

SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

3 p.m. Thursday - March 31st, 2005

Department of Natural Resources | 3911 Fish Hatchery Road | Fitchburg, WI

- 1) Robert Hoesly, Chair, called the meeting to order at 3:22.
- 2) Roll call of Commissioners present for all or part of the meeting:

Robert	Hoesly	Chair	Green County	Present
Judy	Olson	Secretary	Dane County	
Harvey	Kubly	Treasurer	Green County	Present
Chris	Klar		Dane County	
Oscar	Olson		Green County	Present
Paul	Ziehli	Vice Chair	Dane County	Present

Others in attendance: Joni Graves (SWWRPC and SCWRPC staff); Frank Huntington, Jim Tracey, and Vicki Schaefer, WisDOT BORAH; Roger Larson, WisDOT District 1; Dana White Quam (DNR).

When called to order, the Commission did not have quorum; until quorum was met, Agenda items were discussed and the Commission's consensus is noted.

- 3) **Proof of Public Notice** was acknowledged and accepted by consensus.
- 4) **The Agenda was accepted by consensus.**
- 5) **The Minutes from the 4 March 2004 meeting, prepared by Joni Graves, were accepted by consensus following a recommendation by Ziehli and Olson.**

The Chair reviewed the Agenda and made some adjustments to the order of discussion, while the Commission awaited the arrival of another member.

New Business

- 6) **Possible Action Item. City of Monroe**
 - a. 8th Street Bridge work (and possible need to supplement the three-party Rails-To-Trails Agreement)
 - b. Possible request for access related to 2005 street construction.

Jim Tracey and Vicki Schaefer, WisDOT, explained that the City wishes to remove the overhead bridge at 8th Street; the structure has a 14' clearance, which is sub-standard. The City had applied for a grant from the DNR Community Assistance Program, which was awarded contingent upon their having an agreement with WisDOT. The proposed bridge would meet federal standards for a recreation-type structure and would probably be an 18' arch. Ziehli asked, who would pay for a bridge that would be constructed to the railroad standards of the time, if such a structure were needed in the future. It was explained that the current bridge, according to old documents, was paid for with 40% of funding from the railroad and 60% of funding from WisDOT. Tracy and White Quam explained that, if needed, the costs to build a new railroad bridge at this location would come from railroad start-up costs (and would not be costs borne by the Commission or the City). The proposed trail bridge would be designed to handle trail traffic, but it would be inadequate for rail service. The City and WisDOT have agreed that since the existing bridge is not adequate to meet current standards for a railroad structure, the City would not be held responsible for possible future costs of constructing a bridge that would meet then-prevailing rail standards. The City will bear the cost of all removal of the structure, grading, etc. The City's preferred timeline would be to remove the structure and construct the new bridge in 2006. It was agreed by consensus that WisDOT should generate the necessary paperwork and bring it before the Commission.

At 3:33 p.m. a fourth Commissioner arrived, providing quorum for the remainder of the meeting.

Motion requesting that WisDOT generate the necessary paperwork for a three-party Letter of Agreement with SCWRTC, WisDOT, and the City of Monroe as named parties in an Agreement supporting removal and reconstruction of the 8th St. Bridge in Monroe, WI, and clarifying responsibility for costs associated with replacing the structure should rail service be resumed / Ziehli / Olson / Motion passed unanimously.

FOLLOW-UP: WisDOT will generate a three-party Letter of Agreement, as outlined in the Motion, related to the 8th St. Bridge in Monroe.

In other discussion, Jim Tracy said that he would follow up with the City of Monroe to determine whether the 9TH Street project will impact the Trail or require an access permit; he also referenced a potential culvert issue and that he would follow up on both issues.

FOLLOW-UP: Jim Tracy, WisDOT, will follow up on other City of Monroe questions (see above).

7) IDOT - Proposed bridge structure over the Jane Addams Trail (US 20)

Graves provided a brief update on information received from iDOT.

