

WRRTC FEBRUARY 2020 MEETING MINUTES – APPROVED

Wisconsin River Rail Transit Commission Commission Meeting - Friday, February 7th, 2020 at 10:00 am Dane County Highway Garage, Madison, WI

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

Crawford	Carl Orr	X	Jefferson	Mary Roberts	X
	Rocky Rocksvold, 2 nd Vice Chair	Absent		John Kannard	X
	Derek Flansburgh	Excused		Augie Tietz, 3 rd Vice Chair	Excused
	Tom Cornford, Alternate	X		Terry Thomas	Absent
Dane		-	Rock	Wayne Gustina	Excused
	Jeff Huttenburg	X		Alan Sweeney, Chair	X
	Chris James, 1 st Vice Secretary	X		Chuck Spencer	Excused
Grant	Gary Ranum	X	Sauk	Dave Riek, 2 nd Vice Treasurer	Excused
	Mike Lieurance	Excused		Marty Krueger	Excused
	Robert Scallon, 1 st Vice Chair	X		Tim McCumber, Alternate	X
Green	Harvey Kubly, 1 st Vice Treasurer	X	Walworth	David Bretl	X
	Oscar Olson	X		Richard Kuhnke, 2 nd Vice Secretary	Absent
	Paul Beach	Excused		Allan Polyock	Excused
Iowa	Charles Anderson, Secretary	Excused	Waukesha	Dick Mace	X
	Kate Reimann	X		Richard Morris	Excused
	Mark Storti	X		Karl Nilson, 3 rd Vice Treasurer	X

Commission met quorum.

Others present for all or some of the meeting:

• Matt Honer - WRRTC Administrator • Jim Matzinger - Accountant • Ken Lucht – WSOR • Tom Pinion – City of Baraboo • William Roberts – Citizen.	• Lisa Stern, Ed Singer, Teri Beckman – WisDOT • Alan Anderson – Pink Lady RTC. • Jerry Exterovich, Paul Wolter – Sauk County Historical Society.
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3. Action Item. **Certification of Meeting's Public Notice – Noticed by Honer.**
 - Motion to approve meeting's amended amended public notice – Cornford/Storti. Passed Unanimously.
4. Action Item. **Approval of Agenda – Prepared by Honer.**
 - Motion to approve the amended agenda – Storti/Reiman. Passed Unanimously.
5. Action Item. **Approval of draft December 2019 Meeting Minutes – Prepared by Honer.**
 - Motion to approve the January 2020 meeting minutes with minor edits. Mace/Roberts. Passed Unanimously.
6. Updates. **Public Comment – Time for public comment may be limited by the Chair.**
None.

7. Updates. **Announcements by Commissioners**

Bretl stated he visited Farm City in Zenda and he stated that there is a lot of positive feedback regarding the improvements and the new frequency of trains. He also announced that he is retiring today and this will be his last commission meeting. Sweeney thanked Bretl for his time on the Commission.

Nilson announced that the Mad-City Train Show will take place Feb 15th and 16th in Madison, WI.

REPORTS & COMMISSION BUSINESS

8. **Resolution recognizing the contributions of Gene Gray – Sweeney, Chair.**

Sweeney stated that in his last conversation with Gray, Gray expressed his gratitude to the Commissioners and to the Commission as a whole. Lucht shared that WSOR locomotive outside of the funeral home and shut down the Prairie Sub. for 24 hours in recognition of Gene Gray.

- Motion to approve a resolution recognizing the contributions of Gene Gray – Cornford/Mace. Passed Unanimously.

9. **WRRTC Financial Report – Matzinger, Accountant**

• **Treasurer's Report and Payment of Bills**

Matzinger stated that there has been minimal activity and is waiting for a few bills before closing out the 2019 financials. Matzinger reported interest and permits are above projected income and expenses appear to be under budget for 2019. There was an error in budgeting for the loan payments that will be corrected. Matzinger reported the bills for payment including the management fee from SWWRPC of \$12,710.51, Dane County Accounting Fee for 979.44, and the project management fee for track removal in the former Badger Army Ammunition Plant (BAAP) for \$184.04. Honer explained that most of the material has been removed from BAAP but he is still expecting a final notification from Sauk County that all material has been removed.

