

**WRRTC NOVEMBER 2019 MEETING MINUTES – DRAFT FOR APPROVAL**

**Wisconsin River Rail Transit Commission  
Commission Meeting - Friday, November 8<sup>th</sup>, 2019 at 10:00 am  
Dane County Highway Garage, Madison, WI**

1. 10:03 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, <i>2<sup>nd</sup> Vice Chair</i>  | X              |           | John Kannard   | X              |
|          | Derek Flansburgh                                   | <i>Excused</i> |           | Augie Tietz, <i>3<sup>rd</sup> Vice Chair</i>        | X              |
|          | Tom Cornford, Alternate                            | X              | Rock      | Terry Thomas   | X              |
| Dane     | Gene Gray, <i>Treasurer</i>                        | <i>Excused</i> |           | Wayne Gustina  | X              |
|          | Jim Flemming                                       | <i>Absent</i>  |           | Alan Sweeney, <i>Chair</i>                           | X              |
|          | Chris James, <i>1<sup>st</sup> Vice Secretary</i>  | X              | Sauk      | Chuck Spencer  | <i>Absent</i>  |
| Grant    | Gary Ranum   | X              |           | Dave Riek, <i>2<sup>nd</sup> Vice Treasurer</i>      | X              |
|          | Mike Lieurance                                     | X              |           | Marty Krueger  | X              |
|          | Robert Scallon, <i>1<sup>st</sup> Vice Chair</i>   | X              |           | Tim McCumber, Alternate                              | X              |
| Green    | Harvey Kubly, <i>1<sup>st</sup> Vice Treasurer</i> | X              | Walworth  | David Bretl  | X              |
|          | Oscar Olson  | X              |           | Richard Kuhnke, <i>2<sup>nd</sup> Vice Secretary</i> | <i>Excused</i> |
|          | Paul Beach   | X              |           | Allan Polyock  | <i>Absent</i>  |
| Iowa     | Charles Anderson, <i>Secretary</i>                 | X              | Waukesha  | Dick Mace  | X              |
|          | Kate Reimann                                       | X              |           | Richard Morris                                       | X              |
|          | Mark Storti  | X              |           | Karl Nilson, <i>3<sup>rd</sup> Vice Treasurer</i>    | X              |

Commission met quorum.

**Others present for all or some of the meeting:**

|  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Matt Honer - <i>WRRTC Administrator</i></li> <li>• Ken Lucht – <i>WSOR</i></li> <li>• Jeff Huttenburg – <i>Mid-Continent Railway.</i></li> <li>• Will Springer, <i>Attorney on behalf of Rock Road Companies</i></li> </ul> | <ul style="list-style-type: none"> <li>• Rich Kedzior– <i>WisDOT</i></li> <li>• Jim Matzinger – <i>Accountant</i></li> <li>• Alan Anderson – <i>Pink Lady RTC.</i></li> </ul> |
|--|---|

3. Action Item.            **Certification of Meeting’s Public Notice** – *Noticed by Honer.*
  - *Motion to approve meeting’s public notice – Morris/Thomas. Passed Unanimously.*
4. Action Item.            **Approval of Agenda** – *Prepared by Honer.*
  - *Motion to approve the amended agenda – Nilson/Gustina. Passed Unanimously.*
5. Action Item.            **Approval of draft October 2019 Meeting Minutes** – *Prepared by Honer.*
  - *Motion to approve the October 2019 meeting minutes with minor edits. Mace/Cornford. Passed Unanimously.*
6. Updates.                **Public Comment** – *Time for public comment may be limited by the Chair.*  
None.

**7. Updates.                Announcements by Commissioners**

Reimann thanked WSOR for the public crossing repairs that were done in Arena. Bretl thanked Lucht for meeting with the Walworth County intergovernmental cooperation council. Nilson announced the model train fest is happening in Milwaukee this weekend. Nilson also passed along an announcement for the freight rail conference that WisDOT is doing and suggested that Commissioners attend the meeting. Mace stated that he had a hard time registering for the freight rail conference online. Kedzior stated that registration can happen at the door on the day of the event. Sweeney made an announcement that as part of Dave Bretl’s retirement, a building is being named for him in Walworth County.

**REPORTS & COMMISSION BUSINESS**

**8.            WRRTC Financial Report** – *Jim Matzinger, Accountant.*

- Treasurer’s Report.

Matzinger reported that the balance sheet for this month had no major changes. He pointed out on the income statement that the county contribution revenue is higher than the 2019 rail project expenses, Matzinger stated this is because the Commission is paying back the loan for the Sauk Bridge teardown. Matzinger also pointed out the discrepancy between operating expenses and revenues is around \$10K. Matzinger reported one bill to SWWRPC for 3<sup>rd</sup> quarter.

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

### **9. Presentation and Acknowledgement of draft 2018 Audit - Matzinger, Accountant.**

Matzinger presented the draft 2018 Audit including the required communication and financial statement. Matzinger stated that the Audit findings are the same as prior years apart from the Sauk Bridge project. That project involved additional revenue and the WisDOT loan. Ranum stated that other organizations are required to have operational reserves and is wondering if the Commission should review that issue for future consideration.

