

WRTC FEBRUARY 10, 2023 MEETING MINUTES – Approved 03/10/2023

Wisconsin River Rail Transit Commission Commission Meeting – Friday, February 10, 2023 at 10:00 am Hill Farms State Office Building – Madison, WI

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

Crawford	Carl Orr, 2 nd Vice Chair	X	Jefferson	Mary Roberts	X
	Mark Gilberts	X		John Kannard, Vice Secretary	X
	Tom Cornford	X		Kathy Bahner	Excused
				Jeff Smith, Alternate	X
Dane	Kevin Potter	X	Rock	Russ Podzilni	X
	Jeff Huttenburg, Treasurer	X		Tom Brien	X
	Jim Bolitho	Excused		Alan Sweeney, Chair	X
Grant	Gary Ranum	X	Sauk	Brian Peper	X
	Mike Lieurance	X		Gaile Burchill, 2 nd Vice Treasurer	X
	Robert Scallon, 1 st Vice Chair	Excused		Marty Krueger	X
				Tim McCumber, Alternate	Excused
Green	Harvey Kubly, 1 st Vice Treasurer	Excused	Walworth	Al Stanek	Excused
	Todd Larson	X		Richard Kuhnke, 2 nd Vice Secretary	X
	Kurt Schafer	X		Allan Polyock	X
Iowa	Charles Anderson, Secretary	Excused	Waukesha	Dick Mace, 3 rd Vice Treasurer	Excused
	Kate Reimann	X		Richard Morris	X
	Kevin Peterson	X		Karl Nilson	Excused

Commission met quorum.

Others present for all or some of the meeting:

- Troy Maggied & Misty Molzof, SWWRPC - Eileen Brownlee, Boardman Clark - Lisa Stern & Rich Kedzior, WisDOT - Ken Lucht, WSOR	- Sara Rigelman, WDNR - Emily Traiforos, GoRail - Alan Anderson, Pink Lady RTC
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3. Action Item. **Certification of Meeting's Public Notice** – Noticed by Maggied.
 - Motion to approve meeting's public notice – Kuhnke/Polyock. Passed Unanimously.
4. Action Item. **Approval of Agenda** – Prepared by Maggied.
 - Motion to approve the agenda. Cornford/Kannard. – Passed Unanimously.
5. Action Item. **Approval of draft January 6 Meeting Minutes** – Prepared by Maggied.
 - Motion to approve the January 6 minutes with minor editorial corrections and noting Charles Anderson was "Excused" and not "Absent." Roberts/Potter. Passed Unanimously.
6. Updates. **Public Comment** – Time for public comment may be limited by the Chair.
None.
7. Updates. **Announcements by Commissioners**
None.

REPORTS & COMMISSION BUSINESS

8. WRTC Financial Report – Huttenburg, Treasurer

There were no disbursements in December and receipts were \$300.00 for a utility permit fee and \$3,321.58 in interest. There are no bills for approval. Huttenburg requested Commission send out notice of rent increase to Northern Illinois Gas Company to \$250.00, it has been \$80 annually for as long as anyone can remember, Merrimac bridge expenses will start coming soon, average interest rate last month was 4.62% APR, and a line item for 2023 & 2024 Janesville project will be started on the 2023 financial report.

- Motion to approve the Treasurer's Report. Cornford/Potter. Passed Unanimously.

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9. **Wisconsin & Southern Railroad's Report on Operations – Lucht, WSOR**

Lucht reported that WSOR is working on maintenance projects including bridge inspections, ultrasonic rail testing, and taking notice of a lot of jointed rail defects and need for brush control. Major projects include the Fox Lake subdivision and replacing rail from Janesville to Fox Lake with continuous welded rail line with hopes of going all the way to the state line, there are 4 at-grade crossings, will be purchasing a backhoe trailer and 3 new rail greasers. Next month will have 2022 production totals. Current work is underway between Wauzeka and Prairie du Chien, Bridge 368 is under contract, Merrimac Bridge is under contract and ahead of schedule with mobilization to start in April, working with Union Pacific RR on the Janesville Bridges and a planned shared use over the Rock River; however, there is a federal grant deadline and we need coordination and cooperation from the UP to bring the bridges to capacity. Claussen Chocolates in Milton will start using the rail service in May, 2023. The Woodman Bridge has been converted to 286k standards. There have been no grants executed for Grant and Iowa Counties at this point.

