

MINUTES OF MEETING
SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

April 10, 2000
New Glarus Firestation
New Glarus, WI

1. Call to Order and Roll Call

The meeting was call to order by Chairman Hoesly at approximately 11:30 a.m. The following roll call was recorded.

Present: Bob Hoesly, Greg Engen, Harvey Kubly and Fred Bartol

Absent: Roberta Leidner and Judith Pederson

Others Present: Ruth Wittenwyler, Randy Poor, Randall Smith, Wade Wittenwyler, Sandy Hershberger, Carol Strause and Jack Stenbraten, Village of Monticello; Paul Ziehli, Village of Belleville; Steve Colden and Carl Batha, WDNR; Tom Wildenborg, Vicki Schaefer and Frank Huntington, WDOT; Eileen Brownlee, Attorney for the Commission and Ken Lucht, SWWRPC

2. Public Notice

It was noted that the Green County Clerk had posted the notice and sent notice of the meeting to the Dane County Clerk for posting. Also, notice was sent to several new media. The Green County Clerk submitted a written statement certifying to the public notice.

F. Bartol moved, G. Engen seconded that the meeting be declared properly noticed. Motion carried.

3. Approval of December 17, 1999 Meeting Minutes

G. Engen Moved, H. Kubly seconded, that the minutes of the December 17, 1999 commission meeting be approved as distributed. Motion carried.

4. Treasurer's Report

H. Kubly, Commission Treasurer, presented the attached Treasurer's Report.

H. Kubly moved, F. Bartol seconded, that the Treasurer's Report be accepted and approved. Motion carried.

H. Kubly noted that there were several items on the agenda that involved the payment of bills. He asked that they be handled at this time.

a) SCWRTC Liability Insurance

E. Brownlee reported that she had contacted the commission's insurance carrier and was informed that they would be willing to extend the insurance on a day to day basis. The other option would be to renew the policy for a year for \$10,000. If the policy is canceled the commission would receive a \$7,500 refund.

Following a discussion, H. Kubly moved, F. Bartol seconded, that the commission approve renewal of the policy for one year. Motion carried.

b) A bill in the amount of \$575.58 was presented from Wade Wittenwyler for 1,508 feet of fencing.

G. Engen moved, F. Bartol seconded, that the bill be approved. Motion carried.

c) Dane County Highway Department Bill For Dead Tree Removal

A bill was received from the Dane County Highway Department in the amount of \$721.75 for the removal of dead trees on the right-of-way.

H. Kubly moved, G. Engen seconded, that the bill be approved. Motion carried.

5. SCWRTC-WDOT-WDNR Rails-to-Trails Agreement

E. Brownlee, Commission's Attorney, and V. Schaefer, WDOT, reviewed the details of the agreement with the Commission.

H. Kubly raised a question regarding previous action by the SCWRTC and the PRTC to turn over jurisdiction for the SCWRTC trackage in Monroe to the PRTC. F. Huntington explained that the two commissions had agreed to take this action, but never negotiated or executed the necessary agreements. At the time it was believed the track between the PRTC interchange and the Monroe Industrial Park would remain in place. However, the City of Monroe decided they did not want to keep the track in place and the tracks have since been removed. Because the two commissions never executed an agreement regarding this track the PRTC has no interest in the property.

H. Kubly raised questions regarding the term of the Agreement, and whether there was any requirement to construct improvements to railroad standards.

R. Hoesly noted that if the line was to be put back into railroad use the line would have to be basically rebuilt. It was also noted that any crossing or utility permits will specify that they will either be to railroad standards now, or will have to be rebuilt or moved when rail service is restored.

T. Wildenborg noted that some bridges are being removed because they would have to be rebuilt anyway.

H. Kubly asked if DNR planned to develop a headquarters along the corridor, and how close it would be to the trail. C. Batha and S. Colden, DNR, indicated a shop would be constructed on current DNR land near the junction of the this corridor and the Sugar River Trail.

H. Kubly moved that the agreement be approved with the exception of Item #20.

Item #20 stated “This permit shall not be construed as creating a public debt on the part of WDNR in contravention of article VIII, Wisconsin Constitution; and all obligations and responsibilities hereunder are subject to the availability of future appropriations. If no funding is available, the parties shall work together towards resolution.”

