new land. Presently, the right of way contains an agricultural crossing. Johnson did not believe anything was going to be developed and this would remain a private crossing for the foreseeable future. Land owner said they would be willing to place a gate at the crossing and possibly a sign. Also said another crossing exists 2/3 of mile away, but it is not accessible from the land under discussion. WSOR said they had no objection to

the crossing if use does not increase too greatly, and if the crossing met the design standards of WSOR's standard crossing plans. Lucht reminded everyone that there is a great difference between a private and public crossing and if the Village ever needs a public crossing, they must go through a new approval process with the Wisconsin Office of the Commissioner of Railroads. If the Village ever requested that this crossing become a public crossing, Lucht believed WSOR would request that the Village remove an existing public crossing in exchange.

- **Motion approving request for private crossing in Village of Blue as presented / Scallon / Cornford / passed unanimously. Nilson suggested amendment for motion to be stated “private crossing with controlled access” – and that meets WSOR approval.” Scallon / Cornford / passed unanimously.**

14. Motion adjourning the meeting at 11:48 a.m. / Cornford / Rocksvold / passed unanimously.