10. **WisDOT Report – Stern - WisDOT.**

2023 Rail maps are complete, Michels got authorization from Alliant, owner of waterway bed, to continue with the Merrimac Bridge, the bond funds will take a little longer than anticipated, the Rail plan is out for public comment, and Stern will present in March.

11. **WRRTC Correspondence/Communications and Administrator's Report – Maggied, Admin.**

Troy introduced Misty Molzof as the new RTC Administrator and Misty shared her background and contact information. She will be the lead contact for the WRRTC immediately following this meeting and has scheduled several meetings with Matt Honer to ensure a smooth transition.

12. **Introduction and Presentation by GoRail – Emily Traiforos, GoRail**

GoRail is a grassroots organization, funded by supply companies and Association of American Railroads, who meets with decision makers to ensure rail innovation, support rail projects, community funding, and ensuring that rail is no longer over-regulated or double regulated. Current work is promotion of public benefits of freight rail, there are 140,000 miles of rail network that traverses the country, they are putting more efforts towards regulatory and highlighting the economic, environmental, and efficiency benefits of rail. Lucht expressed importance of participating in GoRail, especially since the turnover in Congress, and the need to educate new members on importance of rail. Traiforos to attend meetings quarterly and provide updates if able.

13. **Discussion and Possible Action on a revised 2022 Audit Engagement Letter with Johnson and Block – Huttenburg, Treasurer**

Huttenburg explained that federal and state reporting requirements require this additional service and it could raise auditing costs significantly.

- *Motion to approve the revised 2022 Audit Engagement Letter with Johnson and Block. Krueger/Kannard. Approved Unanimously*

14. **Consideration of and action on possible motion to adjourn to closed session pursuant to Wis. Stat. sec. 19.85(1)(g), which permits the Commission to convene in closed session for the purpose of conferring with legal counsel in rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, for the purpose of discussing the unauthorized use of Commission-owned property – Sweeney, Chair.**

- *Motion to adjourn to closed session and reconvene at 11:00 am. Polyock/Huttenburg. Approved Unanimously. (Roll Call Below)*

Crawford	Carl Orr, 2 nd Vice Chair	X	Jefferson	Mary Roberts	X
	Mark Gilberts	X		John Kannard, Vice Secretary	X
	Tom Cornford	X		Kathy Bahner	Excused
				Jeff Smith, Alternate	X
Dane	Kevin Potter	X	Rock	Russ Podzilni	X
	Jeff Huttenburg, Treasurer	X		Tom Brien	X
	Jim Bolitho	Excused		Alan Sweeney, Chair	X
Grant	Gary Ranum	X	Sauk	Brian Peper	X
	Mike Lieurance	X		Gaile Burchill, 2 nd Vice Treasurer	X
	Robert Scallon, 1 st Vice Chair	Excused		Marty Krueger	X
				Tim McCumber, Alternate	Excused
Green	Harvey Kubly, 1 st Vice Treasurer	Excused	Walworth	Al Stanek	Excused
	Todd Larson	X		Richard Kuhnke, 2 nd Vice Secretary	X
	Kurt Schafer	X		Allan Polyock	X
Iowa	Charles Anderson, Secretary	Excused	Waukesha	Dick Mace	Excused
	Kate Reimann	X		Richard Morris	X
	Kevin Peterson	X		Karl Nilson, 3 rd Vice Treasurer	Excused

15. **Convene in closed session for the purpose stated in the preceding agenda item. – Sweeney, Chair.**

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- 16. Reconvene in open session – Sweeney, Chair.**
 - *Motion to return to open session. Polyock/Schafer. Approved Unanimously. Meeting reconvened in open session at approximately 11:30 am.*
- 17. Possible action on closed session matter – Sweeney, Chair.**
 - *Motion to move forward with legal action working with WSOR to pursue trespass and contract violations as discussed in closed session. Polyock/Schafer. Approved Unanimously.*
- 18. Adjournment.**
 - *Motion to Adjourn at 11:35 am. Cornford/Krueger. Passed Unanimously.*