The motion died for lack of a second.

H. Kubly moved to approve the contract with the following language addition; “This agreement will not create any additional funding requirement on the part of the SCWRTC.”

The motion died for lack of a second.

H. Kubly moved to reject the contract. Motion seconded by R. Hoesly. On a roll call vote: Hoesly and Kubly voted aye; Engen and Bartol voted no. Motion was defeated.

F. Bartol moved, G. Engen seconded, to approve the contract as presented. On a roll call vote: Hoesly, Engen and Bartol voted aye; Kubly voted no. Motion carried.

6. SCWRTC-WDOT-City of Madison Rails to Trails Agreement

V. Schaefer, WDOT, reported that the City of Madison will be considering this agreement on April 12. The City took previous action on the agreement, but will take additional action to clarify that the WDOT and SCWRTC are both parties to the agreement.

T. Wildenborg noted that a new bridge will be built over the corridor at Spooner Street that will be lower than needed if rail service is restored. The City is agreeing to rebuild the bridge when rail service is restored.

F. Bartol moved, G. Engen seconded, that the agreement be approved as presented. On a roll call vote: Hoesly, Engen and Bartol voted aye. Kubly voted no. Motion carried.

7. SCWRTC Staffing Needs

R. Hoesly indicated that he has picked up the commission’s records from the Dane County Regional Planning Commission and taken them to storage at the Green County Pleasant View Complex.

He also stated that he had received a letter from C. Strause expressing an interest in serving as staff for the commission.

H. Kubly moved, F. Bartol seconded, that commission officers be authorized to further discussions the issue of providing staff services with C. Strause and bring additional information back to the next meeting. Motion carried.

8. Approval of Accounting firm for 1999 Audit

Following a discussion, H. Kubly moved, G. Engen seconded, that the commission approve having Johnson Block Accounting perform the 1999 Audit based on the estimated fee. Motion carried.

9. WDOT/MGE Meeting Regarding Utility Permit on the Corridor

T. Wildenborg reported on a February 8, 2000 meeting between WDOT, MGE and the University of Wisconsin. He stated that the University wants to convert its power plant to gas. MGE needs to extend a new gas line from south of the Beltline to the University. The SCWRTC corridor is close to both locations and using the corridor would be much less costly and help to avoid many of the problems associated with developing a new corridor. The WDOT has the authority to issue utility permits, and has agreed to allow this pipeline. The line will be placed under the trail, in the center of the corridor. If and when rail service is restored the pipeline will either be removed, or abandon and filled to avoid any problems.

10. Signing of SCWRTC Checks

H. Kubly reported that previously Joan Foeste, as commission staff, signed checks jointly with him so that there would be two signatures on all checks. He requested that the commission authorize a second person to sign checks in addition to him.

G. Engen moved, F. Bartol seconded, that R. Hoesly, Chairman, be authorized to sign checks along with H. Kubly, Treasurer. Motion carried.

11. Freeport Road Crossing

T. Wildenborg reported that the City of Madison has requested authority to extend the Verona Road service road across the SCWRTC corridor to connect with Freeport Road. The terms of a permit to do this are still being negotiated. Language regarding liability is not yet resolved.

12. Village of Belleville

P. Ziehli, Village of Belleville President, addressed the commission regarding several issues.

Mr. Ziehli noted that the right-of-way through the community still needs to be cleaned up.

T. Wildenborg stated that the contractor is still working on the project and will be complete later this spring.

Mr. Ziehli also noted that he had heard that a group in Madison was planning on completing a tree planting program along the corridor. He asked if there was any assistance for this.

C. Batha indicated that this is a citizen group working with the City of Madison to plant trees and prairie plants. There is no state assistance for this.

Mr. Ziehli also indicated that a culvert under the corridor was creating a drainage problem. It was plugged and preventing water flow. He added that if development occurs as expected a larger culvert will soon be needed to accommodate the expected increased water flow. The estimated cost for a larger culvert is \$4,500 - \$5,000.

T. Wildenborg, WDOT, indicated he would look into the situation and report back to the commission.

13. Adjournment

G. Engen moved, F. Bartol seconded, that the meeting be adjourned.

Greg Engen, Secretary

Recorded by: Frank Huntington, SWWRPC