- *Motion to approve the Treasurer's Report, income statement, and payment of bills – Mace/Orr. Passed Unanimously.*

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

Lucht stated that in December 2019, WSOR was awarded \$15M in grant funds for years 2020 – 2021. Awards include funding for the Continuous Welded Rail (CWR) project between Eagle and Whitewater on the Waukesha Sub., a CWR Project on the Oshkosh Sub., tie rehabilitation projects on the Reedsburg and Cottage Grove Subs., and bridge replacement and repairs on the Prairie and Reedsburg Subs. WSOR signed the grant agreement for the Phase 2 for the Merrimac Bridge rehabilitation. Lucht reported that WSOR submitted grant applications for the new round of funding including a CWR project on the Prairie Sub. between Blue River and Avoca and the Rock County Bridge Project. Lucht explained that between Janesville and Anderson, in Rock County, there is a line owned by Union Pacific (UP) that WSOR has joint trackage rights on. There are five bridges on that line that UP de-rated, so that 286K lb. cars cannot run on those bridges. Fortunately, WisDOT has land that runs parallel to the UP corridor and on that Corridor, there are also five bridges, four land bridges over local roads and one bridge over the Rock River. The derating of the bridges requires traffic to be rerouted which is inefficient in the long term. The application was for \$8.5M grant to re-establish the corridor, involving renovation and repairs to the five bridges, track restoration, and switch and diamond installations. Lucht stated that this is the best option moving forward, rather than spending money to repair bridges owned by UP. Lucht stated that he intends to provide a better overview at the next meeting. Sweeney asked if UP will use the diamonds to transport heavy loads over the new bridges, Lucht did not believe that would be the case. Storti asked if UP will want to improve their own bridges in the future. Lucht stated that currently it does not appear that the load restrictions are not affecting how UP does business. Anderson asked about the tie project on the Reedsburg Sub. Lucht stated that the grant was awarded for the tie project from Madison to Baraboo and Madison to Cottage Grove but the grant agreement needs to be worked out. Stern stated that WisDOT is also waiting for the Historical Review. Ranum asked about the CWR project between Blue River and Avoca. Lucht stated that he believes the grant is for 5M and expects the project to start in late 2021. Nilson asked about the UP right-of-way in Waukesha County and stated that it has been ripped up and asked Stern if it is abandoned. Stern stated that it is not in service, but not abandoned.

Lucht stated that the northern part of the Sauk spur has been brush cut because the center-beam lumber cars, that were being stored there, are now in demand and have been moved. Lucht stated that the Sauk Spur will be updated fully to Class 2. Lucht stated that this year is WSOR's 40-year anniversary and there will be a locomotive with a 40-year anniversary paint scheme.

11. **WisDOT Report – Lisa Stern, Ed Singer - WisDOT.**

Stern stated that two submission for the intermodal grant came in and that an update will be provided on the award.

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

Honer stated that he followed up on last month's agenda items including the request to purchase WRRTC property and the letters regarding the Frontier Communications Utility Crossing on WRRTC Property. Honer stated that he received a response from the Village of Oregon regarding our request that they stop permitting Frontier. The Village's response was that they do not feel they have the authority to stop permitting the Utility. Honer stated that he added a statement to the Notice and Agenda for anyone requesting specific accommodations to contact him ahead of a meeting. This will provide time to move the meeting if necessary. Honer stated that a typo in the approved December 2019 minutes was brought to his attention by a member of the public, the typo was from the public comment and stated that WisDOT has provided \$26.2M in rail rehab since 2012, it should say \$126.2M since 2012.

13. **Discussion and Possible Action on Application Process for Improvements to State – Owned Property- Honer, Admin.**

Lucht suggested that the application be changed to state that it is relevant to non-WSOR improvements to WRRTC or State-owned property. WSOR is subject to the operating agreement. McCumber asked if 120 days is enough between the issue being brought to the Commission and a final agreement being in place for the improvement. WSOR and WisDOT believed that 120 days is enough time considering that bringing the issue to the Commission meeting should not slow down discussions regarding the improvement.

- *Motion to approve the Application Process Form for Improvements to State-Owned Property, with suggested changes – Storti/Kannard. Passed Unanimously.*

14. **Discussion and Action on Offer to Use Agreement for Lakewood Plaza on Sherman Avenue, Madison, WI – Singer, WisDOT.**

Singer introduced the lease. Stated that it is an existing use. Singer stated that WisDOT has 96 leases in their portfolio and many were inherited from the UP acquisition of the Reedsburg Sub. The current lease for Lakewood Plaza started in April 2000, and was a 20-year lease term with rent paid in lump sum. Singer stated that he contacted the owner to see if they want to continue to use state-owned rail property, which they do. Singer explained the current use as a driveway that goes behind the building and that there is no change in use from the owner's agreement with the UP. The new lease has language that states the lease will indemnify the Commission.

Lucht asked if WSOR can be indemnified as well and Singer stated that it is likely and part of why the lease was brought out a few months ahead of the lease being due.

- *Motion to approve the Offer to Use Agreement for Lakewood Plaza on Sherman Avenue, Madison, WI that includes indemnification for WSOR and WRRTC – McCumber/Orr. Passed Unanimously.*

15. Discussion and Possible Action on Letter of Support for WisDOT's Infrastructure for Rebuilding America (INFRA) grant application for the Merrimac Bridge – Stern, WisDOT.

