

WRRTC SEPTEMBER 8, 2023 MEETING MINUTES – APPROVED 10/6/2023

**Wisconsin River Rail Transit Commission
Commission Meeting – Friday, September 8, 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 – Misty Molzof, Admin**

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

Commission met quorum (23 of 28 commissioners present).

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Misty Molzof, <i>SWWRPC</i> • Attorney Eileen Brownlee • Lisa Stern & Ben Mohlke, <i>WisDOT</i> • Don Vruwink, <i>OCR</i> • Ken Lucht, <i>WSOR</i> 	<ul style="list-style-type: none"> • Alan Anderson, <i>Pink Lady RTC</i> • Mike Halsted, <i>WisDOT Harbors and Waterways</i> • Wade Peterson & Robert Coss, <i>City of Baraboo</i> • Taylor Brengel, <i>Middleton Center</i>
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Molzof.**
 - *Motion to approve meeting’s public notice – Kuhnke/Sweeney. Passed Unanimously.*
4. Action Item. **Approval of Agenda – Prepared by Molzof.**
 - *Motion to approve the agenda - Scallon/Kannard. Passed Unanimously.*
5. Action Item. **Approval of draft August 4, 2023 Meeting Minutes – Prepared by Molzof.**
 - *Motion to approve the August 4, 2023 meeting minutes as presented adding Attorney Brownlee as present - Anderson/Kanard. Passed Unanimously.*

6. Updates. **Public Comment – Time for public comment may be limited by the Chair.**
 Taylor Brengel, Middleton Center spoke in favor of keeping Aurora Street crossing as a public crossing. (Commissioner Vruwink left meeting during comments).
 Wade Peterson, City of Baraboo asked Commission to consider delaying any action on this agenda item. (Attorney Brownlee left meeting during comments).
 Alan Anderson, Pink Lady RTC thanked the commission for their continued investment into the Merrimac Bridge.

7. Updates. **Announcements by Commissioners**
 None.

REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report – Huttenburg, Treasurer**
 Huttenburg stated nothing unusual, interest rates are still on the rise; therefore, interest income is increasing. One invoice for approval, Boardman & Clark \$4,508.00.

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- *Motion to approve the Treasurer's Report and pay the invoice to Boardman and Clark in the amount of \$4,508.00 – Anderson/Orr. Passed Unanimously.*

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

Lucht reported that maintenance on the IL portion along Seyman Road is in process and work will begin next week, Brown Street section in Madison was replaced last week, and Co. Hwy B section in Stoughton was replaced a couple of weeks ago; all 10 spans of the Merrimac Bridge that were to be replaced in 2023 have been replaced, the continuous welded rail (CWR) between Prairie du Chien and Bridgeport is in; WSOR is working on bridge replacement projects for 2024; Fox Lake Sub tie and surfacing is near completion for this year with approximately 10,000 ties installed; the grant agreement for the Reedsburg sub from Reedsburg to Devil's Lake is in process; Amtrak and DOT recently rolled out preliminary plans for the Hiawatha project; WSOR is working with the Village of Darien on a safety issue on 3rd Street; Janesville Locomotive Shop is progressing nicely; Clausen in Milton will be operational soon; WSOR is working with the City of Edgerton on a brick donation project from a walkway that was removed off of rail right-of-way; and there was patch work done in the Village of Muscoda on their WI Ave crossing.

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

Stern reported that WisDOT is fully staffed and introduced Ben Mohlke, Freight Rail Program Manager, to the Commission; WisDOT is happy with the Merrimac Bridge project; and is hopeful to have updates on the Janesville Bridges next month.

Halsted showed a video of the Jones Island project.

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

Molzof stated that there has been interest from commissioners who want to know more about each other, and asked if commissioners could complete the questionnaire that was sent out in the packet. Molzof also noted that there has been no word on replacement of the resigning commissioners' replacements: Kathy Bahner (Jefferson County) and Richard Mace (Waukesha County).

12. **Aurora Street Crossing - T. Wall Enterprises, see letter dated August 14, 2023 requesting appearance before the Commission.**

Attorney Brownlee stated that the draft decision was released, the public comment period ended August 23, 2023, and we are waiting on the final decision from the OCR before we can do anything about the Aurora Street Crossing. No Action.

13. **Merrimac Bridge**

None.

14. **Baraboo Bridge Project B-368 - WSOR & WisDOT**

Attorney Brownlee left the meeting prior to discussion.

Stern provided an updated timeline that was emailed to commissioners on September 6, 2023; WisDOT is currently trying to find a solution; and the Commission will need to approve the Trans 29 permit. Lucht stated that WSOR has major concerns with this as there was grant money used to fully rehabilitate the structure for a 100-year life with new concrete bench walls, reinforcing steel bars in the rebar, steel sheeting to prevent water damage, and now there are 66 holes drilled into the sheeting that are 6" deep, at least 7 of which have compromised the rebar, and high-water events will likely cause other issues that could have been prevented had Baraboo not drilled into the structure. The damage has reduced the anticipated life from 100 years to 30-40 years, the structure is compromised, and WSOR is no longer able to maintain the life required in the grant agreement. WSOR would like Commission to take action requiring that the pipe be removed and the city pay for the damages caused. WSOR was on-site after about 1 days' worth of work was complete, told them to stop, and contacted WisDOT to advise of activity. Stern sent RR engineer out on Friday and by Monday more work was being done, and a stop order was issued. After the stop order was issued, the City continued the work and completed the project. Huttenburg requested a copy of previous permit to determine if there was anything "grandfathered".

- *Motion to postpone discussion and action to October, 2023 meeting – Krueger, Peper. Upon Roll call vote, motion carried. 17 ayes, 4 nays (Reimann, Kannard, Sweeney, and Smith).*

15. **Safety Instructions for Railroad Visitors and Officials - WSOR**

Lucht reported that there were safety instructions included in packet of materials sent out to commissioners and requested that commissioners contact WSOR if they want to inspect or view areas of the railroad to ensure safety.

16. **Crossing Guidance Guidelines - Jeff Huttenburg**

Huttenburg worked with Potter on compiling the guidelines sent out in the packet of materials for commissioners' information and guidance on the law as it pertains to crossings and for guidance when an application is received. This guidance does not determine whether or not a crossing should be granted; however, it is a legal summary and gives us a procedure to follow. Larson recommended attaching this document to crossing applications when they are requested so that applicants are aware of the guidance being used in making the determinations.

- *Motion to approve the crossing guidance guidelines as presented – Schaefer/Krueger. Passed Unanimously.*

17. **Permit Requests, if any**

None.

18. **Adjournment.**

- *Motion to Adjourn at 11:45 am – Kannard/Scallon. Passed Unanimously.*