Matzinger stated that required communication included statements from the auditors that acknowledge significant deficiencies. Matzinger stated that he does not prepare the financial statements and that the auditors do this work. When the auditors do it, they bring it to the attention of the Commission. Matzinger stated that it is better for the auditors to do this work so that it is done in the appropriate manner. Ranum asked if the acknowledgement motion includes signing the letter to the Auditors. Sweeney confirmed.

- *Motion to acknowledge the draft 2018 Audit and sign the representation letter – Storti/Thomas. Passed Unanimously.*

### **10. Wisconsin & Southern Railroad's Report on Operations – Lucht – WSOR**

Schaalma reported that the year's maintenance and capital improvements have been challenging due to the wet weather but WSOR has accomplished everything they had wanted to do within the year. Schaalma reported the completion of sixteen at-grade public crossings in the year and expects to do another group of crossings next year. The Waukesha rehab grant project is complete with the exception of four at-grade crossings that are expected to be closed. The Milton to Whitewater (15.5 miles) CWR (Continuous Welded Rail) is installed and all the ballast is ready to be tamped. The Oshkosh project is 100% complete. The Watertown project required some additional surface work but is complete. Schaalma reported that there will be three new bridges on the system in the near future: a bridge near Oshkosh, a bridge near Wauzeka was replaced with a culvert, and the Yahara bridge in Madison is being replaced today. Bridge 290 near Lodi is complete. A few washouts happened on the Prairie Sub. at the end of September and WSOR and contractors mobilized to fix it within 2 days.

Ranum asked the capacity of a CWR rail-train. Schaalma state it is 80,000 track feet of rail or 50 pieces of 1,600 ft rail, which is about 7.5 miles. The number of cars that carry the track is estimated to be about 20.

Mace asked if the Office of the Commissioner of Railroads (OCR) has given any discussion regarding the crossing in Eagle. There was no response or decision to-date.

Kedzior asked about the state of Bridge 262 (by County Highway M on the northside of Madison) and the culverts on the west end of the Prairie Sub. Roger stated that the bridge is done, and the other bridges are being completed by the end of next week.

Lucht passed out a letter from WSOR commenting on the proposed recreational bridge over the Wisconsin River. Lucht stated that if piers that are installed in the railroad right-of-way do not meet AREMA standards, they will need to be replaced if rail was to return in Sauk City. Lucht stated that MSA is likely to present the final design to a local group later this month. James stated that the deadline for the engineer presentation was pushed back to December 4<sup>th</sup>. James stated that the current design identifies that each pier has two pilings. The counties are proposing to only build one of the two pilings for the recreation bridge within the right of way. The engineering analysis did state that the pilings would be done to AREMA standards. James stated that they had asked MSA engineer to adjust their engineer report so that the pilings are installed to bedrock.

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

Kedzior announced that the annual rail conference is on Tuesday November 12<sup>th</sup>. Online registration is closed but registration can happen at the door. The keynote speaker is Canadian National's Vice President of North America. Kedzior stated that the FY 2020 FRPP Awards recommendations were given to Transportation Secretary Thompson. Once he approves, the recommendations will go to the Governor for approval. Kedzior anticipates announcing those awards in the next couple of weeks. Kedzior stated that the current biannual budget includes \$1.5M for intermodal facility grants, those grant application instructions are approved and are on WisDOT's website.

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

Honer stated that if there is bad weather for the Commission meetings over the next few months, he will attempt to contact Commissioners the night before the meeting, at the latest. Honer stated that he has been in discussions with WisDOT, WSOR, Sweeney, Brownlee, and Potter regarding improvements on State-Owned railroad property. Honer stated that he became aware of an improvement that was installed that the Commission was not made aware of. Honer stated that he will be requesting that WSOR and WisDOT to consider using an application process for improvements so that all parties are aware of new improvements to the property. Honer stated that he has not heard back from the Village of Spring Grove about potential conversations regarding Hatchery Road. Honer stated that work continues to address unpermitted utilities installed in the Village of Oregon. Honer stated that Frontier communications told him that they have no intent or interest in bringing their utility into compliance with the Commission and State Standards for utility crossings. Honer stated that he will continue to pursue this and will evaluate all potential resolutions. Honer stated that he spoke with Mid-Continent Railway Museum regarding track changes that would allow Mid-Continent to receive cars.

### **13. Presentation and Action on Private Crossing Agreements (2) at E. High Street, Milton Township, WI – Honer, Admin.**

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Honer presented two private crossing applications for crossings outside of Milton. The applicant is Rock Road Companies and Fredrick Farms. Will Springer, attorney for Rock Road introduced himself and a representative from Rock Road. Springer stated that Rock Road Company is in the process of purchasing the Storrs Lake Pit and will require a permit from WRRTC to cross. Springer stated they are looking to have two crossings. The site currently has two vehicle crossings and one “farm-crossing.” Rock Road’s proposal would remove one of the existing vehicle crossings and make the existing “farm-crossing” into a vehicle crossing. The existing three crossings would be reduced to two.