Stern explained that WisDOT submitted a grant application for the BUILD grant award but was not awarded the grant and the commission approved a letter of support with funding for that grant in July 2019. WisDOT has identified another federal grant, the Infrastructure for Rebuilding America (INFRA) grant and feels that they will have a stronger chance with the INFRA grant due to a stronger focus on rural infrastructure, which the Merrimac Bridge is. Stern stated that WisDOT has been working with WSOR and Bridge Engineer Pete Schierloh to improve the benefit cost number, which WisDOT identified as a weakness of their prior grant application. Stern is asking the Commission for a letter and financial support similar to the July 2019 ask. Mace asked if WisDOT knows why their grant was not awarded. Stern stated that it was thought that the benefit cost number may have been weak. Nilson and Mace asked if the Commission had budgeted for the \$487,500 that the letter of support states the Commission will contribute. Honer explained that the amount was determined because it is the amount of money the Commission has for capital improvement projects in the 2019 and 2020 budget, the Commission had committed that money to the Merrimac bridge in July 2019 but that grant was not awarded so the Commission no longer has commitments to its 2019 and 2020 capital funds. Nilson asked if the Commission is required to provide this money if the grant is awarded, Stern stated that the Commission would be if it commits the funds at this meeting. Nilson asked if Phase 3 of the Merrimac Bridge project is dependent on the awarding of this grant, Stern stated that it is not. Kannard asked if the commission is required to commit the money to the bridge if the grant is not awarded, Stern stated that the Commission would not be. Lucht stated that considering the cost of the Merrimac Bridge, the Commission will likely be asked by WSOR and WisDOT to contribute their capital funds to the bridge regarding a grant being available. Sweeney asked if there is political support, Stern stated that it was received last time and is likely to be received again. Alan Anderson stated that Pink Lady RTC solicited letters from locale communities because it is an economic development issue. Anderson stated that an awarded grant to the Merrimac Bridge will free up approximately \$7M in the FRPP program that can be used for other projects, possibly on the WRRTC system.

- *Motion to approve the Letter of Support, and funding contribution stated within the draft letter, of WisDOT Grant Application. – Storti/Bretl. Passed Unanimously.*

16. Presentation on the proposed improvements to the Historic Baraboo Depot Site – Sauk County Historical Society.

Jerry Exterovich introduced Paul Wolter and himself from the Sauk County Historical Society and Tom Pinion from the City of Baraboo. Exterovich presented a history of the Historic Baraboo Depot. It was built and designed as a division headquarters and a depot to serve south central Wisconsin. The building is being donated to the Sauk County Historical Society along with funding to make deferred repairs. Exterovich stated that the Historical Society is looking to restore the exterior of the building to its historic condition so that it is listed on the National Register of Historic Places. Once it is listed as an historic property it will be eligible for considerable tax credits. In order to restore it to its historic condition a canopy will need to be installed and that canopy will encroach into a side track right of way. Exterovich stated that the Historical Society will look to purchase from the State that part of the right-of-way so that it can restore the canopy on the building. Exterovich explained that there currently the building sits on a parcel with only 10' and in some places 10" between the building and lot line.

Nilson asked if the building has a basement. Exterovich stated that it does have a basement with a sand floor, and the sand floor was helpful in consideration of bad roof. Nilson asked if the 11,000 square feet includes the basement, it does not. Nilson asked what the canopy will be used for. Wolter explained that it could be used for community events but that has not been worked out, the purpose of installing the canopy is that the building will be restored to historic conditions and thus eligible for tax credits. Nilson asked what business will go into it. Wolter stated that a business could go into it but it will mostly be used for the Historical Society programming. Ranum asked if a new platform will be installed under the canopy, and the response was that the old platform is gone but it is currently concrete and that is likely to be similar after restoration. Exterovich stated that there is speculation that the original canopy still exists nearby and it is possible that the Historical Society will seek out the original structure to reinstall it. Storti asked if there would ever be the opportunity to run a passenger train. Wolter stated that currently it is cost prohibitive due to insurance and that Mid-Continent Railway Museum has explored the opportunity on several occasions. Mace asked about the 10 ft and 10" issue that was discussed. It was clarified that there is only 10" or 10' between the building and the property line in some locations. The Historical Society will be looking to acquire additional property in order to install the canopy. Mace asked if the side track is currently used. Lucht stated that it is being used to store cars and increase capacity on the line. Mace asked about the distance between the centerline of the side track to the building. Singer stated it is likely to be 19'.

Alan Anderson stated, as a resident of Baraboo, he believes that the Sauk County Historical Society has the ability and track record to undertake the large project. Anderson stated that historically sixteen passenger trains went through the depot every day when it was being used as a depot. McCumber stated that the work to restore historical depots is an important aspect to encouraging the preservation of rail.

17. Adjournment

- *Motion to Adjourn at 11:26 am – Scallon/Kubly. Passed Unanimously.*