

**WRRTC JANUARY 12, 2024 MEETING MINUTES – APPROVED 02-09-2024**

**Wisconsin River Rail Transit Commission  
Commission Meeting – Friday, January 12, 2024 at 10:00 am  
Virtual via Zoom**

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

|          |  |                |           |  |                |
|----------|--|----------------|-----------|--|----------------|
| Crawford | Carl Orr, <i>2<sup>nd</sup> Vice Chair</i>         | X              | Jefferson | Mary Roberts   | X              |
|          | Mark Gilberts                                      | X              |           | John Kannard, <i>Vice Secretary</i>                  | X              |
|          | Tom Cornford                                       | X              |           | VACANT   |                |
|          |  |                |           | Jeff Smith, <i>Alternate</i>                         | X              |
| Dane     | Kevin Potter                                       | X              | Rock      | VACANT   |                |
|          | 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>2<sup>nd</sup> Vice Treasurer</i> | X              |
|          | Robert Scallon, <i>1<sup>st</sup> Vice Chair</i>   | <i>Excused</i> |           | Marty Krueger  | X              |
|          |  |                |           | Tim McCumber, <i>Alternate</i>                       | X              |
| Green    | Harvey Kubly, <i>1<sup>st</sup> Vice Treasurer</i> | X              | Walworth  | Al Stanek  | <i>Excused</i> |
|          | Todd Larson  | X              |           | Richard Kuhnke, <i>2<sup>nd</sup> Vice Secretary</i> | <i>Excused</i> |
|          | Kurt Schafer                                       | X              |           | Allan Polyock  | <i>Excused</i> |
| Iowa     | Charles Anderson, <i>Secretary</i>                 | X              | Waukesha  | Rick Beutler, <i>3<sup>rd</sup> Vice Treasurer</i>   | X              |
|          | Kate Reimann                                       | X              |           | Richard Morris                                       | X              |
|          | Kevin Peterson                                     | <i>Excused</i> |           | Karl Nilson  | X              |

Commission met quorum.

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

|  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Misty Molzof, <i>SWWRPC</i></li> <li>• Eileen Brownlee, <i>Attorney</i></li> <li>• Ben Mohlke, <i>WisDOT</i></li> <li>• Ken Lucht, <i>WSOR</i></li> </ul> | <ul style="list-style-type: none"> <li>• Don Vruwink, <i>OCR</i>.</li> <li>• Alan Anderson, <i>Pink Lady RTC</i></li> <li>• Mark Opitz, <i>Cross Plains</i></li> </ul> |
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3. Action Item.           **Certification of Meeting’s Public Notice – Noticed by Molzof.**
  - *Motion to approve meeting’s public notice – Nilson/Brien. Passed Unanimously.*
4. Action Item.           **Approval of Agenda – Prepared by Molzof.**
  - *Motion to approve the agenda. Morris/Kannard. – Passed Unanimously.*
5. Action Item.           **Approval of draft December 8, 2023 Meeting Minutes – Prepared by Molzof.**
  - *Motion to approve the December 8, 2023 meeting minutes as presented. Nilson/Burchill. Passed Unanimously.*
6. Updates.               **Public Comment – Time for public comment may be limited by the Chair.**  
None.
7. Updates.               **Announcements by Commissioners**

**REPORTS & COMMISSION BUSINESS**

8.           **WRRTC Financial Report – Huttenburg, Treasurer**
  - *Motion to approve the Treasurer’s Report and pay WSOR \$116,716.47 for the Merrimac Bridge Request #3. Anderson/Morris. Passed Unanimously.*

Huttenburg summarized November, 2023 financial statements and stated that we recently received notice from auditors, Johnson & Block that they are no longer interested in performing audit services for the WRRTC due to time constraints, staffing, and current audit requirements. Molzof and Huttenburg will work on audit requirements in the next couple of months and bring more information back to a future meeting.

9.           **Wisconsin & Southern Railroad’s Report on Operations – Lucht, WSOR**  
Lucht reported that WSOR has reached out to the Town of Cross Plains in regards to Crossing 8814 along Hwy 14 and are awaiting a response regarding the unpermitted private crossing; the new locomotive shop in Janesville is coming along and WSOR is hopeful that it will be fully

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operational summer of 2024; WSOR is looking for an update or recommendation from the Commission on the undocumented, private crossings along the Waukesha Sub; calendars will be ready at next month's meeting; and Lucht will send out the 2024 maintenance program report.

### 10. **WisDOT Report – Mohlke - WisDOT.**

Mohlke reported that the Merrimac bridge is on pause for the winter with span #2 being completed in early December; the City of Baraboo has retained new counsel; however, they have not responded to WisDOT letter in any fashion, nor have they brought the bridge into compliance; the Freight Rail Preservation Program Grant deadline is quickly approaching; the OCR has made a decision on the Aurora Street Crossing; and WisDOT will follow up regarding the audit email that Molzof recently sent out.

### 11. **Administrator's Report – Molzof** reported that she has been in contact with Johnson & Block and will work with WisDOT and Huttenburg on a solution to the annual audit.

### 12. **Approve Annual Payment Amount on Offer to Use Agreement with Poppenhagen – Huttenburg, Treasurer**

- *Motion to approve 3% increase in the David L Popenhagen offer to use agreement from \$350.00 to \$360.50 for 2024. Reimann/Anderson. Passed Unanimously.*

Huttenburg stated that the commission can increase the lease amount by 3% with a 90-day notice, and recommends the commission increase the annual amount.

### 13. **Ratify Agreement with Richard Shure, Net Liquidation Valuation Proposal, Walking Iron Trail, Dane County, WI as recommended by Trail Committee – Sweeney.**

- *Motion to approve net liquidation valuation proposal as presented and recommended by Trail Committee. Krueger/Huttenburg. Passed Unanimously.*

### 14. **Permits / Applications for Approval**

- Utility Permit – Madison Gas and Electric, City of Fitchburg, County of Dane, 1/1/2024 – 5/30/2024, horizontal directional drill.
  - *Motion to approve utility permit for Madison Gas and Electric, for the project located in the City of Fitchburg from 1/1/2024 through 5/30/2024 as presented contingent upon WSOR review and approval. Anderson/Kannard. Passed Unanimously.*

### 15. **Aurora Street Crossing, Middleton, WI – Brownlee, Attorney**

Brownlee stated that Office of Commissioner of Railroads (OCR) has determined that the crossing on Aurora Street in Middleton is private and the final determination is consistent with the draft decision. Next steps are for the City of Middleton to apply for a private crossing permit, and we will wait to hear something from Middleton and/or their attorney. Lucht stated that numerous attempts have been made to close the crossing by WSOR; however, the materials being put in place are being moved and/or removed.

### 16. **Adjournment.**

- *Motion to Adjourn at 10:40 am. Kubly/Nilson. Passed Unanimously.*