Schaalma stated that WSOR is good with both proposed crossings. The crossing to the west is in good condition. The crossing on the east is not improved, but the track is new so Rock Road will need to install a new improved and acceptable crossing in accordance with the crossing agreement. Anderson asked about the requirement to install the crossing to standards and remove the longstanding encroachment. Springer stated that it is part of the crossing agreements.

- *Motion to approve the private crossing agreement for 6717 and 7011 E High Street, on the condition that the longstanding encroachments associated with the crossing being removed and rebuilding of the crossing at 7011 E High Street. in Milton Township, Rock County, WI – Bretl/Mace. Passed Unanimously.*

### **14. Presentation and Action on Utility Permit at Central Park Place, Fitchburg, WI – Honer, Admin.**

Honer stated that Schaalma brought this to his attention and that the work is in compliance with Trans 29 (utility rail crossing standard). Schaalma explained that this permit is for the installation of electricity for the new public at-grade crossing signals.

- *Motion to approve the Utility Crossing permit for Central Park Place, Fitchburg, WI – Krueger/Anderson. Passed Unanimously.*

### **15. Discussion and Possible Action on providing feedback to WisDOT regarding FRPP Application Instructions – Honer, Admin.**

Honer stated WisDOT requested comments on the existing FRPP application instructions. The application instructions are the version of the instructions that have existed for several years and are not the recent revisions introduced earlier in the year. Honer stated these instructions help determine where WisDOT’s Freight Rail Preservation Program grant funding is allocated. The FRPP grant program is the program that WSOR applies for to make capital improvements on the system. Honer stated he would collect comments from the Commission until November 15<sup>th</sup> and could then draft a letter to WisDOT with the Commission’s concerns by the deadline of November 29<sup>th</sup>.

Storti stated he believes specific dates need to be adjusted or blanked in section 4.2.2 Track and Bridge Rehabilitation. Lucht handed out the revisions that WSOR would like to see. Lucht identified a section in the instructions about the replacement of components of a bridge that WSOR would like to be changed. The ability to replace components helps to extend the life of the bridges by simply replacing a component or two before WSOR can completely update the bridge. Lucht is concerned that if the provision is included, there is a chance that numerous priority 2 bridges might not be eligible. Lucht would like to see the component instructions changed because there is always concern that the state budgeted FRPP grant amounts will change in future years. Lesser FRPP grant funding will affect WSOR’s ability to replace entire structures so the component aspect is helpful to maintain those structures. Lucht stated that the component issue is also of use if additional abandoned lines are purchased by the State.

Sweeney asked how long WSOR expects before the entire system is at maintenance level. Lucht expects the system is 3-5 budgets away if the FRPP budget stays at its current level. Anderson asked if the maintenance level includes a speed limit. Lucht stated Class 2 includes a speed limit of 25 mph. Anderson asked if the entire Merrimac bridge will be to hold that standard after the scheduled improvements. Schaalma stated that half the bridge will be replaced, and the other half rehabilitated so that the bridge will handle 25 mph.

- *Motion to authorize Honer to draft a letter with any comments from Commissioners that are received by November 15<sup>th</sup>. – Cornford/Storti. Passed Unanimously.*

### **16. Summary of Internal Defects Systemwide, 2019. Lucht – WSOR.**

Lucht presented the internal defect track map. Schaalma created the map that shows every defect on the track and the weight of the rail where the defect exists. The map will help WSOR focus on the subdivisions that are in the greatest capital improvement need. Schaalma reported that the Waukesha Sub had 8.2 defects per mile, which is about 5 times as many as any other subdivision. Schaalma explained that the blue lines are the rail that has been rehabilitated to Class 2 standards. The Watertown, Reedsburg, and Cottage Grove Subs. do not have near term plans for capital improvements. The Prairie Sub. has many defects. Half of the rail on the Prairie Sub. is 85lb the other half is 90 lb. The red lines on the map have never had any type of capital improvement. The yellow lines have had some level of rehab work. Anderson about the Reedsburg Sub. being a red line. Schaalma stated that WSOR has not had a chance to do a grant funded project on that Sub. yet. There are quite a few defects but at the time it is manageable. Riek asked if defects are prioritized based on the risk. Schaalma stated that some defects are larger than others and those are the major prioritizes. The others are prioritized by location within a community, location, train speed, and commodity moved. Nilson asked what the weight of CWR is. Schaalma stated that it is 115 lb. and there was one defect on 115 lb. rail. Nilson stated that all the defects on the Waukesha Sub. will go away soon, as it is all replaced. Kannard asked how current the map is. Schaalma stated that the inspection took place in the summer and the two rail projects took place in the fall so the map is not 100% current. Mace confirmed that the line between Milton and Whitewater should be blue, Roger stated that you will see the blue once it is replaced. Mace asked if the most recently replaced rail is good, Schaalma said yes for the most part. Nilson asked what the usual defect is, fatigue or inclusion. Schaalma stated that it depends on the rail, the more trafficked lines are fatigue.

17. **Adjournment**

- *Motion to Adjourn at 11:09 am – Cornford/Scallon. Passed Unanimously.*