8) Treasurer's Report/Consideration of Bills – Harvey Kubly

a. The Treasurer reported on the Commission funds. It was noted that Green County's funds from the rail salvage comprise the bulk of the Commission's balance (Dane County had opted to receive their portion, rather than have it held by the Commission). **Motion to approve the Treasurer's Report, as presented / Kubly / Olson / Motion passed unanimously.**

b. The Treasurer enumerated bills received by the Commission: SWWRPC for \$2,451.10 (staffing); Johnson Block for \$1,000.00 (audit); Kramer & Brownlee for \$616.00 (legal); and a reimbursement request from the Treasurer for his cost of \$30.00 to maintain a liability bond (Freitag-Atkinson Agency). **Motion to pay the Commission's bills as presented / Olson / Ziehli / Motion passed unanimously.**

Graves provided a brief report on the status of the tax issue with the Jane Addams Trail – in summary, their staff have said that they are continuing to work to resolve the issue and the SCWRTC's staff will continue to seek closure on the matter.

FOLLOW-UP: SCWRTC staff will follow up with Jane Addams Trail staff re the IL taxes.

c. **Approval of the Final 1999-2002 Audit.** Kubly summarized the findings of the Audit. **Motion to approve the final 1999-2002 Audit / Kubly / Olson /** It was noted that page 3 of the Audit indicates the amount of segregated funds, held by the Commission, related to the sale of rail salvage and that Dane County had requested and received return of their share / **Motion passed unanimously.**

d. Kubly recommended acceptance of the **Draft 2003 Audit**, explaining that he will review it and that he would provide review copies to other Commissioners if they would also like to review it. **Motion authorizing the Commission's Treasurer, Harvey Kubly, to review the Draft 2003 Audit / Olson / Ziehli / Motion passed unanimously.**

e. **Engagement for the 2004 Audit.** Kubly explained that last year the cost was \$1000 but that this year's engagement letter quoted \$1,100; Kubly said that he had negotiated on the Commission's behalf for a cost not-to-exceed the \$1000 for the 2004 Audit and that he commended Johnson Block for the work,

recommending that the Commission continue to engage their services. **Motion to engage Johnson Block to perform an Audit of the Commission's 2004 finances at a cost not-to-exceed \$1000 / Olson / Kubly / Motion passed unanimously.**

f. **2005 Budget.** Kubly explained that based on its 2004 expenses, the Commission's 2005 expenses are not anticipated to exceed \$6,000.00 for staffing, legal, audit, and any miscellaneous costs. It was noted that in recent years these costs have been covered by the Commission's reserves. Ziehli suggested that the Commission should request that Dane County provide its share. **Motion to adopt a budget of \$6,000 to cover the Commission's legal, auditing, and staffing costs for 2005 / Kubly / Ziehli / Motion passed unanimously.**

FOLLOW-UP: Ziehli requested that the next Agenda include discussion and possible action related to requesting that Dane County be asked to contribute half of the costs for the Commission's operations.

Reports & Updates

9) Staff Report – Joni Herren Graves

a. **Staff Services:** Graves provided a summary report, explaining that much of the year's activity had been related to finalization of the amended agreement with the DNR. She submitted SWWRPC's proposed Staff Services Agreement for 2005 which, like the 2004 Agreement, was written not-to-exceed \$4000 (the actual charges from SWWRPC staff for 2004 were \$2,451.10). **Motion to renew the Staff Services Agreement with SWWRPC, not-to-exceed \$4000 / Kubly / Olson / Motion passed unanimously.**

b. **Proposed regular meeting schedule.** Graves recommended that the Commission establish a calendar of quarterly meetings and suggested the fourth Wednesday or Thursday of April (the regularly scheduled election of officers), July, and October (in 2005), and January (2006). She explained that if there were no business matters before the Commission, notice would be sent canceling the meeting; she also suggested that the Commission may wish to forego an April meeting and hold its next meeting in July. **Motion to adopt a quarterly calendar of meetings to be held at 1 pm on the 4th Wednesday of the month, starting in July of 2005; and that if there were no business matters to come before the Commission, staff would notify Commissioners, WisDOT staff, and DNR staff of the cancellation / Kubly / Olson / Motion passed unanimously.**

c. **Completion of Past Action: Signing of Amendment One to SCWRTC's Agreement with WisDOT and the WI DNR.** Since the Commission's Secretary, Judy Olson, was not present the Vice Chair, Paul Ziehli, signed; Roger Larson notarized the Agreement.

