

MEETING MINUTES

SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

Wednesday, June 20, 2001, 12:30p.m.
Green County Courthouse
Basement Conference Room
Monroe, WI

1. Call to Order and Roll Call

The meeting was call to order by Chairman Hoesly at approximately 12:35 p.m. The following roll call was recorded.

Members Present: Bob Hoesly, Greg Engen, Harvey Kubly, and Paul Ziehli

Members Absent: Fred Bartol and Roberta Leidner

Others Present: Roger Larson, WDOT; Wade Wittenwyler, Monticello; Jim Tracey, Vicki Schaefer, Frank Huntington, WDOT; Ken Clemmons, WSOR; Dana White Quam, WDNR; Henry Schoeberle, Rock County; Vance Miller, Citizen; Peggy Kuester, Citizen; Gary Kramer, Badger State Ethanol; Trygve Strommen, Super Soy Feeds; Matt Urban, Monroe Chamber of Commerce; Anna Schramke, Green County Economic Development; and Kenneth Lucht, SWWRPC

2. Proof of Public Notice

It was noted that the meeting notice had been sent to the Green County and Dane County Clerks for posting in the county courthouses. Also, notice was sent to several news media. The meeting notice was also posted at the office of the Southwest Wisconsin Regional Planning Commission in Platteville, WI.

G. Engen moved, P. Ziehli seconded that the meeting was properly noticed. Motion carried.

3. Approval of Agenda

P. Ziehli Moved, G. Engen seconded, that the agenda approved as distributed. Motion carried.

4. Approval of December 14, 2000 Meeting Minutes

G. Engen Moved, H. Kubly seconded, that the minutes of the December 14, 2000 commission meeting be approved as distributed. Motion carried.

5. Approval of Bills / Treasurer's Report

H. Kubly, Commission Treasurer, presented the attached Treasurer's Report and the following bills. H. Kubly noted that there was one bill to be presented to the commission today for payment. A bill was received from a private landowner in Monroe, in regards to recent excavation work performed on their property as well as on the railroad corridor. As a result of a

1994 flood where several inches of water fell in just under an hour in time, the embankment of the property collapsed onto the railroad corridor. The landowner lost much of their backyard as a result, sending many trees and shrubs to the bottom of the railroad corridor. Just recently, the landowner hired a contractor to fill in the embankment with assorted fill materials. K. Lucht noted that the contractor had done an excellent job for the price paid, whereby the landowner has fully repaired their backyard. They have already paid the contractor and are seeking reimbursement through the commission.

H. Kubly moved, G. Engen seconded, that the presented Treasurer's Report be approved. Motion carried. Furthermore, it was moved, by P. Ziehle, seconded by H. Kubly, that the bill be approved and paid. Motion carried.

6. General Commission Business

K. Lucht welcomed Mr. Paul Ziehli to the commission. A letter in the meeting packets confirms Mr. Ziehli's appointment by Dane County. Also in the meeting packets is an executed permit from the Wisconsin Department of Transportation in regards to the removal of the former railroad spur line bridge adjacent to the City Water Works on 5th Avenue. Lucht noted that with the removal of the bridge, any future liability to the commission will be avoided. Also, the City of Monroe has agreed to remove the bridge at their cost. Since part of the bridge is on commission property and part is on city property, it was thought that removal was the best option.

G. Engen noted that he was present at the June 9th Groundbreaking of the Jane Addams Trail in Orangeville, IL. Engen had discussion with folks from the Jane Addams Trail Commission who are interested in establishing better communication lines between their commission and the SCWRTC. Lucht noted that this communication has already been made, and it will continue in the future.

7. Old Business

K. Lucht reported on three property management issues that are currently being addressed by commission staff. In October of last year, the Freeport, IL Area Economic Development Foundation contacted Jim Tracey of the WDOT in regards to these issues. The first issue involves 3 existing buildings located on trail right-of-way on the Jane Adams Trail, Section A, Stephenson County, Illinois. It is unsure whether or not these buildings have leases (land) from the commission attached to them. It is also unsure who are what entity owns the land underneath the buildings. The Freeport Area Economic Development Foundation would like to construct a trail access point at this location and is currently evaluating the possibilities. K. Lucht suggested that additional information be collected and addressed more specifically at the next meeting regarding this issue.

The second issue involves a utility permit request from an individual in Freeport, IL. This request included extending an electrical facility across the trail to connect up with an existing private property for a cattle barn. K. Lucht mentioned that the utility facility has already been constructed and a retroactively approved utility permit will be the most likely avenue. Lucht mentioned that he will gather additional information in regards to this issue before a utility permit is authorized by the commission.