10) **WisDOT Updates** – Frank Huntington provided a brief update on the status of WisDOT's budget; the proposed WisDOT reorganization; and a statewide activity update.

11) **DNR Update** – Dana White-Quam provided an update on the DNR's Master Plan process for the trail, which will go to public review in late May or early June. The DNR is proposing biking, hiking, and roller-blading as uses on the north end, and that they are considering possibly accommodating horses within the corridor, but not on the same path. In the City of Fitchburg, a segment would be paved with a grade-separated crossing at CTH PD; the trail south of Purcell Road would be crushed limestone. She explained that the Master Plan looks forward some-30-years, so not all of these things would be done at once.

Snowmobiling would be permitted and she said that the trail was open for snowmobiling this past winter (Dane County requires a 6-inch base of snow), with a good two-week stretch and another stretch when snowmobilers were able to use the trail again. The trail will be open for hiking in the summer of 2005, although the DNR is not recommending bicycling until the trail is surfaced. The DNR is recommending that

ATVs not be a permitted use on this trail because it is not compatible with the recommended uses: “Typically the ATVs displace the other uses – the tires are hard on the surface, the speeds, and the dust create conflicts.” Commissioners commented that local groups were hoping the trail could be used by ATV’ers until it is surfaced. White Quam said that they have met with representatives from groups at the local and state level. She explained that some of the grade has 50’ drop-offs and that there are other areas with rock outcroppings, so it would be hazardous at ATV’s higher speeds. She said that the ATV’ers that they had met with understood and accepted these safety concerns. The DNR had also used the meetings, according to White Quam, to provide information about the DNR’s interest in developing “ATV playgrounds” in this area, where the conditions would be better-suited for ATV users’ interests. She said that this is being done in Racine County. Discussion returned to concerns that local ATV’ers may think that they could use the trail until it’s surfaced, although it has not been identified as a permitted use. White Quam referenced the letter in the *Monroe Times* from Representative Brett Davis about this, and other issues, and concluded that the DNR hopes to work with the ATV community and with everyone. A Commissioner voiced frustration that Davis’ letter referenced a meeting that the DNR had with Legislators about these issues asking, “Why didn’t we [the SCWRTC] know?” White Quam said that she hadn’t known about the meeting either. Commissioners said that they were frustrated that there were so many rumors and that they had so little information themselves: “We want to be kept informed!”

Other questions were raised about the tunnel and other infrastructure. White Quam said that the bridges are done; the signing is up; and that the engineering work has been done for the tunnel projects and is at the DOA ready to be released for bids, noting that it could possibly be done this year depending on how quickly the DOA acts. She said that the Historical Society had expressed concern and wanted a brick lining, but that the DNR had concluded that this was impractical; they did agree on concrete using a brick stamp-mold and the use of historically appropriate materials at the entrances to the tunnels. A Commissioner said that another rumor is that the tunnels will be lighted and that this will cost a million dollars. Whit Quam responded: “Nope!!!” adding that users won’t be able to ride bicycles in the tunnel because, like the tunnels on the Elroy-Sparta Trail, they wouldn’t be able to see except by the light of personal flash-lights.

White Quam concluded her report, explaining that the solution that has been worked out with the Legislators has a best-case timeline for surfacing the trail starting in the Summer of 2006, from the Illinois line, and paving the northern section in the Summer of 2007.

Other Comments/Discussion: Huntington informed the Commission that the UP line, from the beltline south, is being “filed for abandonment” will provide a continuation of the trail to CTH PD. He explained that there has been interest from the DNR and the Cities of Fitchburg and Madison. Vicki Schaefer told the Commission that the DNR has requested a “certificate of willingness,” which is being drafted, and that the corridor would go back to rail if needed.

Hoesly asked about the line to Oregon, noting that Green County had put some money into that line. Huntington said that the project is still moving ahead with an industrial park on one side and the Lycon facility on the other side; he said that the corridor would still be rail-banked to Evansville, where a cement truck had taken out the bridge.

Other Actions: With quorum, there was a formal **Motion to approve the Minutes from the previous meeting / Ziehli / Olson / Motion approved unanimously.**

The meeting adjourned at 5:10 p.m.