The third issue involves the encroachment of excavated soil on commission property. In Fall of last year, the Brush Creek Golf Course in Orangeville, IL recently completed construction. In the process of its construction, a 6 to 8-foot high berm of soil was built on the right-of-way, approximately 10 feet from the edge of the trail surface. The berm is also very unsightly to users of the trail. This was done without prior approval from the commission. K. Lucht has sent golf course management a letter requiring immediate removal of the berm, but no response has been received as of yet. Lucht will continue his efforts at contacting the Brush Creek Golf Course.

8. New Business

A). Update on Ethanol Plant Proposal - City of Monroe

G. Kramer from the Badger State Ethanol Company presented an update on the proposed Ethanol Plant in the City of Monroe. The proposed Ethanol Plant in Monroe will be a grain processing facility that will produce 40 million gallons per year of fuel grade ethanol. It is estimated that this operation will be accommodating 120 rail cars per week. As part of the improved rail infrastructure, a runaround will be installed on the property. Construction is expected to begin in mid July of this year.

B). Discussion/Action regarding removal of excess rail line in Monroe

K. Lucht mentioned that as a result of the Ethanol Plant Project, the current interchange extending north into the industrial park must be removed. In the late 1980's, both the SCWRTC and the Pecatonica Rail Transit Commission (PRTC) contributed equal funding towards the local share of installing this interchange. The Wisconsin Department of Transportation (WDOT) contributed the remaining funds. The commission must consider what to do with the materials from this interchange since removal is necessary. During a site visit on June 14, 2001, Lucht joined J. Tracey and V. Schaefer in determining the amount of materials needing to be removed. In all, there is 1,427 feet of rail, one switch, several ties, and all the ballast, which must be removed. J. Tracey is currently working on devising relay value estimates for this material.

Chairman Hoesly asked how much of the existing interchange does the commission own. F. Huntington responded that this interchange was built by WDOT, SCWRTC, and PRTC. 80% of the improvements are owned by WDOT, 10% are owned by SCWRTC, and 10% owned by PRTC. Huntington further mentioned that WDOT's only concern over the future of this interchange is that the material is used somewhere on WDOT's rail system.

P. Ziehli Moved, G. Engen seconded, that the excess rail be removed from its current location and used somewhere else in the state rail system. Motion carried.

C). Discussion/Action of request to purchase a portion of the ROW in Monroe

K. Lucht reported that in the City of Monroe, there is an apartment complex with a parking lot that has encroached upon the rail right-of-way for years. As of this month, the complex is up for sale and the potential buyer is concerned about this encroachment. The buyer is interested in buying the portion of the rail property located beneath the parking lot. If the commission is not interested in selling the property, the prospective buyer is interested in entering into a permit arrangement.

K. Lucht referred to a letter in the meeting packets from the WDOT in regards to the future of this property. WDOT's recommendation is to sell the property because the encroachment has been in existence for over 15 years. The sale would require the new owner to install concrete tire-stops to prevent further encroachment upon the right-of-way. Further, the sale would eliminate any type of future liabilities arising as a result of the parking lot. Also, in the event rail service was re-established along this line, this property would not be necessary to retain. There is still 25 feet of right-of-way on either side of the corridor, and this area would not be the site of any type of siding. The Wisconsin Department of Natural Resources is acceptable of this sale.

H. Kubly noted that the commission should take rail preservation seriously and protect the corridor in all instances. He recommends that the new owner enter into a permit with the WDOT, rather than selling this property. Chairman Hoesly asked if a permit would be sufficient to the new owner. Mr. Miller replied that a permit would satisfy his interests. V. Schaefer mentioned that an "Offer to Use" Permit would be for a 2-year term with annual renewals thereafter, including indemnification clauses. Further, as long as there are no further encroachments, the permit will not terminate.

H. Kubly Moved, P. Ziehli seconded, authorizing the WDOT to issue a permit for use of the railroad right-of-way for the apartment complex property located at 2207, 2215, and 2221 1st Street. Motion carried.

D). Badger State Trail Update

D. Quam reported on the progress of the Badger State Trail. Currently, the trail is closed until further development. There was no money allotted in the past state budget for construction of the Badger Trail. In the 2001-2003 budget cycle, there was money available for brushing, grading, and planking of bridges. In the 2003-2005 budget, the WDNR will solicit funds for further improvements. In the 2005-2007 budget, the WDNR will solicit funds for support facilities and a shop. There is a patrolmen on duty, patrolling the trail corridor. Also, beginning July 1, 2001, the WDNR will start to develop a Master Plan for this corridor. This Master Plan will identify the types of uses for the trail, as well as have a public comment period.

9. Next Meeting (s) -

K. Lucht mentioned that the next SCWRTC meeting is scheduled for Thursday, December 13, 2001, at the Dane County Highway Garage, in Madison, WI, unless further notice is given.

10. Adjournment

P. Ziehli moved, G. Engen seconded, that the meeting be adjourned.

Greg Engen, Secretary

Recorded by: Kenneth Lucht, SWWRPC